

# OHCHR Management Plan 2012-2013 Working for results



UNITED NATIONS  
**HUMAN RIGHTS**  
OFFICE OF THE HIGH COMMISSIONER



# OHCHR Management Plan 2012-2013

Working for results



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# Mission Statement

The mission of the Office of the United Nations High Commissioner for Human Rights (OHCHR) is to work for the promotion and protection of all human rights for all people; to help empower people to realize their rights and to assist those responsible for upholding such rights in ensuring that they are implemented. In carrying out its mission OHCHR will:

- ▶ Give priority to addressing the most pressing human rights violations, both acute and chronic, particularly those that put life in imminent peril.
- ▶ Focus attention on those who are at risk and vulnerable on multiple fronts.
- ▶ Pay equal attention to the realization of civil, cultural, economic, political, and social rights, including the right to development.
- ▶ Measure the impact of its work through the substantive benefit that is accrued through it to individuals around the world.

OHCHR, a part of the United Nations Secretariat, is guided in its work by the mandate provided by the General Assembly in resolution 48/141, the Charter of the United Nations, the Universal Declaration of Human Rights and subsequent human rights instruments, the 1993 Vienna Declaration and Programme of Action, and the 2005 World Summit Outcome Document.

Operationally, OHCHR works with governments, legislatures, courts, national institutions, civil society, regional and international organizations, and the United Nations system to develop and strengthen capacity, particularly at the national level, for the promotion and protection of human rights in accordance with international norms.

Institutionally, OHCHR is committed to strengthening the United Nations human rights programme and to providing it with the highest quality support. OHCHR is committed to working closely with its United Nations partners to ensure that human rights form the bedrock of the work of the United Nations.

# Vision Statement

To be a strong global leader and principled advocate for the full realization of all the rights and freedoms enshrined in the Universal Declaration of Human Rights.

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FÊTONS LES  
DROITS DE  
L'HOMME

لندتفل  
بحقوق  
الانسان

庆人权

ЧЕСТВЕМ  
ПРАВА  
ЧЕЛОВЕКА

CELEBRATE  
HUMAN  
RIGHTS

CELEBREMOS LOS  
DERECHOS  
HUMANOS



# Foreword by the High Commissioner

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Reflecting upon the two years that have passed and reviewing our work for the next biennium, I feel a mix of exhilaration, pride and a heavy sense of responsibility.

The recent events that have taken place in the world have been tragic in many ways. Yet in a much wider sense, these events have contributed to the development of significant human rights changes that are worthy of celebration. Many doors that we believed to have been firmly closed in the early part of 2010 have been flung wide open. Seemingly stable societies have been shaken to their foundations as a result of the spontaneous uprising of ordinary citizens who stood up to claim and defend the fundamental rights that are the inherent entitlements of all human beings. Governments have been forced to question and re-examine the issue of participation and to face the power that underlies the freedoms of opinion, assembly and expression. Entire nations that suffered through decades of oppression have become enflamed, inspired and driven by an irrepressible and sustained desire to live in accordance with the universal principles of dignity and self-determination. I feel proud to be part of a global community that recognizes the power of individuals to make a difference – and what a huge difference many individuals have made in the last two years! At the same time, I also feel a heavy sense of responsibility as we contemplate a renewed vision for my Office in light of this unique global context.

As we launch our OHCHR Management Plan for 2012-2013, I am encouraged by the realization that priorities such as the fight against impunity, economic and social rights, equality and development for all have been as integral to our plans during the last biennium as they have been to the revolutionary movements that emerged in cities and communities around the globe. These areas of work will remain a priority, but they will also have a sharpened focus and concentrate on the achievement of results.

In this biennium, we will do more to strengthen our cooperation and engagement with all of our partners: governments, civil society, and United Nations partners, including Agencies, Programmes and Funds. OHCHR will continue to be a referential focal point for leadership, support and assistance on existing and emerging human rights issues. We will provide a strong, timely and principled voice and ensure that our actions are consistently undertaken in accordance with the principles and provisions of international human rights law. In particular, we will seek to encourage and strengthen the will and capacity of States to meet their human rights obligations. In doing so, our standard of engagement with all governments, poor and rich, south and north, will be equally principled and norm-based.

More than ever, we are aware of our obligation to better understand the diverse and dynamic contexts in which we work, and to concurrently help countries understand the multiple human rights dimensions of their own contexts. We will increase our level of support to countries in the Middle East and North Africa and ensure that OHCHR field presences provide strong technical expertise and advice as Member States undergo the difficult and challenging transformation processes that are needed to make human rights a reality. We will also emphasize State obligations to ensure that accountability, transparency, participation and non-discrimination are key components of all of their actions.

We will furthermore continue to support the strengthening of the international human rights framework, including its mechanisms, to ensure that States and human rights defenders are fully aware of human rights norms, standards and the protection that these mechanisms provide.

Our rich and engaging work with civil society organizations consistently inspires us to pursue the full implementation of our mandate. In this regard, we will intensify and expand our outreach activities to varied segments of society, including marginalized communities, minorities, indigenous peoples, youth and women, so as to better streamline their issues into the work of the Office.

I will continue to exercise leadership on human rights issues both within and outside the United Nations. Among other activities, this will entail drawing attention to human rights issues, while also mobilizing governments, civil society and all other relevant stakeholders to effect a meaningful shift in policy and practice. It is anticipated that this will facilitate the full and robust integration of human rights in development cooperation efforts and encourage the adoption of human rights law as the basis for policy coherence across the international system. Within the United Nations, OHCHR will serve as the system-wide authority for all human rights issues, lead human rights mainstreaming efforts, and ensure the inclusion of human rights into all development approaches undertaken to support States as they seek to fulfil their commitments to implement the recommendations of the Universal Periodic Review process.

There is no doubt that development is unsustainable if it is not firmly rooted in the fundamental principles of the Universal Declaration of Human Rights. Indeed, human rights must be at the core of all humanitarian action and post-conflict UN support. Even where the windows of opportunity for rebuilding a stable society or prevention of a new crisis are small, we must focus on the fact that every situation provides opportunities to plant the seeds for lasting change. In this sense, we will strengthen our engagement with humanitarian and development partners during critical humanitarian crises and post-crisis periods to ensure that the international community's post-crisis recovery and development efforts are firmly rooted in human rights principles.

In this biennium, OHCHR will continue to emphasize its organizational commitment to on-going learning, adaptation and improvement. Against a backdrop of shrinking resources in an increasingly competitive funding environment, we are aware of our duty to be accountable for achieving the results outlined in this Management Plan. We are equally aware of our commensurate duty to become a more effective partner that adds value and achieves a visible and measurable impact on the human rights of all people through our activities. We will adapt accordingly to ensure efficiency gains in both the work we undertake and the means we employ to fulfil our objectives. Moreover, the Office is committed to providing a workplace environment that is motivating, encouraging and rewarding to all staff.

The document before you signifies our firm commitment to a plan that is focused, yet flexible enough for adaptation to changing and evolving situations and needs. As we enter this new biennium, we will implement the Plan's Thematic Strategies with renewed vigour and remain cognizant of our ultimate goal of achieving the promotion and protection of all human rights for everyone. This will not be an easy task and we are aware of the many challenges we face. As daunting as the road ahead may be, my Office will steadfastly pursue our goals and stay the course. The focus of this report is "Working for Results" and this is precisely what we intend to achieve in this biennium.



Navanethem Pillay  
United Nations High Commissioner for Human Rights  
30 December 2011

# About OHCHR

In 1993, the Member States of the United Nations (UN) established a robust human rights mandate with institutional support through the creation of the Office of the High Commissioner for Human Rights (OHCHR). OHCHR, headed by the High Commissioner for Human Rights is the leading UN entity focused on the promotion, protection and implementation of human rights. The Office works for the protection of all human rights for all people, empowers people to claim their rights, and assists those responsible for upholding such rights to fulfil their obligations under international law. Alongside peace and security and development, human rights constitute one of the three pillars of the United Nations.

## Mandate of the Office of the United Nations High Commissioner for Human Rights

Under General Assembly resolution 48/141, the High Commissioner for Human Rights is the United Nations official with "principal responsibility" for UN human rights activities and is mandated to:

- ▶ Promote and protect all human rights for all.
- ▶ Make recommendations to the relevant bodies of the UN system aimed at improving the promotion and protection of all human rights.
- ▶ Promote and protect the right to development.
- ▶ Provide technical assistance for human rights activities.
- ▶ Coordinate UN human rights education and public information programmes.
- ▶ Play an active role in removing obstacles to the realization of human rights and preventing the continuation of human rights violations.
- ▶ Engage in dialogue with governments to secure respect for all human rights.
- ▶ Enhance international cooperation.
- ▶ Coordinate human rights promotion and protection activities throughout the UN system.
- ▶ Take the lead to rationalize, adapt, strengthen and streamline the UN human rights machinery.

## Approach

OHCHR's work is focused on three broad areas: human rights standard-setting, human rights monitoring and supporting human rights implementation at the country level. More specifically, the Office provides support to the human rights treaty bodies and mechanisms, deploys staff to various country situations and promotes global and national level advocacy for adherence to human rights norms and standards.

## Supporting the human rights bodies and mechanisms

OHCHR provides expertise, substantive and technical support to the various UN human rights mechanisms as they undertake their standard-setting and monitoring functions.

The Human Rights Council (HRC) is the principal inter-governmental body in the field of human rights, comprised of representatives from 47 Member States elected by the General Assembly (GA). OHCHR provides substantive and organizational secretariat support to all areas of its work, including its regular and special sessions, organizational meetings, and meetings of its subsidiary bodies. Stakeholder meetings, special events, discussions and expert panels are also organized and supported by OHCHR. The Office also supports the Council's Universal Periodic Review (UPR), the mechanism by which the human rights situation of all 193 Member States of the United Nations is reviewed by their peers. The Office further organizes training events and briefings to inform States and other stakeholders about the work of the UPR and assists in the preparation of reports.

OHCHR provides substantive and organizational secretariat support for the work of the special procedures, the independent experts and expert working groups appointed by the Council to review and

monitor thematic or country-specific human rights issues. OHCHR assists the independent experts as they conduct visits to various countries, receive and consider complaints from victims of human rights violations, prepare reports for the Council and the General Assembly and undertake thematic studies and make recommendations to governments to address human rights concerns.

OHCHR is also responsible for supporting the ten human rights treaty bodies. These bodies are independent committees established under international human rights treaties and composed of experts elected by States Parties and serving in their personal capacity. Treaty bodies monitor the progress achieved and challenges faced by countries in the implementation of their obligations under the international human rights treaties they have acceded to or ratified. The committees meet regularly to review reports from States Parties and issue recommendations. Most consider individual complaints alleging violations of treaty provisions and their subsequent decisions comprise a rich body of jurisprudence on international human

rights law. Several also have the competence to inquire into grave or systematic violations of the treaty they oversee and one committee undertakes visits to States Parties to prevent torture.

## Field deployment

OHCHR contributes to the monitoring of human rights situations and supports the implementation of human rights standards at the national level through its in-country presences.

In-country presences are essential for close cooperation with governments and the broader UN system to identify, develop and implement responses to human rights challenges. OHCHR also works with national human rights institutions (NHRIs), academic and research entities and civil society organizations to strengthen their capacity and effectiveness. These efforts frequently involve monitoring of human rights situations, publishing reports, capacity-building activities, providing advice on compliance of national legislation with international human rights standards and supporting States as they implement recommendations issued by human rights mechanisms.



Palais Wilson - OHCHR headquarters in Geneva.

©UN Photo/Jean-Marc Ferrer

## Structure

Through their active participation in UN Country Teams (UNCTs), OHCHR's field presences also seek to ensure that their programmes and policies fully integrate a human rights perspective.

In addition to sustained field presences, OHCHR staff are often rapidly deployed in response to humanitarian or other crisis situations in order to provide a human rights perspective. This includes leading or supporting fact-finding missions or independent commissions of inquiry into serious violation of human rights.

### High Commissioner's advocacy role

The High Commissioner's advocacy role is central to the fulfilment of the OHCHR mandate. This involves identifying emerging trends in human rights, speaking out on behalf of victims, developing and implementing appropriate responses, documenting and sharing good practices, preparing learning tools, outreach to multiple stakeholders and facilitating integration of a human rights perspective into the work of the United Nations as a whole.

OHCHR is a department of the UN Secretariat. It is headquartered in Geneva, with an office in New York and regional and country presences spanning five continents. OHCHR has significantly expanded its field presence through stand-alone offices or as part of a collaborative arrangement. Stand-alone presences include country and regional offices under the direct supervision of OHCHR. Collaborative arrangements comprise human rights advisers to the UNCTs and human rights components of UN peace missions. In 2012-2013, OHCHR will be running or supporting 58 field presences, including 12 country or stand alone offices; 13 regional offices or centers; 15 human rights components of UN peace missions and 18 human rights advisers to UNCTs (see map on pages 14-15).

OHCHR Geneva headquarters is organized into four substantive divisions:

- ▶ The Research and Right to Development Division (RRDD) carries out thematic research, develops tools and learning packages and provides expertise to a variety of stakeholders on a wide range of human rights themes.

### UN Secretary-General's Strategic Framework for 2012-2013

"The overarching objective of the United Nations human rights programme is to promote and protect the effective enjoyment by all of all human rights. Its mandate derives from Articles 1, 13, 55 and 62 of the Charter of the United Nations; the Vienna Declaration and Programme of Action, including its principles and recommendations, adopted by the World Conference on Human Rights and subsequently endorsed by the General Assembly in its resolution 48/121; Assembly resolution 48/141 establishing the post of the United Nations High Commissioner for Human Rights; international human rights instruments adopted by the United Nations; the outcomes of relevant United Nations conferences and summits; and the resolutions and decisions of policymaking bodies, including, in particular, Assembly resolutions 55/2 on the United Nations Millennium Declaration, 57/300 on strengthening of the United Nations: an agenda for further change, 60/1 on the 2005 World Summit Outcome, 60/251 on the Human Rights Council, and 64/143 on the report of the Human Rights Council. The Office of the United Nations High Commissioner for Human Rights (OHCHR) will also be guided by international humanitarian law, as applicable.

The programme is guided by the principles of universality, objectivity, impartiality, indivisibility and non-selectivity in removing obstacles to the full realization of all human rights and in preventing the continuation of human rights violations, including with relevant parties. It undertakes to give practical effect to the will and resolve of the world community, as expressed through the United Nations, including in the Millennium Declaration and the 2005 World Summit Outcome, which acknowledged peace and security, development and human rights as interlinked and mutually reinforcing pillars of the United Nations system, providing foundations for collective security and well-being. The United Nations human rights programme has a role in making development equitable, sustainable and responsive to the needs of people and in relation to conflict prevention and resolution.

The programme falls under the leadership of the High Commissioner for Human Rights, entrusted with the principal responsibility for the human rights activities of the Organization, under the direction and authority of the Secretary-General and within the framework of the overall competence, authority and decisions of the General Assembly and the Human Rights Council. The Office of the United Nations High Commissioner for Human Rights (OHCHR) acts as the central supportive structure for the programme."

## History of the UN Human Rights Programme

The UN human rights programme has grown considerably since its modest beginnings more than 60 years ago. Organizationally, the human rights programme began in the 1940s with a small division based in the UN Secretariat in New York. The division later moved to Geneva and in the 1980s, was transformed into the Centre for Human Rights. At the World Conference on Human Rights in 1993, Member States agreed to establish a strengthened human rights institution. Later that year, the General Assembly adopted a resolution which established the post and mandate of the United Nations High Commissioner for Human Rights, and the Centre for Human Rights became the Office of the High Commissioner for Human Rights. Twelve years later, at the 2005 UN World Summit, Heads of State recognized the importance of ensuring a human rights approach in all aspects of UN system's work and committed themselves to an expansion of the UN human rights programme.

The expansion in UN human rights activities over the years reflects the increasing influence of the international human rights movement which has grown significantly since the adoption of the Universal Declaration of Human Rights on 10 December 1948. Drafted as "a common standard of achievement for all peoples and nations," the Declaration sets out the basic civil, political, economic, social, and cultural rights that are the entitlements of all human beings. This affirmation of human rights is now widely accepted as the standard to which all governments should adhere. Every year, 10 December is observed worldwide as International Human Rights Day.

As international human rights law developed, including through the adoption of human rights treaties, a number of UN human rights treaty bodies were established to review State Party compliance and monitor the implementation of their human rights obligations. Other human rights bodies, composed of State representatives, were established by the General Assembly based on the UN Charter. The former UN Commission on Human Rights was the key UN intergovernmental body responsible for human rights until 2006 when it was replaced by the Human Rights Council. Both the Commission and the Council established expert mechanisms, including special procedures, to assist in the implementation of human rights standards on the ground. A new human rights mechanism, the Universal Periodic Review, was created by the General Assembly in 2006. The second round of the reviews of the 193 Member States of the United Nations will begin in May 2012.

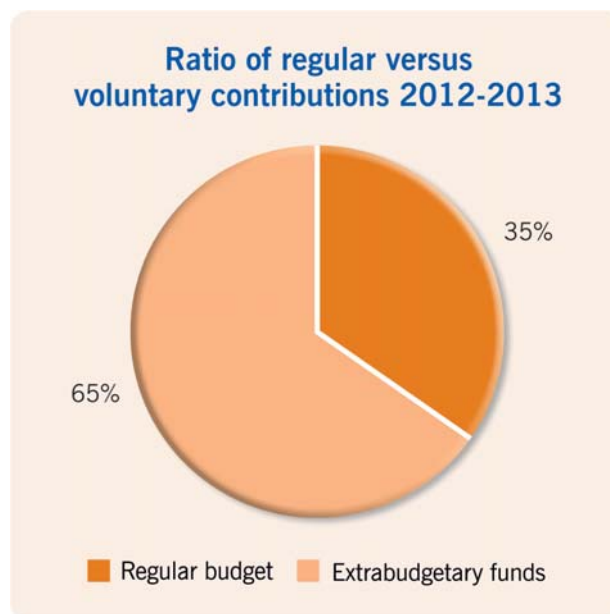
- ▶ The Human Rights Treaties Division (HRTD) is primarily responsible for supporting the work of the ten human rights treaty bodies that are mandated to monitor national-level implementation of international human rights treaties.
  - ▶ The Field Operations and Technical Cooperation Division (FOTCD) supports the work of human rights field presences and leads OHCHR's dialogue with countries on human rights issues.
  - ▶ The Human Rights Council and Special Procedures Division (HRCSPD) provides substantive and organizational support to the Human Rights Council and its Universal Periodic Review mechanism and special procedures.
- Dedicated sections of Executive Direction and Management (EDM) are responsible for core administrative, planning, coordination and outreach functions.

1945	1946	1948	1965	1966	1967	1979
United Nations Charter	Commission on Human Rights	Universal Declaration of Human Rights	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	International Covenant on Civil and Political Rights (ICCPR)  International Covenant on Economic, Social and Cultural Rights (ICESCR)	Commission establishes its first special procedure: Ad hoc working group of experts to investigate the situation of human rights in Southern Africa	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Timeline

Led by the Assistant Secretary-General for Human Rights, the New York Office (NYO) of OHCHR represents the High Commissioner in New York to ensure that the norms, standards, methodologies, policies and mechanisms of the UN human rights system are integrated into the work of the New York-based UN organs and agencies, policy-development processes, and public information initiatives.

As of 30 September 2011, OHCHR employed 1,108 staff with 48 per cent based in the field, 50 per cent in Geneva, and 2 per cent in New York. The Office also supported 884 human rights officers serving in 15 UN peace missions and 18 human rights advisers who were working with UNCTs in the field.



### Budget

OHCHR is funded from the UN regular budget and voluntary contributions received from donors who are primarily Member States. During the 2010-2011 biennium, the ratio of regular versus voluntary contributions was 40.7 to 59.3 per cent.

The regular budget funding for OHCHR has gradually increased since 2005 when leaders attending the World Summit committed to double the Office’s resources over a five-year period. Even after the doubling, despite the fact that human rights is widely recognized as one of the three pillars of the United Nations, the human rights programme receives less than 3 per cent of the regular budget of the UN Secretariat. After a seven-year period of growth in voluntary contributions which peaked at US\$120 million in 2008, the level of contributions decreased each

year to a low of US\$109.4 million in 2010 and with a slight recovery in 2011 to US\$111.1 million.

The total estimated resource requirements for OHCHR for the 2012-2013 biennium is US\$448.1 million. This represents an increase of 10 per cent, compared with the 2010-2011 budget. At present, US\$156.5 million has been allocated to OHCHR from the UN’s regular budget to cover its 2012-2013 expenditures. An overall target of US\$291.6 million has therefore been set for 2012-2013 voluntary contributions. Approximately 46 per cent of the budget will be devoted to OHCHR’s field operations, 12 per cent to thematic human rights research, 12 per cent to supporting the Human Rights Council and its special procedures and 7 per cent to supporting the treaty bodies.

1984	1987	1989	1990	1993	2006
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Centre for Human Rights	Convention on the Rights of the Child (CRC)	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)	World Conference on Human Rights, Vienna, Austria: UN High Commissioner for Human Rights	International Convention for the Protection of All Persons from Enforced Disappearance (CPED)  Convention on the Rights of Persons with Disabilities (CRPD)  Human Rights Council and its Universal Periodic Review
					

# OHCHR at a glance



- Headquarters
- Regional offices/Centres
- Country/Stand-alone offices
- Countries covered from Headquarters

- Human rights components of peace missions
- Human rights advisers in United Nations Country Teams
- New field presences

## Africa

- East Africa - from Addis Ababa
- Southern Africa - from Pretoria
- Central Africa - from Yaoundé
- West Africa - from Dakar





**Asia-Pacific**

- South-East Asia - from Bangkok
- Pacific - from Suva

**Middle-East, North Africa**

- Middle East - from Beirut
- North-Africa

**Europe and Central Asia**

- Europe - from Brussels
- Central Asia - from Bishkek

\* Reference to Kosovo should be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo

**Americas**

- Central America - from Panama
- South America - from Santiago de Chile

\*\* Field presence under negotiation

\*\*\* Closing in 2012

## OHCHR's Annual Planning Week

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24 to 28 October 2011

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OHCHR Annual Planning Week brought together Heads of field presences and colleagues from the New York Office and all divisions of headquarters. The objective of the Planning Week was to enhance office-wide coherence and accountability through the preparation of coordinated and integrated work-plans that contribute to OHCHR's office-wide results.



# OHCHR Management Plan

The OHCHR Management Plan (OMP) 2012-2013 is the fourth document of its kind. The Plan articulates OHCHR's overall direction in implementing the human rights mandate of the United Nations, and in particular, to implement the human rights section of the Secretary-General's Strategic Framework. It brings together the various components of OHCHR's mandate to increase synergies, avoid unnecessary overlap and ensure the best possible use of available resources.

Consecutive biannual plans of OHCHR have built upon lessons learned to progressively sharpen the strategic direction and operational focus of the Office, demonstrating its increasing capacity to plan, deliver, monitor and report on results:

- ▶ In 2006-2007, the Strategic Management Plan (SMP) prescribed a set of office-wide expected results. This coincided with a time of unprecedented growth for the Office which warranted a focus on strengthening its internal structure and capacity.
- ▶ The second SMP (2008-2009), redefined OHCHR's common results to highlight the changes the organization sought to facilitate ([Expected Accomplishments](#)).
- ▶ The third SMP (2010-2011), narrowed the focus of OHCHR's common results to a number of priority themes (thematic priorities) and included a set of indicators against which to measure OHCHR's performance. The Plan also included a number of managerial results ([Global Management Outputs](#)) which focused on improving the Office's efficiency.

This progressive focus on results has been reflected in the document's new name: "OHCHR Management Plan: Working for Results."

In 2010, OHCHR reviewed its planning process as part of an overall programme to improve its effectiveness and efficiency. As a result, the Office decided to expand its planning cycle from two to

four years, encompassing two regular budget cycles. The decision was based on the recognition that results in the human rights field require longer time investments; human rights priorities are not likely to change drastically over a four-year period; and four-year strategies can often facilitate more meaningful engagement with partners. The decision was also taken to strengthen programme monitoring, collection of lessons learned and reporting, so as to improve effectiveness.

The current OMP covers the second half of OHCHR's first four-year cycle and is therefore an extension of the 2010-2011 SMP. The 2010-2011 thematic priorities remain the same; the Thematic Strategies were reviewed in the context of major global developments and lessons learned by OHCHR in the process of implementing them during the previous biennium as documented from the annual and programme performance reports.

This OMP provides for the first time global targets for each of the Expected Accomplishments for the biennium. By defining targets and more precisely outlining its intended results, OHCHR is demonstrating its commitment to being held accountable for its performance.

Changes have also been introduced to provide a more integrated and cohesive vision of the Office's programme and to present OHCHR's results-based framework in a simplified and more visually accessible manner. The text follows the model of OHCHR's Annual Report 2010. The shorter printed version presents the Thematic Strategies, the Global Management Outputs and the budget and funding requirements for the biennium, while the CD provides more detailed information about OHCHR's programme of work for the biennium at headquarters and in the field.



© OHCHR Photo

OHCHR monitors a public march in Cambodia.



# Part I

## Strategic Priorities

# Working for results: OHCHR's Expected Accomplishments for 2012-2013

## Making OHCHR a fully results-based organization

*Results are changes! OHCHR as an agent of change*

OHCHR is committed to being a fully results-based organization, starting with efforts to clearly defining our results in terms of the changes we plan to achieve and reviewing everything we do in light of how it contributes to bring about those changes. We will continue to be flexible enough so as to adapt our strategies to the intended results, undertake calculated risks and learn from our experience. By publicizing our intended results, we are seeking the partnerships of key stakeholders, while also inviting those for whom we work, rights-holders and duty bearers alike, to hold us accountable for our performance.

Making OHCHR a fully results-based organization is a cultural change and will take time and resources. In this process, we have avoided a top-down approach and endeavored to ensure that everyone understands the rationale behind the changes and is equipped with the necessary capacities and skills to actively participate in the implementation of this process.

The efforts made in this regard are already showing concrete results. Effective planning has ensured that staff members are apprised of OHCHR's strategic direction and knowledgeable about the purpose and value of results-based management (RBM) concepts. We have now moved on to the next stage of implementing performance-monitoring. The implementation of the performance-monitoring framework and a strengthened monitoring system that we have developed in recent years will allow OHCHR to strengthen accountability, ensure that the lessons learned and good practices are accurately fed back into planning processes and increase the Office's efficiency and effectiveness.

In OHCHR, as in all other UN organizations, RBM is implemented in the context of a human rights-based approach to programming. RBM defines the processes while the human rights-based approach provides the content and the parameters within which to apply those processes. In contrast to traditional RBM models, OHCHR does not define its priorities solely in terms of the likelihood of achieving results within a given programming cycle. Bearing in mind its unique mandate and comparative advantage, the Office may decide to invest in crucial human rights areas even if it is known that the achievement of results in the short-term is unlikely. Likewise, in the human rights field, it might not always be possible to define results as changes in accordance with pure RBM terminology. In some cases, OHCHR may be working to prevent changes if they could undermine human rights protection systems.

## To what changes does OHCHR contribute?

*OHCHR's Global Expected Accomplishments:  
our mandate in terms of results*

In keeping with results-based management, OHCHR has translated its mandate into eleven identifiable changes. These Global Expected Accomplishments describe the behavioural, institutional or legislative gaps of rights-holders and duty bearers, which the Office works to address.

OHCHR's Global Expected Accomplishments relate to three types of changes:

- ▶ Changes in national human rights protection systems.
- ▶ Changes in the international human rights protection systems.
- ▶ Changes on the involvement of other actors in human rights work.

The eleven Global Expected Accomplishments were first defined in the 2008-2009 biennium. In 2010-2011 OHCHR used them to construct a common framework of results at the national, regional and global levels.

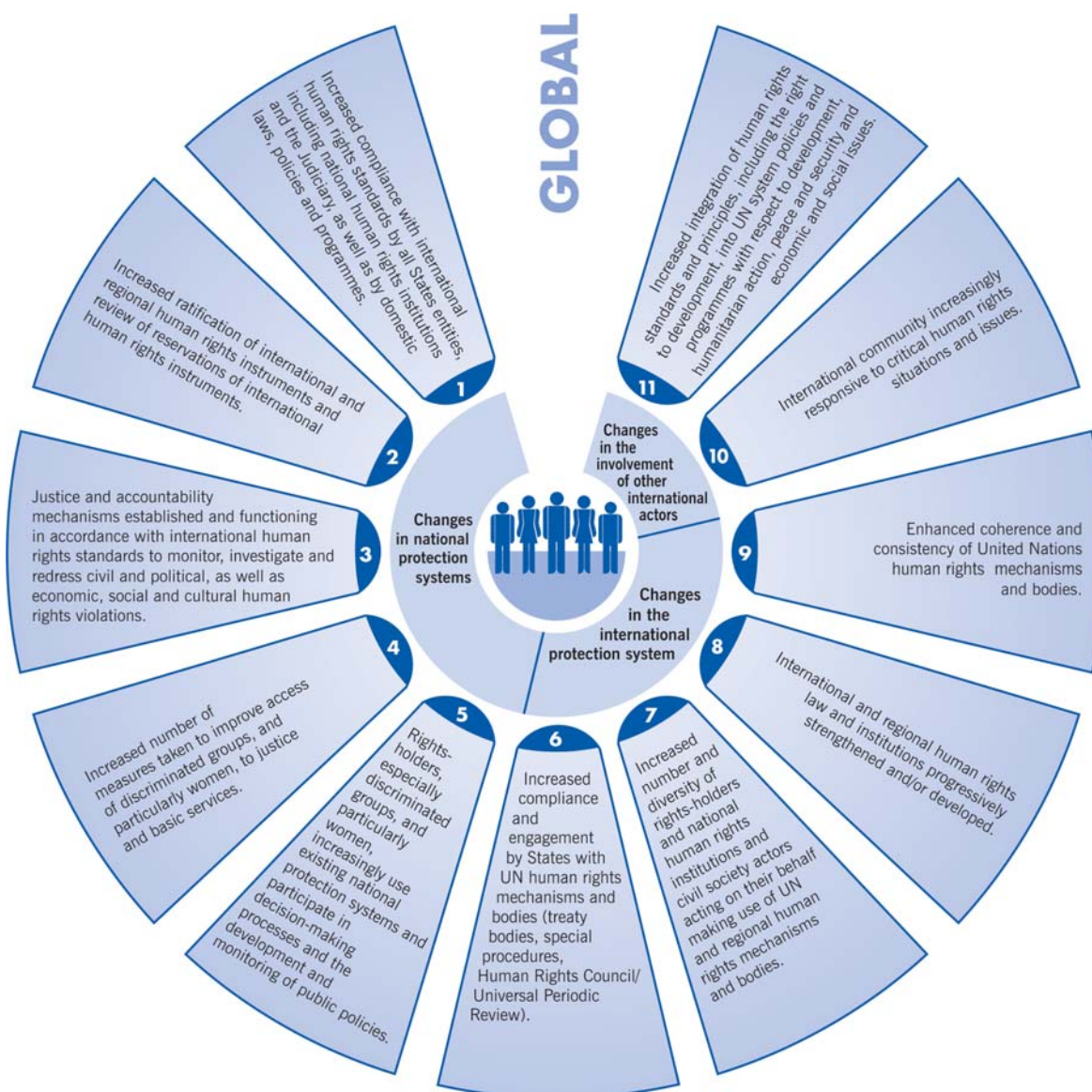
As a translation of OHCHR's mandate in programmatic terms, the Global Expected Accomplishments are broad and not time-bound, which enabled the development of an indicators framework. Indicators have been defined for each of the Global Expected Accomplishments (see table on pages 23-25), and protocols have in turn been drafted for the indicators to facilitate accurate and consistent monitoring and reporting. A web-based system is now operational which enables evidence-based reporting in relation to these indicators. A number of field presences used the system to report on the 2010-2011 biennium and plan for the 2012-2013 biennium.

OHCHR anticipates that it will be able to fully use the system when it reports on the current OMP.

## To which priority themes is OHCHR committed to contributing changes in 2012-2013?

*OHCHR's Thematic Expected Accomplishments: our commitment for the biennium*

During each planning cycle, OHCHR sharpens the focus of the Global Expected Accomplishments within a set of thematic priorities. The Thematic Expected Accomplishments specify the thematic areas in which the Office intends to produce results in a specific planning cycle.



### OHCHR's Global Expected Accomplishments

## OHCHR's Performance Monitoring System

OHCHR developed an IT-based Performance-Monitoring System that will enable consistent, evidence-based reporting on the achievement of results. The system's user-friendly modules link planning, monitoring and the production of reports, and are accessible through the intranet to all field presences and headquarters staff. The monitoring system facilitates:

- ▶ The definition of results, selection of relevant indicators and the establishment of targets through a step-by-step approach and contributes to building a logical framework of results for each organizational entity that is available online.
- ▶ The on-going, evidence-based assessment of results during the implementation of activities through the use of pre-established formats for reporting on outputs and Expected Accomplishments.
- ▶ Decision-making by members of OHCHR's management on issues related to the performance of various programmes through the production of custom-made reports.
- ▶ The creation and maintenance of an institutional memory through the storage of, and open access to, all of OHCHR's planning and monitoring documents.

In light of the change in culture that is required to focus on results, OHCHR is launching a long-term capacity-building programme that will enable its staff to use the system to improve the quality of their planning, monitoring, and impact on the ground. Piloted in 2011, the system is expected to be available for field presences reporting by the end of the current biennium.

As OHCHR decided to extend its planning cycle to four years, the thematic priorities for 2012-2013 remain the same as in the previous biennium. The Thematic Strategies and Thematic Expected Accomplishments have been primarily revised in relation to changes in the global context and OHCHR's experience in the previous biennium.

## To what extent is OHCHR committing to bring about thematic changes in 2012-2013?

### *Setting the targets*

By defining targets for the first time, the Office is taking results-based management (RBM) a step further. This enhanced capacity is possible now that OHCHR is able to undertake office-wide planning that is based on a common framework of results (Expected Accomplishments) and shared thematic priorities, and with a performance monitoring system being put in place (which includes indicators and protocols).

The definition of targets is a major undertaking and the Office is working to address a capacity gap in this area. At the time of publication of this report, 17 of OHCHR's 58 field presences have received RBM training and had used the web-based performance-monitoring system. As additional field presences receive this training during the current biennium, changes are likely to occur in their selection of indicators and definition of targets which may affect the global targets. It should also be noted that by definition Expected Accomplishments are not under the

full control of the organization, and that therefore external factors, such as changes in the political context or natural disasters, will inevitably have a major impact in the Office's capacity to deliver on these results.

## OHCHR's Review of the Planning Process

At the end of 2010, OHCHR's planning process was reviewed to improve its efficacy and efficiency. Most of the recommendations of that review are being implemented in the current biennium. The recommendations included the following:

### ***Improving the planning process efficiency***

- ▶ Extending the planning cycle to four years, comprised of two regular budget cycles.

### ***Contributing to Office-wide coherence***

- ▶ Holding annual office-wide consultations for the preparation of the Annual Work-plans.

### ***Strengthening the link between planning and allocation of resources***

- ▶ Merging the Programme and Budget Review Board and the Financial Monitoring Committee.

### ***Ensuring that lessons learned from previous experience and gathered through monitoring and reporting is fed back into the planning process***

- ▶ Reviewing the Thematic Strategies on the basis of the information gathered through Annual Reports.



## OHCHR'S TARGETS FOR 2012-2013\*

Expected Accomplishments	Global Indicators	Targets** With OHCHR support by the end of 2013
<p><b>1.</b> Increased compliance with international human rights standards by all States entities, including national human rights institutions and the judiciary, as well as by domestic laws, policies and programmes.</p>	<p>Number of countries of engagement*** where national human rights institutions (NHRIs) have been established and/or have been working in compliance with international standards (Paris Principles).</p>	<p>National human rights institutions (NHRIs) have been established and/or are working in compliance with international standards (Paris Principles) in 48 countries of engagement. <i>(Thematic priorities: discrimination and impunity)</i></p>
	<p>Number of countries of engagement where the level of compliance of legislation/policy with international human rights standards in selected human rights areas has significantly improved.</p>	<p>The level of compliance of legislation/policy with international human rights standards in selected human rights areas has significantly improved in 47 countries of engagement. <i>(Thematic priorities: discrimination, impunity, poverty, migration and violence)</i></p>
	<p>Number of countries of engagement where the level of compliance of selected State institutions and programmes with international human rights standards has significantly improved.</p>	<p>The level of compliance of selected State institutions and programmes with international human rights standards has significantly improved in 30 countries of engagement. <i>(Thematic priorities: discrimination, impunity, poverty, and violence)</i></p>
	<p>Number of countries of engagement where one or more key selected human rights areas has institutionalized human rights training.</p>	<p>14 countries of engagement have institutionalized human rights training in one or more key selected human rights areas. <i>(Thematic priorities: discrimination, impunity and violence)</i></p>
	<p>Number of countries of engagement where the government has responded positively to a substantive number of human rights violations cases.</p>	<p>Governments of 10 countries of engagement have responded positively to a substantive number of human rights violations cases. <i>(Thematic priority: violence)</i></p>
<p><b>2.</b> Increased ratification of international and regional human rights instruments and review of reservations of international human rights instruments.</p>	<p>Total number of countries of engagement where one or more treaties have been ratified a) international human rights treaties and b) regional human rights treaties.</p>	<p>30 countries of engagement have ratified one or more international or regional human rights treaties. <i>(Thematic priority: mechanisms)</i></p>
	<p>Total number of countries of engagement which have removed one or more reservations from international treaties.</p>	<p>3 countries of engagement have removed one or more reservations from international treaties. <i>(Thematic priority: mechanisms)</i></p>
<p><b>3.</b> Justice and accountability mechanisms established and functioning in compliance with international human rights standards to monitor, investigate and redress civil and political as well as economic, social and cultural human rights violations.</p>	<p>Number of countries of engagement where mechanisms which conform to international human rights standards are in place or functioning as intended for effective monitoring, investigation and attainment of redress for violations of human rights.</p>	<p>Mechanisms which conform to international human rights standards are in place or functioning as intended for effective monitoring, investigation and attainment of redress for violations of human rights in 25 countries of engagement. <i>(Thematic priority: impunity)</i></p>

\* The global targets indicated in this document represent the sum totals of the specific targets formulated at the national level by OHCHR's field presences and Headquarters Divisions. This is the first attempt by OHCHR to set targets at the global level. We are fully aware that many of these targets are rather ambitious, and that there are factors beyond our control that are likely to have an impact on the attainment of the targets, such as the global financial climate and political changes on the ground. However, in the spirit of transparency, we are publishing the global targets in the OMP with a view to refine them in the future and address any remaining capacity gaps in terms of results based management.

\*\* Note that these numbers only apply for the current biennium and should not be understood as the baselines for upcoming programming cycles, due to potentially shifting priorities.

\*\*\* "Countries of engagement" refers to those countries in which the Office plans to undertake a set of activities towards a planned result. It is not limited to countries where OHCHR has a presence.

Expected Accomplishments	Global Indicators	Targets** With OHCHR support by the end of 2013
<p><b>4.</b> Increased number of measures taken to improve access of discriminated groups, and particularly women, to justice and basic services.</p>	<p>Number of countries of engagement where adequate legislation and policies are in place to ensure access of selected discriminated groups to justice and selected basic services.</p>	<p>Adequate legislation and policies are in place to ensure access of selected discriminated groups to justice and selected basic services in 22 countries of engagement. <i>(Thematic priorities: discrimination, impunity, poverty and violence )</i></p>
<p><b>5.</b> Rights-holders, specially discriminated groups and particularly women, increasingly use existing national protection systems and participate in decision-making processes and the development and monitoring of public policies.</p>	<p>Number of countries of engagement showing significant improvement in the level or quality of participation of selected discriminated groups in selected policy and legislative bodies.</p>	<p>The level or quality of participation of selected discriminated groups in selected policy and legislative bodies has significantly improved in 22 countries of engagement. <i>(Thematic priorities: discrimination and violence )</i></p>
	<p>Number of countries of engagement where the level of use of national protection systems by selected discriminated groups has increased significantly.</p>	<p>Selected discriminated groups have significantly increased their use of national protection systems in 8 countries of engagement. <i>(Thematic priorities: discrimination and violence )</i></p>
<p><b>6.</b> Increased compliance and engagement by States with UN human rights mechanisms and bodies (treaty bodies, special procedures, Human Rights Council/Universal Periodic Review).</p>	<p>Number of countries of engagement where significant progress has been achieved in the implementation of priority outstanding treaty bodies, special procedures or Human Rights Council recommendations.</p>	<p>Significant progress has been achieved in the implementation of priority outstanding treaty bodies, special procedure or UPR recommendations in 48 countries of engagement. <i>(Thematic priority: mechanisms)</i></p>
	<p>Number of countries of engagement with a satisfactory record of treaty bodies/UPR report submission.</p>	<p>29 countries of engagement have a satisfactory record of treaty bodies/UPR report submission. <i>(Thematic priority: mechanisms)</i></p>
	<p>Number of countries of engagement which have issued a standing invitation to special procedures mandate-holders.</p>	<p>7 countries of engagement have issued a standing invitation to special procedures mandate-holders. <i>(Thematic priority: mechanisms)</i></p>
	<p>Number of countries of engagement with a satisfactory record of response to special procedures' visit requests and/or communications.</p>	<p>14 countries of engagement have a satisfactory record of response to special procedures' visit requests and/or communications. <i>(Thematic priority: mechanisms)</i></p>
<p><b>7.</b> Increased number and diversity of rights-holders and national human rights institutions and civil society actors acting on their behalf making use of UN and regional human rights mechanisms and bodies.</p>	<p>Number of countries of engagement where there was a significant increase in either the level of submission or the diversity of submitting actors, of substantive documents from non-governmental actors to treaty bodies or special procedures.</p>	<p>The level of the submissions of non-governmental actors to treaty bodies or special procedures and/or the diversity of submitting actors has significantly increased in 20 countries of engagement. <i>(Thematic priority: mechanisms)</i></p>
	<p>Total number of national human rights institutions, civil society organizations and individuals that have submitted substantive documents to treaty bodies and special procedures in countries of engagement.</p>	<p>16 national human rights institutions, civil society organizations or individuals from countries of engagement have submitted substantive documents to treaty bodies and special procedures. <i>(Thematic priority: mechanisms)</i></p>

Expected Accomplishments	Global Indicators	Targets** With OHCHR support by the end of 2013
<b>8.</b> International and regional human rights law and institutions progressively strengthened and/or developed.	Number of international and regional laws and institutions strengthened and/or developed.	3 regional mechanisms have been strengthened and two general comments have been adopted. <i>(Thematic priority: mechanisms)</i>
<b>9.</b> Enhanced coherence and consistency of UN human rights mechanisms and bodies.	Percentage of treaty bodies and special procedures recommendations taken up by the Human Rights Council in the context of the UPR.	50 % of treaty bodies and special procedures recommendations have been taken up by the Human Rights Council in the context of the UPR. <i>(Thematic priority: mechanisms)</i>
	Number of countries of engagement which submitted Common Core Documents in their most recent submission round.	15 countries of engagement have submitted Common Core Documents in their most recent submission round. <i>(Thematic priority: mechanisms)</i>
	Degree of progress made in improving the level of harmonization of treaty bodies' work as assessed by the treaty bodies' Chairs.	Treaty bodies' Chairs have assessed the degree of progress made in improving the level of harmonization of treaty bodies as adequate. <i>(Thematic priority: mechanisms)</i>
<b>10.</b> International community increasingly responsive to critical human rights situations and issues.	Number of countries of engagement for which critical human rights issues were raised in major international fora.	Critical human rights issues of 6 countries of engagement have been raised in major international fora. <i>(Thematic priorities: discrimination, impunity, poverty, migration and violence )</i>
	Number of countries of engagement where a significant level of approach/engagement has been made by the international community with the Government in relation to specific human rights issues.	The international community has significantly approached /engaged with governments of 7 countries of engagement in relation to specific human rights issues. <i>(Thematic priorities: discrimination, impunity, poverty, migration and violence)</i>
<b>11.</b> Increased integration of human rights standards and principles, including the right to development, into UN system policies and programmes with respect to development, humanitarian action, peace and security and economic and social issues.	Number of countries of engagement with UN peace-keeping missions which have adequately integrated international human rights standards.	UN peace-keeping missions of 5 countries of engagement have adequately integrated international human rights standards. <i>(Thematic priority: violence)</i>
	Number of countries of engagement with humanitarian operations which have adequately integrated international human rights standards.	Humanitarian operations in 6 countries of engagement have adequately integrated international human rights standards. <i>(Thematic priority: violence)</i>
	Number of countries of engagement where the UN guidelines incorporating rights-based approached have been used by a selection of the main programmes of UN agencies.	UN guidelines incorporating rights-based approached have been used by a selection of the main programmes of UN agencies of 34 countries of engagement. <i>(Thematic priorities: discrimination, poverty, migration and violence)</i>
	Number of countries of engagement where the UN Common Country Programme/UNDAF has satisfactorily integrated international human rights standards and principles into its operations.	UN Common Country Programme/UNDAF in 20 countries of engagement have satisfactorily integrated international human rights standards and principles into its operations. <i>(Thematic priority: poverty)</i>



## Thematic Strategies

During the 2010-2011 biennium, all divisions and field presences of the Office of the High Commissioner for Human Rights (OHCHR) pursued six thematic strategies. This approach sharpened OHCHR's focus on critical human rights challenges, highlighted the substantive results the Office sought to achieve by the end of 2011 and strengthened cooperation between the Office, the wider UN human rights system and other key stakeholders dedicated to promoting and protecting human rights. An extensive consultative process involving all headquarters divisions and field presences was undertaken to further refine the six thematic priorities, taking into account OHCHR's past experience and comparative advantage.

The six thematic priorities encompass the leading human rights challenges of today, including key obstacles to the enjoyment of human rights, such as poverty, violence, discrimination and impunity, and the contemporary challenges of ensuring human rights in the context of unprecedented levels of migration, and the need to further strengthen human rights mechanisms and international human rights law.

During the review of its planning process in 2010, OHCHR decided to adopt a four-year planning cycle that encompasses two regular budget cycles. Consequently, the thematic priorities for the 2012-2013 biennium remain the same as those in the previous biennium:

- ▶ Countering **DISCRIMINATION**, in particular racial discrimination, discrimination on the grounds of sex, religion and against others who are marginalized.
- ▶ Combating **IMPUNITY**, and strengthening accountability, the **RULE OF LAW**, and **DEMOCRATIC SOCIETY**.
- ▶ Pursuing **ECONOMIC, SOCIAL AND CULTURAL RIGHTS** and combating inequalities and **POVERTY**, including in the context of the economic, food and climate crises.
- ▶ Protecting human rights in the context of **MIGRATION**.
- ▶ Protecting human rights in situations of conflict, **VIOLENCE and INSECURITY**.
- ▶ Strengthening international **HUMAN RIGHTS MECHANISMS** and the progressive development of international human rights law.



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A woman and her child at a government hospital in Sierra Leone.

The Thematic Strategies presented in this document are a review of the strategies included in the 2010-2011 Strategic Management Plan (SMP). The review has been undertaken bearing in mind both the lessons learned by OHCHR in implementing the strategies during the first biennium and the major changes that have occurred in the global context. Some programmatic adjustments have been made to facilitate planning and reporting. OHCHR's annual reports on the implementation of its programme and the 2012-2013 Strategic Framework have served as sources of information for the review.

The Thematic Strategies are an important element in OHCHR's planning and reporting process. In terms of planning, they are the basis for OHCHR's annual work plans and a tool for the prioritization and allocation of extra-budgetary resources. The Strategies are also an important communication tool, and provide a sound framework for presenting OHCHR's plan to staff and partners. In terms of reporting, the Thematic Strategies help OHCHR to document and gather information in a systematic manner and learn from past experiences.

The text below outlines the results to which OHCHR intends to contribute in the coming biennium within each of the prioritized areas. Also highlighted are the strategic interventions that the Office is planning to undertake to achieve those results. In addition, the text lists the countries or territories where OHCHR expects to achieve those results. It should be noted that the document only includes those countries or territories in which OHCHR has a reasonable expectation of achieving results in the coming biennium as a result of its work. The Office may be working in other countries, but they are not mentioned here if results are unlikely to be achieved by 2013.

The CD provides detailed information on the contribution of each Division to the Thematic Strategies and the specific results of each field presence for the biennium. The six thematic priorities are indivisible and inter-dependent and therefore the Thematic Strategies should not be read in isolation, but seen as inter-related and mutually reinforcing. Recommendations issued by human rights bodies and mechanisms inform all the Thematic Strategies.



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OHCHR campaigns for access to justice for Dalits in Nepal.



# Discrimination

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**Countering discrimination, in particular racial discrimination, discrimination on the grounds of sex, religion and against others who are marginalized**

## Background

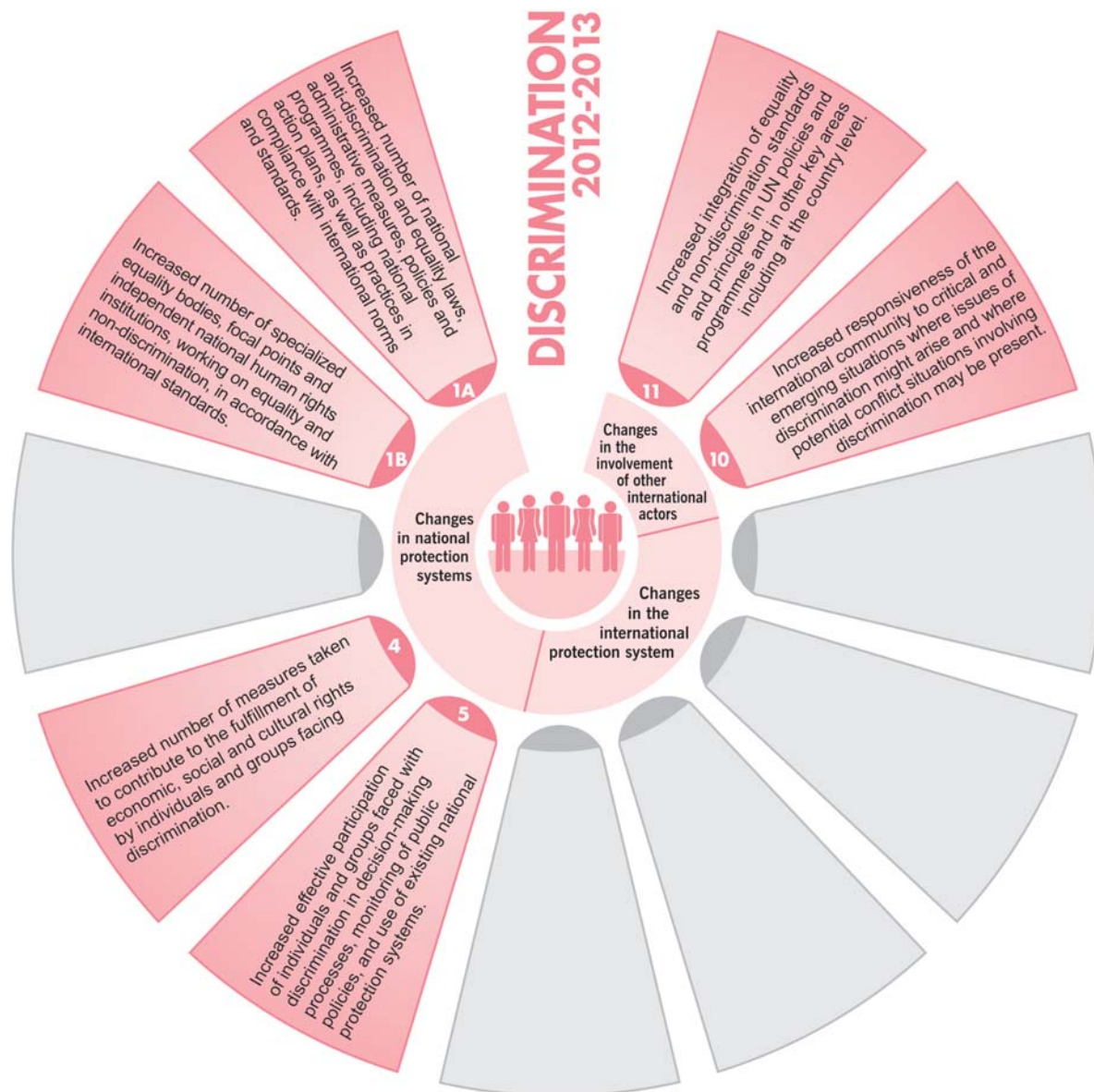
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Non-discrimination and equality before and under the law constitute fundamental principles of international human rights law. The principle of equality is inseparable from the principle of human dignity and is an entitlement of every person. Respect for human rights and the principles of equality and non-discrimination are interdependent and underpin the Universal Declaration of Human Rights and all international human rights treaties. These treaties contain clauses prohibiting discrimination and establish obligations of States Parties to refrain from discriminatory policies and practices, and take steps to prevent and eliminate discrimination.

The international human rights framework was built upon and operates in accordance with the fundamental premise of equal respect for all persons and freedom from all forms of discrimination.

Despite efforts at the international and national levels, millions of human beings encounter discrimination in the exercise of their rights and are subject to intolerance and violence. Discrimination against women and girls continues unabated around the world and cuts across all groups who face discrimination. The burden is greater for those who experience multiple forms of discrimination, increasing their vulnerability and necessitating the focussed attention of governments and the international community.

Structural and institutional forms of discrimination aggravate the difficult circumstances experienced by the poor, marginalized and socially excluded. The effects of the economic crisis on the human rights of victims of discrimination are compounded by expressions of xenophobia, hate and violence against certain groups and individuals. Discrimination and social exclusion are among the root causes of conflicts and require sustained attention and preventive actions.



### Discrimination Thematic Expected Accomplishments for the biennium 2012-2013

It is imperative that governments demonstrate political will to combat discrimination and undertake effective actions to achieve full equality for all. This includes the adoption and implementation of laws that are comprehensive and sufficiently focused to address the multiple forms and manifestations of discrimination. It is also crucial that governments establish specialized national bodies, adopt policies and tailor programs to prevent and counter discrimination. Such laws and policies should be developed and implemented in consultation with individuals and groups who have experienced or are subject to discrimination. Meaningful processes that facilitate their participation are essential for the empowerment of these groups.

At the national level, it is particularly important to strengthen the administration of justice and legal systems, facilitate free and equal access without discrimination; combat impunity for violations of human rights and acts of discrimination; and ensure the existence of effective remedies and appropriate protection for victims of discrimination. When combined with actions to prevent and eliminate the conditions and attitudes which cause or perpetuate discrimination, such as the promotion of dialogue and respect for diversity, these measures can create a solid foundation for attaining equal treatment, promote peaceful and harmonious coexistence and contribute to building strong and vibrant democratic societies.



## OHCHR's role

OHCHR leads the work of the United Nations to prevent and combat discrimination and promote equality and universal respect for human rights and fundamental freedoms. The Office advocates for, promotes and supports reforms including through the provision of technical advice and assistance to States seeking to implement their international obligations and the recommendations issued by human rights bodies and mechanisms. Recommendations may include the adoption of legislation, public policies, programmes, national action plans (NAPs) and other activities. OHCHR also supports the efforts of national human rights institutions (NHRIs), specialized equality bodies, civil society and individuals as well as groups facing discrimination.

Anti-discrimination work is an office-wide priority. OHCHR has developed significant expertise and experience in this field and has prepared thematic studies and developed capacity-strengthening and methodological tools. In addition, OHCHR provides international human rights mechanisms with substantive and technical secretariat support.

The High Commissioner's strategic advocacy on sensitive and pressing issues has served to advance the non-discrimination and equality agenda. OHCHR plays an equally important advocacy role in relation to public information, outreach and awareness-raising activities. This includes the preparation and dissemination of materials, support for public information efforts that are led by NHRIs, specialized equality bodies and civil society partners on equality and anti-discrimination issues.

OHCHR also works for the empowerment of groups and individuals facing discrimination by facilitating their participation in relevant activities, carries out projects to strengthen their capacity to claim their rights, and supports grassroots and community-based efforts to combat discrimination.

Nevertheless, it is recognized that system-wide collaboration between the Office and UN agencies, funds and programmes on issues of discrimination should be strengthened. OHCHR is working to increase its role and effectiveness in mainstreaming the principles of equality and non-discrimination throughout the work of the UN system at the global, regional and national levels.

## Lessons learned and challenges

While many States have ratified key international and regional instruments protecting the right to equality and non-discrimination, gaps in the full and effective implementation of these obligations persist. Widespread ratification of the Convention on the Rights of Persons with Disabilities (CRPD), for example, has underscored the need for, and acceptance of, such an instrument. It also clearly demonstrated that OHCHR needs a credible and actionable plan to support implementation efforts at the national level, which includes the development of global methodological tools and guidance notes, as well as specific trainings and technical assistance to support States Parties.

OHCHR emphasizes the importance of NAPs against racial discrimination and discrimination; either as a specific plan or as a component of a broader national

### UN-Indigenous Peoples Partnership

The UN Indigenous Peoples Partnership (UNIPP) is a joint rights- and results-based initiative whose key aim is to facilitate the implementation of international standards on indigenous peoples that was launched in 2011 by the International Labour Organization (ILO), Office of the High Commissioner for Human Rights (OHCHR), the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), and the United Nations Population Fund (UNFPA). The ILO is the current Secretariat for UNIPP and OHCHR is serving as the Co-Chair of the Policy Board, which includes several indigenous experts.

UNIPP is both a framework and funding mechanism. As a framework, it promotes implementation of standards as well as recommendations from the UN human rights system. As a funding mechanism it supports joint UN programs at the country level which have a focus on the rights of indigenous peoples. Across all regions, indigenous peoples face discrimination in participation, decision-making processes and access to justice. Indigenous peoples around the world are also experiencing increased threats and challenges to their rights to lands, territories and resources.

The international human rights system has made a large number of recommendations to Member States in an effort to combat these threats and the violations of their rights. UNIPP will help to address them. Thematic areas for intervention include legislative review and reform; democratic governance and strengthening of indigenous peoples' institutions; access to justice; access to land and ancestral territories; natural resources and extractive industries; and access to education and health.

human rights action plan. Our experience of providing training and support for the development of NAPs has highlighted the importance of promoting open consultation processes as well as national ownership of strategies to prevent and combat discrimination. OHCHR will continue to advocate for and support the elaboration of NAPs in this biennium.

States are encouraged to ensure the meaningful participation of civil society and particularly affected groups in the elaboration of NAPs, laws, policies and programmes and participation in other public domestic processes. In practice, civil society involvement is often not meaningful and participation does not guarantee any impact on the eventual outcome. Greater advocacy efforts should be directed toward States to underline the added value of civil society participation and to advice on possible modalities.

Informed advocacy and outreach activities undertaken in cooperation with public authorities have significant potential to prevent and change discriminatory attitudes and practices. Extensive discussions with national and local experts on a particular theme or victim group, combined with credible local research, can help prepare effective and targeted advocacy and outreach activities. OHCHR should further develop its local networks and knowledge base in order to enhance their expertise and skills.

Maintaining international consensus regarding the most effective means of addressing discrimination in all its forms and manifestations has proven to be a major challenge to the anti-discrimination work of the Office.

The Durban Declaration and Programme of Action established a comprehensive anti-discrimination framework to address a range of issues concerning discrimination and intolerance which was reiterated in the Outcome Document of the Durban Review Conference of 2009. These instruments highlighted contemporary forms and manifestations of discrimination, including discrimination and intolerance based on religion and belief. Such sensitive issues will certainly continue to pose challenges in this biennium and will require sustained and focused attention.

In recent years, it has been necessary to build an understanding around the importance of addressing emerging issues at the international level. In this regard, continued advocacy by the High Commissioner and OHCHR will be necessary. Inter-agency initiatives and coherent collaboration are equally important to address racial discrimination and discrimination against women, indigenous peoples, minorities, persons with disabilities, older persons and other marginalized groups.

## OHCHR's focus

While maintaining its current broad support to promote equality and prevent, combat and eradicate all forms of discrimination, OHCHR will continue to focus its work on fighting discrimination based on sex, race, colour, descent, national, ethnic or indigenous origin, religion or belief, language, disability, age, sexual orientation and gender identity.

### Multi-Donor Trust Fund (MDTF) on disability

The Multi-Donor Trust Fund (MDTF) on disability was established to achieve the objectives of the United Nations Partnership to Promote the Rights of Persons with Disabilities (UNPRPD). The partnership aims to develop the capacities of national stakeholders, particularly governments and organizations of persons with disabilities, to facilitate the effective implementation of the Convention on the Rights of Persons with Disabilities (CRPD). The MDTF is comprised of representatives from six UN agencies, namely OHCHR, the United Nations Department of Economic and Social Affairs (DESA), UNDP, UNICEF, ILO and the World Health Organization (WHO). The Fund is administered by UNDP and was officially launched on 8 December 2011.

The General Assembly adopted the CRPD in 2006 and in doing so, acknowledged the widespread discrimination, exclusion and marginalization faced by persons with disabilities in all parts of the world. Founded on a human rights-based approach, the CRPD embodies a paradigm shift in the way that the issue of disability is perceived and addressed. Persons with disabilities face numerous and multi-faceted barriers in their everyday lives, demonstrating the existence of many remaining challenges to the national-level implementation of the CRPD.

The UNPRPD was established as the first global UN inter-agency initiative with a programmatic focus on the promotion and protection of the rights of persons with disabilities. The MDTF on disability will allow for the effective implementation of joint and individual programmes at the country level. The thematic priorities for the MDTF on disability include: promotion of ratification and reform and/or development of legislation, policy, strategies and plans of action; improved delivery of programmes and services (mainstreamed and specialized); awareness-raising and enhanced dialogue and coordination between States, persons with disabilities and their representative organizations, social partners and UNCTs; and enhanced data and research on disability.

More specifically OHCHR intends to emphasize:

- ▶ Protection of those who experience multiple forms of discrimination, particularly women and girls facing discrimination on more than one ground.
- ▶ The adoption and implementation of national anti-discrimination and equality legislation, policies and programmes.
- ▶ The establishment and support of the functioning of specialized equality bodies and independent NHRIs working against discrimination in compliance with international norms and standards.
- ▶ The need to integrate equality and non-discrimination principles in measures aimed at the progressive realisation of economic, social and cultural rights (ESCRs).
- ▶ The need for full, equal and effective participation in decision-making processes.

## Expected results for the biennium

### National laws, policies and institutions (EA1)

#### **Increased number of national anti-discrimination and equality laws, administrative measures, policies and programmes, including national action plans, as well as practices in compliance with international norms and standards.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Engaging with States and civil society to raise awareness about discriminatory laws, regulations, policies and practices and encouraging their revision to ensure compliance with international standards and States obligations. A handbook will be released at the beginning of 2012 to facilitate the enactment and amendment of legislation and adoption of administrative measures in line with the CRPD.
- ▶ Advising on the drafting or revision of legislation to ensure compliance with international standards on equality and non-discrimination, particularly gender equality, and facilitating the meaningful participation of relevant individuals and groups facing discrimination in the process.
- ▶ Advising on and supporting the formulation of national policies and programmes, including NAPs to eradicate discrimination and promote equality, including gender equality.
- ▶ Developing capacity-strengthening materials on anti-discrimination and equality legislation.
- ▶ Developing and offering capacity-strengthening training materials and programmes on equality and

non-discrimination principles for various target groups.

- ▶ Promoting national-level dissemination of recommendations from special procedures following country visits, concluding observations from treaty bodies and recommendations from the Universal Periodic Review (UPR) on issues related to equality and non-discrimination, and in view of 2nd cycle of the UPR, analysis of their implementation.



By the end of the biennium, OHCHR expects to have contributed to the adoption or implementation of anti-discrimination NAPs in Honduras and Mauritania, and anti-discrimination laws in Kosovo, Republic of Moldova and the former Yugoslav Republic of Macedonia.

OHCHR expects also to have contributed to improving the compliance with international standards of legislation, policies and programmes relating to discrimination in the following countries: Afghanistan, Bolivia, Cameroon, Congo, Ecuador, Equatorial Guinea, Gabon, Guatemala, Kazakhstan, Kenya, Kyrgyzstan, Liberia, Malawi, Mexico, Sao Tomé and Príncipe, South Sudan, Swaziland, and Tajikistan. In some countries, the focus will be on specific groups, for instance indigenous peoples and Afro-descendants in Bolivia and Ecuador; minorities in Kyrgyzstan and Tajikistan; and persons with disabilities in Liberia, where OHCHR will contribute to the development of a national strategy for the implementation of CRPD. In relation to this last group, results are also expected regarding the compliance with international human rights standards of policies of the European Union (EU) and European States, such as Bulgaria and Romania.

Improvement of policies and legislation relating to gender discrimination and women's rights will be the focus of OHCHR in: Afghanistan, Malawi and Swaziland. By the end of 2013, OHCHR expects to have contributed to the inclusion of gender equality and non-discrimination in the curricula of the judicial academy in the Dominican Republic.

#### **Increased number of specialized equality bodies, focal points and independent national human rights institutions, working on equality and non-discrimination, in accordance with international standards.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Advising on the establishment and strengthening of capacity of specialized equality bodies or anti-discrimination focal points within existing NHRIs. A new handbook will be published in 2012 on the rights of indigenous peoples to guide NHRIs.



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UN High Commissioner for Human Rights meets with Roma families outside their homes, Italy.

- ▶ Providing technical assistance and capacity-strengthening support to specialized equality bodies, including mechanisms for the advancement of women, focal points and independent NHRIs on equality and non-discrimination.
- ▶ Developing publications and guidance notes on the establishment of national frameworks, including in relation to indicators and data collection methods, to monitor and promote the implementation of international norms and standards on equality and non-discrimination, for specialized equality bodies, focal points and independent NHRIs.



By the end of the biennium, OHCHR expects to have contributed to the monitoring and handling of human rights violations of discriminated groups by NHRIs in Ethiopia, Panama and United Republic of Tanzania.

With OHCHR support, a National Commission on Disabilities will be established in Liberia and anti-discrimination commissions will be functioning in Honduras and Kenya.

#### Access to justice and basic services (EA4)

##### **Increased number of measures taken to contribute to the fulfillment of economic, social and cultural rights by individuals and groups facing discrimination.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Providing support to specialized equality bodies, focal points, independent NHRIs and civil society to strengthen their capacity,

including through the development of indicators and data collection methods, to promote and monitor the fulfillment of economic, social and cultural rights (ESCRs) by individuals and groups facing discrimination.

- ▶ Providing capacity-strengthening support for civil society, particularly individuals and groups facing discrimination and other stakeholders regarding the mutual reinforcement of equality, non-discrimination and ESCRs.
- ▶ Raising awareness of ESCRs among groups and individuals faced with discrimination and about their justiciability; assisting with litigation relating to discrimination cases involving access to ESCRs.
- ▶ Including ESCRs in OHCHR guidance tools and materials on equality and non-discrimination.



By the end of the biennium, OHCHR expects to have contributed to the adoption of measures to improve access of groups facing discrimination to selected basic services in Côte D'Ivoire, Iraq, Sierra Leone, South Sudan, and Tunisia.

In some cases, the focus will be in ensuring access of certain groups to basic services, such as the Roma and Travellers in several EU countries (i.e. Czech Republic, Italy, and the United Kingdom of Great Britain and Northern Ireland) and Serbia; or non-citizens or those lacking personal documents in Australia and the former Yugoslav Republic of Macedonia. In others, the focus will be on facilitating access to social services. In Timor-Leste, OHCHR expects to contribute to the establishment of legal and other guarantees for universal and free primary education. In the former Yugoslav Republic of Macedonia, OHCHR will support the review of the law on health insurance to include refugees and other excluded members of society.

## Participation (EA5)

### Increased effective participation of individuals and groups faced with discrimination in decision-making processes, monitoring of public policies, and use of existing national protection systems.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Providing technical assistance and capacity-strengthening support at the national and local level with the aim of increasing the participation of individuals and groups faced with discrimination in decision-making processes and monitoring of public policies that affect them, inter alia, through fellowship programmes and workshops.
- ▶ Developing and disseminating thematic studies on public and political participation of individuals and groups faced with discrimination.



By the end of the biennium, OHCHR expects to have contributed to facilitating increased participation in decision-making processes by affected persons and groups in Armenia, Azerbaijan, Bolivia, Burundi, Democratic Republic of Congo (DRC), Georgia, Guatemala, Haiti, Honduras, Libya, Mexico, Paraguay, Rwanda, Tunisia, Uganda and countries covered by the Regional Offices in North Africa and the Middle East. In several countries, the focus will be on the participation of women, including in Haiti, Libya, Mexico and Paraguay. In others, the focus will be on participation of specific groups, as the Roma in relation to the right to health in countries of Central and Eastern Europe and/or regarding specific rights, including housing rights in Papua New Guinea. In Burundi, DRC, and Rwanda, the Office will contribute to the participation of civil society in the whistle-blowing and human rights monitoring mechanism of the regional initiative against the illegal exploitation of natural resources.

With OHCHR support, it is anticipated that by the end of the biennium, women and groups experiencing discrimination will be making better use of existing national protection systems, including in: Bolivia (women, indigenous peoples, persons with disabilities and lesbian, gay, bisexual and transgender (LGBT) particularly in relation to development projects); Cambodia (indigenous peoples, urban populations and trade unions); Colombia (women); Guatemala (indigenous peoples and women and specially in relation to ESCRs); Kenya (victims of 2008 violations, including internally displaced persons and victims of sexual and gender-based violence (SGBV)); Kosovo; Nepal (women, ethnic, religious, LGBT and persons with disabilities); and countries covered by the Regional Office in North Africa (migrants and refugees).

## Responsiveness of the international community (EA10)

### Increased responsiveness of the international community to critical and emerging situations where issues of discrimination might arise and where potential conflict situations involving discrimination may be present.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Advocacy by the High Commissioner on special measures to overcome all forms and manifestations of discrimination and accelerate the progress towards equality, including increased meaningful participation and representation by individuals and groups facing discrimination in political processes, particularly women.
- ▶ Advocacy by the High Commissioner for stronger protection of groups and individuals faced with discrimination at major international events and on international days.
- ▶ Publishing of thematic studies and organization of panels in the context of the Human Rights Council and other fora to address issues related to individuals and groups faced with stigmatization and discrimination.

## Human rights mainstreaming within the United Nations (EA11)

### Increased integration of equality and non-discrimination standards and principles in UN policies and programmes and in other key areas including at the country level.


OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Working with UN partners and civil society to promote existing Multi-Donor Trust Funds (i.e. on Disability and Indigenous Peoples Partnership), Inter-Agency Support Groups and other collaborative arrangements for supporting joint country programmes, regional and global activities which facilitate the implementation of human rights standards on equality and non-discrimination, particularly in relation to the rights of women, persons with disabilities, indigenous peoples, people of African descent and persons facing descent-based discrimination.
- ▶ Increasing the capacity of UNCTs to integrate non-discrimination issues into their programmes and, as appropriate, to monitor and report on the situation of individuals and groups faced with discrimination in development efforts.
- ▶ Developing publications, tools and guidance materials on equality and non-discrimination produced in collaboration with UN partners.
- ▶ Promoting the implementation of gender equality policies and strategies in OHCHR.



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Day of peaceful protest in Yemen.



# Impunity, rule of law and democratic society

## Combating impunity and strengthening accountability, the rule of law and democratic society

### Background

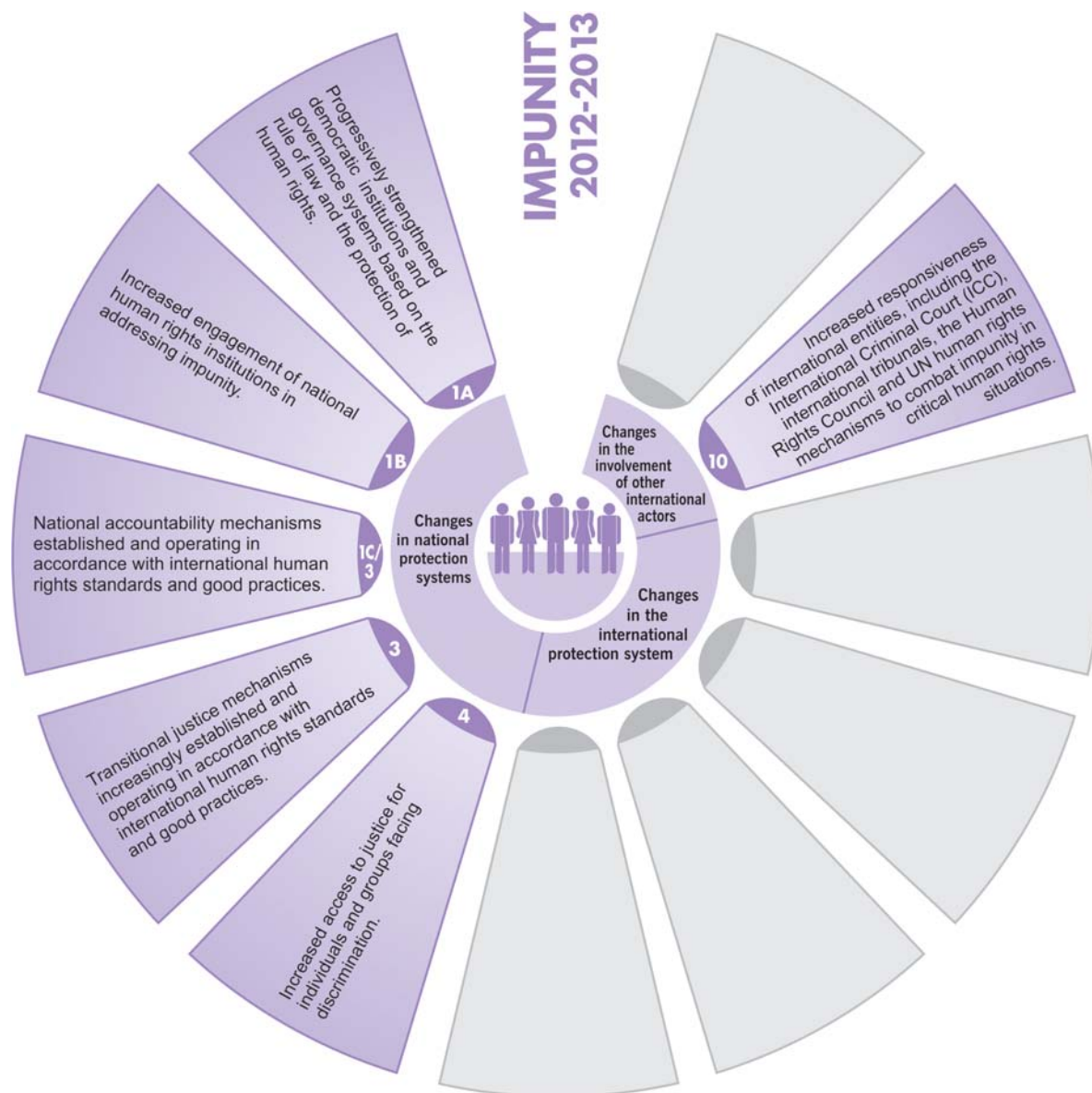
In response to calls for upholding dignity, justice and freedom, profound political changes have recently taken place across North Africa and the Middle East. In light of these developments, and other needs around the world, United Nations engagement is essential for strengthening the effective protection of human rights and the rule of law. Within the UN system, OHCHR will continue to play a leading role during this biennium to nurture positive conditions for the respect for democracy and the rule of law, in particular through its focus on combating impunity and strengthening accountability.

### OHCHR's role

While many UN entities are involved in policy-making and actions to promote respect for democracy and the rule of law, combating impunity and strengthening accountability underpins all activities undertaken by OHCHR in the exercise of its mandate.

OHCHR plays a major role in supporting the development and monitoring of human rights norms and standards by the human rights mechanisms, including the Human Rights Council (HRC), special procedures mandate-holders, and human rights treaty bodies. OHCHR also supports the human rights mechanisms in considering individual complaints submitted by alleged victims of human rights violations.

The 2009 Guidance Note of the Secretary-General on Democracy defines the legal and political tenets of



### **Impunity, rule of law and democratic society Thematic Expected Accomplishments for the biennium 2012-2013**

democracy and emphasizes the need for action in a number of strategic areas, namely: popular participation and free and fair elections; political pluralism; and transparency. Each of these areas informs the work of OHCHR. Without question, sustainable democratic transition requires an end to impunity and ensuring accountability.

Under international human rights law and international humanitarian law, States are required to investigate all alleged violations of rights with a view to identifying perpetrators, bringing them to justice and providing victims with an effective remedy. Democratic societies that are founded on the rule of law and ensure the wide availability of accountability mechanisms, are more likely to provide effective protection of human rights and appropriate redress to victims of violations

when safeguards fail. Experience has shown that democratic transition is incomplete if it does not include minimum institutional reforms, such as transitional justice processes, which are crucial for the proper functioning of a democratic system. These reforms primarily refer to an independent and impartial judiciary, effective NHRIs, and security forces which are subject to civilian oversight that act as guarantors of the rule of law.

Over this biennium, OHCHR will continue to prioritize combating impunity and strengthening the rule of law based on the principles and provisions of international human rights law, international humanitarian law and international criminal law.

The operational guidance on action to combat impunity is found in two UN documents which, taken



together, form the basis for much of OHCHR's work in this area, namely: "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law" and the "Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity." The principal elements of OHCHR's approach to strengthening rule of law and addressing impunity are further informed by the Secretary-General's 2004 report to the Security Council on "The rule of law and transitional justice in conflict and post-conflict societies."

OHCHR is the lead entity on transitional justice within the UN system and has assumed a prominent role in this area. Over the past decade, OHCHR field presences have implemented transitional justice programmes in more than 20 countries. The Office has developed a set of training tools on the rule of law in post-conflict countries and in 2006 published a study on the right to the truth. It led the elaboration process of the "Guidance note of the Secretary-General: United Nations approach to transitional justice," which was published in March 2010. The guidance note provides a rights-based perspective on transitional justice, and suggests ways to strengthen transitional justice activities within the United Nations.

In implementing its mandate, OHCHR engages in dialogue with States, NHRIs, judicial institutions, law enforcement agencies, and civil society organizations, shares examples of good practice, and provides technical advice and assistance as required. OHCHR promotes the principles of accountability, rule of law and democracy and strives to ensure these same principles are reflected in the programmes, policies and activities of the UN system.

## Lessons learned and challenges

OHCHR has actively contributed to on-going efforts of the UN system to enhance the rule of law and combat impunity. It has provided technical advice; participated in the establishment of networks of practitioners composed of UN human rights staff and civil society organizations; and supported the development of tools that are grounded in international human rights law and contain useful information on lessons learned and good practices from UN field operations. Bearing in mind the growing demands for human rights protection arising out of recent developments, in particular in North Africa and the Middle East, more efforts and



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Women read about the Khmer Rouge war crimes court in Cambodia.

resources are needed to ensure that OHCHR can meet the many challenges of this critical time for human rights.

While the international community has made progress to address heinous crimes through the development of new standards and international criminal procedures, recent inter-governmental debates have demonstrated the need to sustain efforts to ensure that the UN system responds appropriately to serious human rights situations and impunity-related issues. Strategic efforts should be made to address these challenges. In particular, OHCHR needs to advocate more visibly and effectively for the mandatory inclusion of commitments to combat impunity and the promotion and protection of human rights in peace mediations, negotiations and agreements.

Much more remains to be done at the national level, including securing clear political commitments from States to counter impunity. OHCHR's advocacy work will therefore need to be strengthened and its capacity must be increased in order to respond to calls for technical assistance and the provision of expert legal advice, such as the drafting and amendment of relevant legislation. Sustained efforts are also required for the establishment and protection of independent judiciaries, to support their training in relation to national-level implementation of international human rights standards and ensure access to justice for all, including members of the most vulnerable and discriminated groups.

OHCHR has led the negotiations between the UN and Member States on the establishment of transitional justice and accountability mechanisms in post-conflict situations. It has also provided advice and technical assistance to States in this regard. Further efforts are needed to ensure that mechanisms are fully compliant with international standards and that adequate resources are allocated to enable timely and appropriate responses to requests for support, including in precarious security and political environments.

The Office has developed rigorous methodologies to monitor, investigate and initiate inquiries into gross rights violations. Experience has shown the continued need to stress the indivisibility, interdependence and interrelatedness of all human rights when conducting monitoring and investigation activities. To this end, OHCHR should enhance its focus on assisting national partners to strengthen their capacity, and to provide support for the establishment and effective functioning of NHRIs which can play an important role in ending impunity and ensuring accountability.

OHCHR has a field presence in nearly every country in which the International Criminal Court (ICC) and other international justice mechanisms are engaged and has actively fostered partnerships with these mechanisms. However, more substantive guidance will be needed to strengthen these relationships and explore the potential for cooperative activities. In addition, OHCHR should increase its contribution to enhancing the investigative and prosecutorial capacity of national jurisdictions.

The recommendations of treaty bodies and special procedures which address issues of impunity provide guidance for action to all national-level stakeholders. Further efforts are needed with regard to their implementation and follow-up.

OHCHR's leadership role in enhancing accountability for violations, fostering transitional justice measures, and supporting institution-building has greatly benefited from its partnership with other institutions within the UN system. OHCHR is strongly committed to a coordinated, coherent, and responsive approach to the rule of law and accountability in order to strengthen the delivery of assistance and underline the broader human rights message.

## OHCHR's focus

- ▶ Supporting transitional justice processes.
- ▶ Increasing access to justice for individuals and groups facing discrimination.
- ▶ Enhancing the framework for accountability for human rights violations, including sexual and gender-based violence.
- ▶ Increasing human rights protection in the administration of justice.
- ▶ Supporting the development of democratic institutions.

## Expected results for the biennium

### National laws, policies and institutions (EA1)

#### **Progressively strengthened democratic institutions and governance systems based on the rule of law and the protection of human rights.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Assisting States in establishing democratic oversight and control mechanisms, such as the development



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Deputy High Commissioner for Human Rights visits a prison in Haiti.

of measures to enhance parliamentary oversight and checks and balance mechanisms.

- ▶ Providing technical assistance and advisory services for the development and functioning of State institutions complying with the rule of law and human rights, including through assistance for constitution-making and constitutional reform and the development of guidance tools for parliamentarians.
- ▶ Supporting civil society organizations in their contribution to building democratic societies through their participation in policy and institutional reform.
- ▶ Supporting the development of a legal and institutional framework that is compliant with international human rights norms and principles for the organization and conduct of democratic elections, as well as the adoption of measures to ensure the representation and participation of all, including individuals and groups facing discrimination in democratic processes.
- ▶ Developing capacity-strengthening materials on human rights monitoring during electoral processes for UN staff, government officials, NHRIs, electoral commissions and civil society.
- ▶ Providing support for the monitoring of human rights violations in the context of elections.
- ▶ Supporting the development of human rights education plans and programmes, as well as national human rights action plans and promoting public information in the field of human rights.



In this biennium, OHCHR expects to contribute to constitutional reforms in Libya, Nepal, Somalia and South Sudan.

OHCHR's work is also expected to contribute to the increased compliance with international human rights norms of institutional frameworks for the organization and conduct of democratic elections, including election management bodies in Cameroon, Congo and Guinea. The development and implementation of legal frameworks to ensure the participation of all in democratic processes will also be supported. In this regard, OHCHR will contribute to the compliance with human rights standards of legislation relating to freedom of expression and/or freedom of assembly and association in Ecuador, Mauritania, Mexico, Nepal, Sierra Leone, and countries in North Africa; as well as to the implementation of the Law on peaceful demonstrations in Cambodia.

As a contribution to building democratic societies, OHCHR expects to participate in the development of human rights education programmes in: Burundi, Mauritania, Paraguay and Russian Federation.

By the end of 2013, with OHCHR support, national human rights action plans will be developed and/or implemented in Brazil, Burundi, Iraq, Lebanon, Liberia, Niger, Paraguay, Peru, and Togo.

## Increased engagement of national human rights institutions in addressing impunity.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Supporting the establishment and promoting the effective functioning of NHRIs in full compliance with the Paris Principles, in particular with regard to their mandate to receive and consider complaints of human rights violations.
- ▶ Promoting and strengthening the capacity of NHRIs to participate in accountability and transitional justice processes.
- ▶ Promoting and strengthening the capacity of NHRIs to participate in the development of, and effective interaction with, democratic institutions.
- ▶ Facilitating participation of NHRIs in activities of the UN and regional human rights mechanisms and bodies addressing impunity.
- ▶ Organizing capacity-strengthening activities for NHRIs on matters related to accountability, the rule of law and democracy.



By the end of 2013, OHCHR expects to have contributed to the establishment of NHRIs in: Central African Republic, DRC, Guinea, Italy, Kuwait, Lebanon, Madagascar, Niger, Pacific Island countries, Papua New Guinea, Turkey, and Zimbabwe.

By the end of the biennium, the Office will also have contributed to the improved functioning of NHRIs in compliance with the Paris Principles in Afghanistan, Bahrain, Belgium, Burundi, Cameroon, Chad, Colombia, Congo, Ecuador, Gabon, Guinea Bissau, Haiti, Iraq, Jordan, Kosovo, Liberia, Malawi, Republic of Moldova, Mozambique, Myanmar, Nepal, Netherlands, Norway, Oman, Qatar, Sao Tomé and Príncipe, Sierra Leone, Slovakia, South Sudan, Timor-Leste, Togo, Tunisia, and Uganda.

## National accountability mechanisms established and operating in accordance with international human rights standards and good practices.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Providing technical assistance and advice on the development and reform of normative frameworks in relation to accountability and justice mechanisms.
- ▶ Advocating for accountability of alleged perpetrators of human rights violations through statements of the High Commissioner and public reporting.
- ▶ Supporting judicial institution building and reform efforts, including by providing capacity-strengthening

activities such as training for judges, prosecutors and lawyers on the domestic implementation of international human rights law, humanitarian and criminal law standards, and developing guidance materials as well as new policy and training tools on accountability mechanisms, including commissions of inquiry.

- ▶ Contributing to enhancing the capacity of national jurisdictions to investigate and prosecute the alleged perpetrators of serious crimes under international law.
- ▶ Offering technical support to national and local authorities and other stakeholders in order that informal justice systems comply with international human rights norms.
- ▶ Developing guidance materials to assist States with victim- and witness-protection programmes, including in cases of sexual and gender-based violence.
- ▶ Undertaking and strengthening human rights monitoring of legal systems to ensure compliance with international human rights norms, in particular with regard to due process and fair trial, and working with UN partners, national institutions and civil society organizations to encourage and build their capacity to conduct such monitoring.
- ▶ Monitoring conditions of, and the legal basis for, detention, particularly under executive orders and pre-trial detention; providing advice on reforms needed so as to ensure compliance of domestic law and policy with relevant international standards; strengthening advocacy on the protection of the rights of persons deprived of their liberty, including their right to judicial review and providing training to judges, prosecutors and lawyers on international standards related to detention. Support will be provided for the analysis of the legality of the practice of solitary confinement to be undertaken by the Special Rapporteur on torture and other forms of cruel, inhuman, degrading treatment or punishment.
- ▶ Pursuant to General Assembly resolutions 62/149 (2007), 63/138 (2008) and 65/206 (2010), advocating and providing support to Member States, civil society and other stakeholders on the establishment of a moratorium by States on the use of the death penalty, with a view to its abolition. Support will be provided for the on-going analysis undertaken by the Special Rapporteur on torture and other forms of cruel, inhuman, degrading treatment or punishment and the Special Rapporteur on extrajudicial, summary or arbitrary executions on issues related to the death penalty.
- ▶ Developing guidance tools to support human rights monitoring and investigations and strengthening the skills of national actors in this area.

## Transitional Justice

Transitional justice processes seek to ensure accountability and redress for victims of massive violations of human rights. In November 2006, the Secretary-General's report on the rule of law recognized OHCHR as the lead entity within the UN system in the area of transitional justice. In this regard, OHCHR is responsible for policy development and standard-setting, substantive guidance and capacity-building, and coordination with UN and non-UN actors.

OHCHR supports transitional justice programmes in more than 20 countries around the world. This includes engaging in the design and implementation of inclusive national consultations; supporting the establishment of truth-seeking processes, judicial accountability mechanisms, and reparations programmes; enhancing institutional reform; and ensuring that human rights and transitional justice considerations are reflected in peace agreements. OHCHR designs and implements dedicated transitional justice programmes at the country level, provides conceptual and policy support at headquarters, and maintains partnerships with multiple actors, including national authorities, national human rights institutions, civil society and other UN departments and agencies.

To develop the long-term institutional capacity of UN field presences, transitional administrations and civil society to respond to transitional justice demands, OHCHR has created Rule of Law Tools for Post-Conflict States. The tools are grounded in international human rights law and contain lessons learned and best practices from UN field operations. OHCHR also led the process of elaboration of the Secretary-General's 2010 Guidance Note on the UN's Approach to Transitional Justice. The Guidance Note provides a rights-based perspective on transitional justice and offers three approaches for further strengthening the UN's transitional justice activities. OHCHR continues to explore and develop emerging issues related to transitional justice, while taking into account the needs of UN field presences and international legal developments. This includes exploring linkages between transitional justice and violations of economic, social and cultural rights.



By the end of 2013, OHCHR expects to have contributed to the enhanced application of international human rights standards by the judiciary in Bolivia, Burundi, Cambodia, Chile, Colombia, Guatemala, Honduras, Paraguay, Peru, Russian Federation, South Caucasus, Uganda, and Uruguay. In Haiti, the Office will assist with the inclusion of human rights in the curricula of the judicial academy. In Timor-Leste, OHCHR will support the enactment of legislation to clarify the role of traditional justice in relation to the formal legal system and ensure its compliance with international human rights standards.

With OHCHR's support, Chad, Ecuador, Iraq, Libya, Mauritania, Togo and Tunisia will undertake judicial reforms or implement plans to improve the compliance of their administration of justice with human rights standards. The Office will also contribute to the adoption of a human rights compliant Criminal Procedure Code in Afghanistan and a Military Justice Code in the Central African Republic.

By the end of the biennium, the Office will have supported the establishment and functioning of independent and effective mechanisms to monitor detention conditions, including national preventive mechanism under the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) in: Afghanistan, Cambodia, Chile, Kosovo, Kyrgyzstan, Papua New Guinea, Serbia and countries in South America.

## Transitional justice and accountability mechanism (EA3)

### Transitional justice mechanisms increasingly established and operating in accordance with international human rights standards and good practices.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Helping design and support truth-seeking processes, national consultations on transitional justice, judicial accountability mechanisms, reparation programmes, including for victims of sexual violence, and providing advice on relevant institutional reforms.
- ▶ Providing advice and supporting capacity-building for UNCTs and other UN partners on transitional justice-related issues, including through the development of guidance materials on emerging transitional justice-related areas, such as violations of ESCRs; sexual and gender-based violence; reintegration of former combatants; vetting processes; and archives.
- ▶ Continuing to explore and consolidate the different elements of the right to the truth.
- ▶ Working with mediators and other stakeholders to ensure that transitional justice principles and accountability for past violations are reflected in peace negotiations and peace agreements.



By the end of 2013, OHCHR expects to have contributed to the compliance of transitional justice mechanisms with international standards in Afghanistan, Central African Republic, Honduras, Sri Lanka, Sudan (Darfur), Timor-Leste, Togo, and Uganda.

By the end of the biennium, it is anticipated that the Office's contributions will result in progress achieved towards the establishment of transitional justice mechanisms in accordance with international human right standards and good practice in Burundi, Colombia, Côte D'Ivoire, DRC, Guinea, Kenya, Kosovo, Madagascar, Mauritania and Nepal.

### Access to justice and basic services (EA4)

#### Increased access to justice for individuals and groups facing discrimination.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Developing policies and tools on access to justice and legal assistance for individuals and groups facing discrimination, including people of African descent, minorities and indigenous peoples, persons with disabilities, internally displaced and

stateless persons, migrants, women, victims of sexual and gender-based violence and in relation to discrimination on the basis of sexual orientation.

- ▶ Advocating for increased access to justice for individuals and groups facing discrimination. To this end, sensitizing national stakeholders, including government officials, parliamentarians, judges, prosecutors and lawyers to the relevance and applicability of international standards to ensure access to justice for members of the above-mentioned groups, including through the compilation and dissemination of relevant international and regional jurisprudence.
- ▶ Undertaking information and education campaigns and sensitizing national stakeholders to the need to undertake such campaigns for rights-holders to improve their access to justice.



By the end of 2013, OHCHR expects to have contributed to the adoption of measures to improve access to justice particularly for groups facing discrimination in Côte D'Ivoire, Iraq, Mali, Nepal, Russian Federation, Senegal, Sierra Leone, Sudan (Darfur), and Tunisia.



Fleeing violence in Kyrgyzstan, Uzbeks wait at border.

© UN Photo/AFP

## Responsiveness of the international community (EA10)

### Increased responsiveness of international entities, including the International Criminal Court (ICC), international tribunals, the Human Rights Council and UN human rights mechanisms to combat impunity in critical human rights situations.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Strengthening cooperation with the ICC, on the basis of the UN-ICC Relationship Agreement approved by the General Assembly (A/RES/58/318), particularly in the areas of witness and victim protection, victim participation, outreach and education.
- ▶ Encouraging States that have not yet ratified the Rome Statute to do so; supporting civil society efforts to promote ratification and, where possible, providing technical advice on national implementing legislation.
- ▶ Supporting other international justice and accountability mechanisms, including hybrid tribunals, and international commissions of inquiry and fact-finding missions.
- ▶ Working with Member States and other stakeholders on the implementation of recommendations to combat impunity and enhance accountability emanating from UN human rights mechanisms, including the UPR, special procedures and human rights treaty bodies.
- ▶ Supporting the HRC and UN human rights mechanisms on the rule of law and combating impunity, particularly the newly established Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, and the Committee against Torture (CAT) which is elaborating a General Comment on Article 14 of the Convention against Torture



©UN Photo/Ryan Brown

Assistant Secretary-General for Human Rights briefs correspondents on the human rights situation in Côte D'Ivoire following his mission to that country.

and Other Cruel, Inhuman or Degrading Treatment or Punishment on the Scope of the Right to Redress.

- ▶ Working with other parts of the UN to ensure that human rights consistently inform all policies and activities of the UN system at the international level and in the field.
- ▶ Pursuing efforts to combat impunity and enhance accountability through the Security Council, in particular, with regard to specific countries facing critical human rights situations.
- ▶ Supporting the work of human rights mechanisms and bodies in the review of individual communications, the conduct of inquiries, the activities of the Committee on the Elimination of Racial Discrimination (CERD) under its early warning and urgent action procedure, urgent appeals and allegation letters by special procedure mandate-holders and the complaints procedure of the HRC.



© OHCCHR Photo/Bahram Ghazi

Roma woman and her child in Belgrade.





# Poverty and economic, social and cultural rights

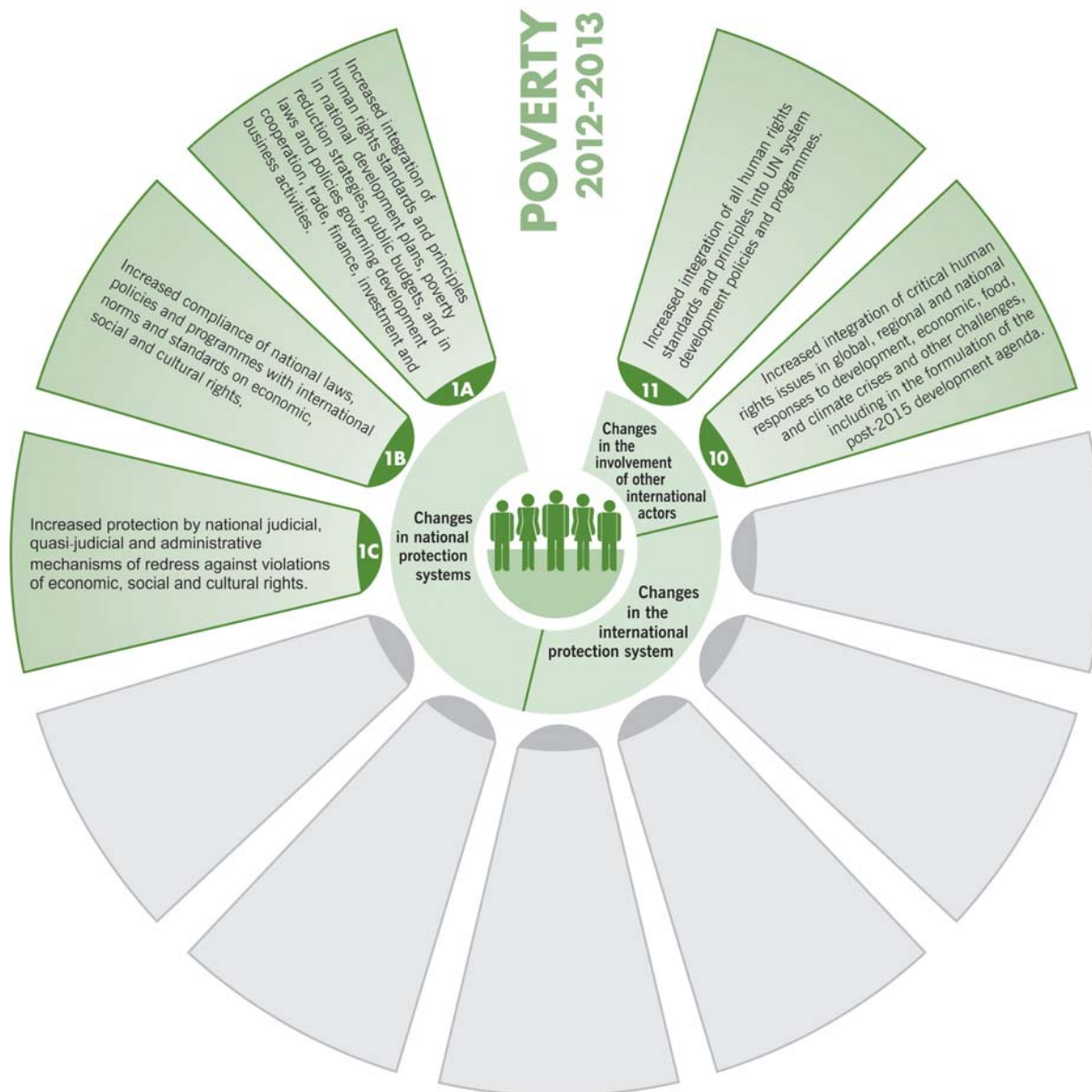
**Pursuing economic, social and cultural rights, and combating inequalities and poverty, including in the context of the economic, food and climate crises**

## Background

OHCHR promotes the integration of human rights in development and poverty reduction activities with a focus on the poorest and most marginalized groups of society. It also seeks to ensure the realization of economic, social and cultural rights and the achievement of sustainable and equitable development outcomes. This work is guided by the principles of universality, indivisibility and interdependence of all human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights, and reaffirmed in the Vienna Declaration and Programme of Action and the Declaration on the Right to Development.

The eradication of poverty and the creation of conditions for achieving economic and social progress and development, including for marginalized and vulnerable individuals and groups at risk, is vital for the effective implementation of the right to development. Under the theme of “Development is a human right for all,” OHCHR is working to mobilize support for the promotion of the right to development, including by building on the momentum created through advocacy efforts launched to commemorate the 25th anniversary of the UN Declaration on the Right to Development in 2011.

The outcome document of the 2010 Millennium Development Goal Review Summit contains a comprehensive set of commitments undertaken by Member States to apply human rights principles and give effect to their obligations in national and international development efforts to achieve the Millennium Development Goals (MDGs) by 2015.



### **Poverty and economic, social and cultural rights Thematic Expected Accomplishments for the biennium 2012-2013**

Mindful that the biggest challenge is to ensure effective implementation of these commitments, the High Commissioner made a pledge at the Summit to assist States in integrating human rights in their development and cooperation policies. The evidence-based reporting now coming out of national experiences is critical to strategically positioning human rights within the global, regional and national debates around the post-2015 development framework, including at the High-level Forum on Aid Effectiveness (2011) and the Rio+20 Summit on Sustainable Development (2012).

OHCHR has been mandated by UN Member States to mainstream all human rights, including the right to development, into UN system development work. OHCHR leads inter-agency efforts under the

UN Development Group (UNDG) Human Rights Mainstreaming Mechanism (HRM) to strengthen policy coherence and operational capacity in the UN system to support national efforts and global partnerships.

The protection of economic, social and cultural rights, alongside civil and political rights, is central to overcoming social and economic deprivation, particularly in light of the devastating and far-reaching impacts of the current global food, economic and climate crises. The popular uprisings for political freedom and social justice evidenced in 2011 across the North Africa and the Middle East clearly illustrated the indivisibility and interdependence of human rights and the reality that economic growth is not enough to ensure the full realization of economic, social and cultural rights for everyone.

The rapid development of jurisprudence on economic, social and cultural rights by national courts and regional human rights mechanisms, and the 2008 adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR), further highlighted the importance of ensuring the availability of legal protection of these rights. The full enjoyment of civil, cultural, economic, political, and social rights, enables people to participate actively and meaningfully in all aspects of political, social and economic life and to hold governments accountable for fulfillment.

Further efforts will be made to advance specific economic, social and cultural rights, such as the rights to health, food and housing. The scope of the work will go beyond the protection of rights for the poor. Discriminatory recruitment practices based on HIV status or gender, for instance, affects the enjoyment of an individual's right to work, regardless of their economic or social situation.

The Office will also enhance its analysis of the human rights implications of economic, social and cultural issues. As pressures related to land continue to increase at the national and international levels, for example, more attention is needed to prevent or address serious human rights violations occurring in this context.

## OHCHR's role

The High Commissioner's 2005 Plan of Action identified the need to redress the long-standing imbalance between economic, social and cultural rights and civil and political rights. In recent years, significant advances have been made towards a greater recognition and protection of economic, social and cultural rights under international law.

OHCHR and the UN human rights bodies have a unique opportunity to enhance conceptual clarity on economic, social and cultural rights and therefore facilitate their application by relevant actors in both legal and policy realms.

OHCHR has built its expertise on economic, social and cultural rights through thematic research and analyses in the context of global discussions and advocacy campaigns. This expertise has led to the development of training materials and basic tools on the protection of economic, social and cultural rights. The Office has also provided technical assistance to governments, national institutions and civil society in order to integrate human rights principles in development

plans, poverty-reduction strategies, policies and budgets.

OHCHR has made progress in integrating all human rights, including the right to development, into national development and international cooperation efforts, including in the context of the MDGs. The right to development provides essential normative guidance to address the complementary national and international dimensions of human rights and development agendas. Moreover, the High Commissioner's international leadership role makes OHCHR a natural focal point for connecting human rights advocates, development practitioners, planners and economists in order to engage in mutually enriching multi-disciplinary dialogue.

OHCHR is mandated to coordinate all human rights-related actions in the UN system and to support the integration of human rights, including the right to development, in all areas of the UN work.

## Lessons learned and challenges

OHCHR has actively contributed to policy discussions and processes on development and poverty reduction with Member States and within the wider UN system. OHCHR field presences and human rights mechanisms have advocated for the inclusion of human rights and the participation of civil society in national development processes in policy dialogue with high-level government officials. Additional efforts are needed, however, to articulate to all constituencies the added value of human rights in development and their concrete application at sectoral or thematic levels.

It is also important that we emphasize and fully exploit the value of the work already undertaken by the international human rights machinery in development. To date, several special procedure mandate-holders and treaty bodies have examined the linkages between human rights and development processes. OHCHR should support the systematic engagement of all UN human rights mechanisms in relation to development questions.

With regard to human rights mainstreaming, lessons learned and feedback received from UNCTs demonstrate the need for a more institutionalized approach and strengthening of accountability. The operational focus of this work should be based on existing evidence and shared knowledge in order to develop targeted technical tools and services and appropriately respond to the specific learning and support needs of the UN leaders at the national level.

### Right to development

The promotion and effective realization of the right to development is a key objective of OHCHR and is fully supported through the Office's thematic strategies. The thematic strategy related to the right to development seeks to combat poverty and increase the integration of human rights standards and principles into UN system policies at the national and international levels. In addition to supporting the mechanisms of the Human Rights Council in their work on the right to development, the Office will build on the momentum gathered during the commemoration in 2011 of the 25th anniversary of the UN Declaration on the Right to Development to mobilize broader support for human rights-based policy coherence in strengthening the global partnership for development.

Improved understanding of the content and scope of each economic, social and cultural right is critical for further advancement of these rights. There is still a tendency among stakeholders to interpret these rights as economic and social issues (including maternal mortality and morbidity, malnutrition, unemployment and homelessness). Delivery of social services is therefore often pursued without recognition and application of the corresponding rights and obligations. OHCHR has developed significant internal expertise on economic, social and cultural rights in recent years, including in relation to conflict and post-conflict situations. It is important to ensure that this knowledge, and the capacity to use and apply the methodologies and tools developed, is more evenly distributed throughout the Office and the broader UN system to ensure that consistent advice is provided.

### OHCHR's focus

- ▶ Increasing awareness and understanding of ESCRs as fully binding, implementable and justiciable human rights. Emphasis will be placed on improving conceptual clarity of ESCRs and identifying the relevance of ESCRs for sectoral policies in development and humanitarian action. Stronger focus will be placed on specific rights or certain aspects of those rights (such as the rights to housing, especially in connection with evictions, the right to food and the right to health, including sexual and reproductive rights, maternal mortality and morbidity, HIV/AIDS, and the right to water and sanitation.

- ▶ Analyzing and advocating in relation to the implications of economic and social issues, such as access to land, on human rights.
- ▶ Contributing to the integration of human rights in global and national development and poverty reduction frameworks, including in relation to development planning, budgets and indicators and macro-economic policies (i.e., trade, debt, etc.). Enhance MDG accountability and focus on specific MDG targets and corresponding ESCRs.
- ▶ Continuing to mainstream human rights in UN policy and programming.
- ▶ Advancing the clear, coherent and depoliticized promotion of the right to development as a human right.

## Expected results for the biennium

### National laws, policies and institutions (EA1)

#### **Increased integration of human rights standards and principles in national development plans, poverty reduction strategies, public budgets, and laws and policies governing development cooperation, trade, finance, investment and business activities.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Providing technical assistance to governments, NHRIs, civil society, the private sector and other national stakeholders to integrate human rights standards and principles in the assessment, formulation and monitoring of national development plans, poverty reduction strategies and public budgets.
- ▶ Advocating for changes in legal and institutional frameworks to ensure the more active and meaningful participation of civil society in national development processes and enhanced government and corporate accountability.
- ▶ Advocating for increased focus on human rights and prioritized attention paid to marginalized and discriminated groups in national development processes and budgets.
- ▶ Reviewing and sharing information on good practices and lessons learned in the application of a human rights-based approach to development planning at the country level.
- ▶ Distributing learning materials and tools tailored to the national context to strengthen the capacity of human rights non-governmental organizations (NGOs), NHRIs and the media to effectively monitor, assess and report on the impact on human rights of development plans, poverty reduction strategies, budgets and business activities.

- ▶ Developing additional human rights indicators, resource materials and tools to assist national and international human rights stakeholders in assessing progress achieved in the implementation of human rights, including through capacity-building activities and the work of the special procedures. A Guide to help operationalize OHCHR's methodology on human rights indicators will be published during the coming biennium.
- ▶ Advocating, in partnership with special procedures and treaty bodies, for the integration of human rights in trade and investment agreements and business activities. Support will be provided for the development of the draft Guiding Principles on Human Rights Impact Assessments of Trade and Investment Agreements by the Special Rapporteur on the right to food, and the revised draft Guiding Principles on Foreign Debt and Human Rights by the Independent Expert on the effects of foreign debt. Both documents will be presented to the Human Rights Council in 2012.
- ▶ Providing technical assistance to governments, NHRIs, the private sector, civil society and other national stakeholders to integrate human rights standards and principles in the formulation, implementation, monitoring and evaluation of laws and policies governing business activities.



By the end of 2013, OHCHR expects to have contributed to the integration of human rights standards and principles into national development plans and budget processes, including through the use of indicators in Haiti, Honduras, Liberia and Uganda; the Poverty Reduction Strategy for Niger; and in trade policies and practices in the Pacific Islands. In other cases, such as Guatemala, the Office will contribute to the enhanced State supervision of activities undertaken by non-State actors which affect labour rights. In South Sudan, OHCHR will support the establishment of an anti-corruption watchdog body.

### **Increased compliance of national laws, policies and programmes with international norms and standards on economic, social and cultural rights.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Assisting national stakeholders in making necessary changes to relevant legislation, policies and practices and monitoring the implementation of ESCRs, including through technical assistance and training on the use of legal and policy monitoring tools, such as human rights indicators, in specific social and economic sectors.



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Parliamentary hearing for the Housing Code of Kyrgyzstan in 2011.

- ▶ Providing technical assistance, advice and training materials on ESCRs to NHRIs to enhance their capacity to monitor and protect ESCRs, and facilitating information and knowledge-sharing among them.
- ▶ Supporting the participation of national stakeholders in monitoring exercises with international human rights mechanisms and experts, including treaty bodies, special procedures and the UPR.
- ▶ Providing technical assistance to governments and other national stakeholders for the implementation of country specific recommendations on how to address violations of economic, social and cultural rights made by OHCHR and/or human rights mechanisms.
- ▶ Providing advice, training and materials on economic, social and cultural rights to relevant professional personnel at the national level, including lawyers, policymakers, civil society organizations and UN personnel.



It is anticipated that the Office's contribution will result in an increased level of compliance of national laws, policies and programmes with international norms and standards on ESCRs in Guatemala, Malawi, Mozambique, Swaziland and a number of countries in Central Africa. In other countries, the emphasis will be on specific rights, for instance in Cambodia, Haiti, Kazakhstan, Kyrgyzstan, Tajikistan and the former Yugoslav Republic of Macedonia, where OHCHR will contribute to the development of human-rights compliant plans, policies and legislation related to housing rights and in Ecuador where it is expected that, with OHCHR support, policies in the area of water and sanitation will integrate a human rights-based approach. OHCHR will also contribute to the development of monitoring tools, including human rights indicators, relating to specific ESCRs, in countries such as Mexico, Serbia and the United Kingdom of Great Britain and Northern Ireland.

### **Increased protection by national judicial, quasi-judicial and administrative mechanisms of redress against violations of economic, social and cultural rights.**

OHCHR intends to pursue this result through the following strategic interventions:

- ▶ Strengthening the capacity of relevant professionals at the country level, such as judges, lawyers and civil society organizations, to ensure the legal protection of ESCRs, including through the provision of training and in relation to the justiciability of these rights.
- ▶ Providing technical assistance on legal protection of ESCRs, including through the development of guidance tools, appraisal of procedural and substantive obstacles, provision of advice on legal drafting, dissemination of comparative judicial standards, and articulation and advocacy for legal and political strategies.

### **Responsiveness of the international community (EA10)**

#### **Increased integration of key human rights issues in global, regional and national responses to development, economic, food and climate crises and other challenges, including in the formulation of the post-2015 development agenda.**

OHCHR intends to pursue this result through the following strategic interventions:

- ▶ Developing OHCHR's strategy on human rights in the post-2015 development agenda and providing empirical evidence for the instrumental value of all human rights in development with a focus on the principles of equality, non-discrimination and accountability (to be highlighted in a flagship publication on the MDGs).
- ▶ Advocating for the integration of human rights into policy responses of the international community to global, regional and national economic and social crises and challenges, including in the MDG- and post-2015 framework.
- ▶ Mainstreaming the right to development in global partnerships between Member States, development agencies and international development, financial and trade institutions, and advocating for the integration of the right to development in upcoming major review events, including those related to MDG8.
- ▶ Providing analysis and policy advice on the integration of human rights into policy responses of the UN High-level Task Force on the Global Food

Security Crisis and the UN High-level Committee on Programmes on the Social Protection Floor Initiative, in collaboration with special procedures and treaty bodies.

- ▶ Continuing its support for the integration of human rights in UN programmes, by undertaking more systematic compilation and world-mapping of indicators based on information processed by human rights mechanisms.
- ▶ Mainstreaming human rights in the work of UN inter-agency mechanisms and initiatives dealing with development and the MDGs, including the Inter-governmental Forum on Forests, the MDG Acceleration Framework (MAF), and the integrated and cross-sectoral advocacy strategies on the MDGs.
- ▶ Building partnerships with human rights and development groups to collaborate on advocacy initiatives.
- ▶ Strengthening cooperation with UN agencies, the World Bank and the World Trade Organization to promote the realization of ESCRs, including through institutional agreements, collaboration and technical cooperation.
- ▶ Encouraging and supporting special procedure mandate-holders, including those whose mandates are not specifically focused on ESCRs, to pay increased attention to human rights in the context of global social, economic and environmental challenges and the MDG framework.

#### **UNDG Human Rights Mainstreaming Mechanism**

The UNDG Human Rights Mainstreaming Mechanism (HRM) was established in 2009 to build on the achievements of the Action 2 Programme to strengthen system-wide coherence, collaboration and support for the Resident Coordinators and UNCTs on human rights mainstreaming. In 2011, a Multi-Donor Trust Fund and 3-year work plan were established for the HRM. During 2011-2013 the UNDG-HRM will focus on four broad priorities: (1) inclusion of a coherent and coordinated UN system-wide approach towards the integration of human rights principles and international standards into UN operational activities for development; (2) provision of coherent and coordinated support to Resident Coordinators and UNCTs in mainstreaming human rights; (3) ensuring a coherent UN system-wide approach in the provision of support for strengthening national human rights protection systems at the request of governments; and (4) integration of human rights issues in UNDG advocacy efforts on development agenda and global issues.



© Kate Holifrin

Women and children wait to receive a cooked meal at a food distribution in Somalia.

### Human rights mainstreaming within the United Nations (EA11)

#### Increased integration of all human rights standards and principles into UN system development policies and programmes.

OHCHR intends to pursue this result through the following strategic interventions:

- ▶ Mainstreaming all human rights principles and standards, including the right to development, into UN policies, guidelines and training tools related to development programming.
- ▶ Working with UNCTs to encourage the application of the human rights-based approach to common programming processes, including Common Country Assessments (CCAs) and United Nations Development Assistance Frameworks (UNDAFs), UNDAF Action Plans, and One UN Programmes.
- ▶ Developing guidance and training tools to strengthen the leadership and advocacy skills of UN Resident Coordinators and other UN leaders to promote all human rights at the national level.
- ▶ Leading the UNDG Human Rights Mainstreaming Mechanism by building synergies between its members and encouraging partnerships with other global and national development actors, including the World Bank, human rights groups, academia, etc.

- ▶ Advocating for the integration of human rights standards and principles into the work of the UN in the areas of governance and anti-corruption.
- ▶ Serving as a pilot to test the UN System-Wide Action Plan on Gender Mainstreaming and the Empowerment of Women, developed by UN Women, to ensure that a human rights-based approach to gender issues is promoted when establishing minimum performance standards for the UN system.



All OHCHR field presences, to varying degrees, are engaged in the integration of human rights standards and principles in UN development programmes. By the end of 2013, diverse results are anticipated in relation to the integration of human rights into UN development programmes in Afghanistan, Armenia, Azerbaijan, Bolivia, Brazil, Burkina Faso, Cape Verde, Chad, Côte D'Ivoire, Djibouti, Ecuador, Ethiopia, Fiji, Gambia, Georgia, Guinea Bissau, Haiti, Honduras, Indonesia, Iraq, Kenya, Kosovo, Lao People's Democratic Republic, Liberia, Madagascar, Mali, Mauritania, Mozambique, Myanmar, Nepal, Papua New Guinea, Paraguay, Philippines, Russian Federation, Rwanda, Samoa, Senegal, Serbia, Sierra Leone, South Sudan, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Togo, United Republic of Tanzania, Viet Nam, and Zimbabwe.



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Nicaraguan migrant crossing border into Costa Rica.



# Migration

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## Protecting human rights in the context of migration

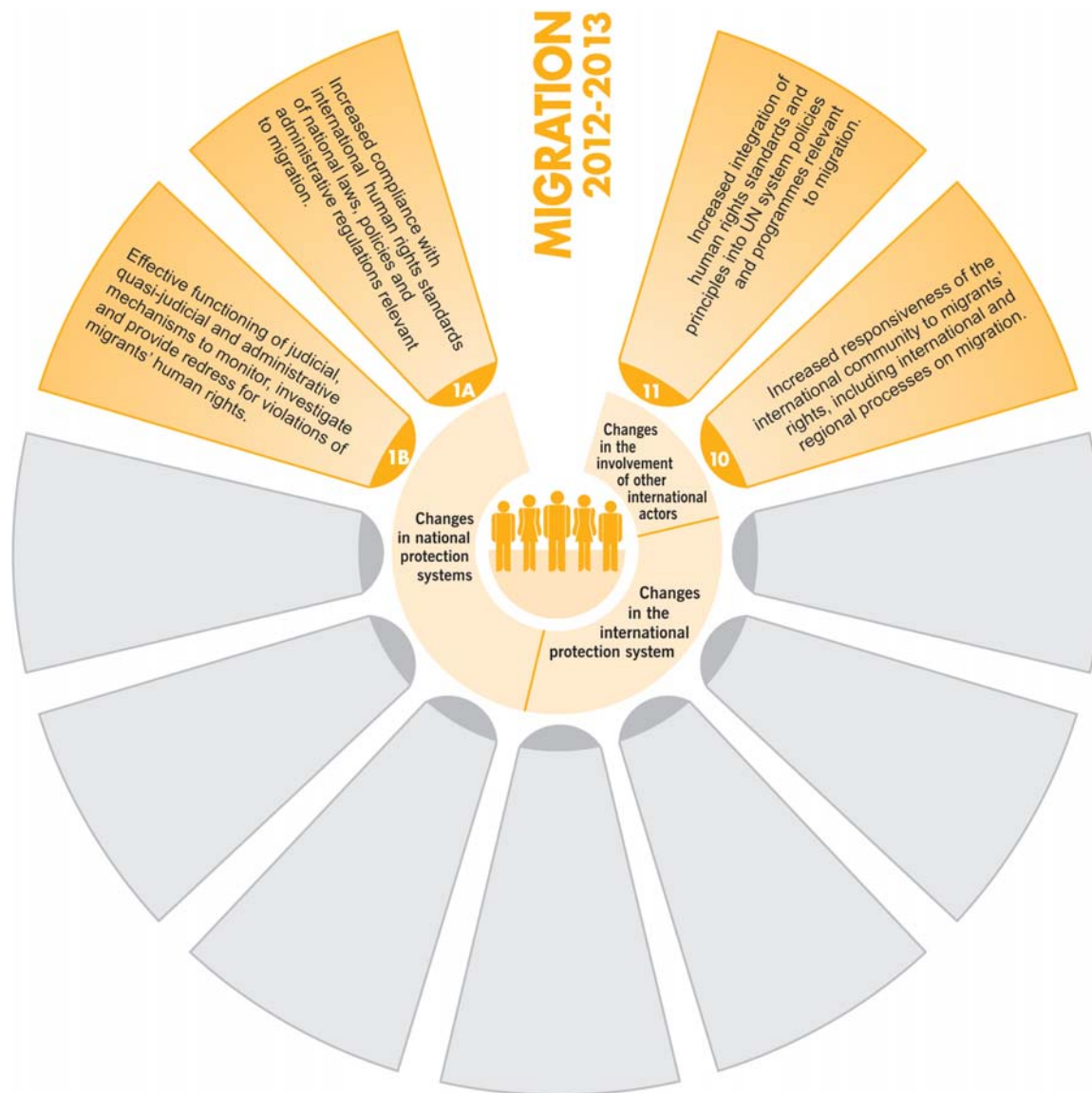
### Background

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The movement of people across national boundaries is a universal human phenomenon. Approximately 214 million people, or three per cent of the world's population are living outside of their countries of origin; approximately half of which are women and girls. If the migrant population continues to grow at its current pace, it is estimated that there will be 405 million international migrants by 2050.

Migration is also a multifaceted and complex phenomenon. Migration may be temporary or permanent, forced or voluntary, and takes place through regular or irregular channels of travel. Migration affects all regions of the world; migrants move within and between countries of the global South and North. Migration patterns have a powerful impact on the economies, societies and cultures of the countries of origin, transit and destination. Yet it must be remembered that at the heart of this phenomenon are individual human beings who are entitled to the full range of human rights.

While many migrants are able to freely and safely move, live and work with dignity, the reality is that millions of migrants are driven into insecure and vulnerable conditions as a result of economic disparities, conflict and environmental degradation, limited legal opportunities for migration, and discrimination. Further, as governments seek to combat irregular migration through strengthened controls, borders can become sites of violence, discrimination and abuse. In countries of destination, regular and irregular migrants may find themselves subject to systematic discrimination and unable to access their fundamental rights to health, housing, and decent work. The visible rise in exclusionary and xenophobic rhetoric in national political discourses around the world has fuelled intolerance and a backlash against migrants, often leading to acts of violence, hate crimes and hate speech. Hidden away in private households, migrant domestic workers are often subject to intolerable living and working conditions.



### **Migration Thematic Expected Accomplishments for the biennium 2012-2013**

The criminalization of irregular migration can be seen as a disproportionate response to what is essentially an administrative infraction. The association of migrants with criminality promotes their stigmatization and vilification. Migrants in irregular situations are more likely to face discrimination, exclusion, exploitation, and abuse, and are less likely to seek redress for such violations based on fears of detection and deportation. They are also more likely to be targeted by xenophobes and racists, victimized by unscrupulous employers, subject to prolonged or mandatory detention, and face a heightened vulnerability to criminal traffickers. According to the International Labour Organization, more than 12 million persons worldwide are victims of sexual exploitation or forced labour and subject to exploitive work conditions, including in agriculture, construction or informal manufacturing, and domestic work.

There is an urgent need for the development and implementation of coherent, comprehensive and coordinated frameworks to address migration at the national, regional and international levels. These frameworks must be founded on international human rights norms and standards, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Governments of destination countries should consider the actual demands for migrant labour in their national context, and ensure the availability of adequate, safe and legal means for migrants to enter and work in decent conditions. This could reduce the necessity for migrants to resort to risky and abusive irregular movements, particularly those that are facilitated by traffickers.

OHCHR's strategic focus in relation to migration is to promote and contribute to the protection of the human rights of all migrants, regardless of their legal status. Underlying this strategy is the recognition of the need to reframe the current global discussions around migration. To this end, OHCHR encourages policy-making that is based on evidence and human rights norms rather than misperceptions, stereotypes and inaccurate assumptions. The Office firmly believes that migrants who are able to enjoy their rights, are socially integrated and therefore able to live in security and with dignity are more likely to make valuable contributions to that society.

### OHCHR's role

OHCHR promotes the integration of human rights norms and standards in migration policy at the national, regional and international levels. While several UN and other international agencies have a mandate to work on migration-related issues, many lack an explicit human rights focus in their activities. The Office advocates for a human rights-based approach to migration and emphasizes the importance of grounding migration policy-making in the international legal framework. OHCHR calls on States to respect the internationally guaranteed human rights of all migrants, protect them against abuse, and fulfil

their rights to ensure that they are able to enjoy a safe and dignified life.

During the High Commissioner's term as Chair of the Global Migration Group (GMG) in 2010, OHCHR took the opportunity to strengthen its work on migration and gave particular emphasis to the issue of irregular migrants. OHCHR remains engaged in the international debate on migration and seeks to promote and mainstream a human rights approach to migration through the GMG and other fora. In addition, OHCHR carries out research on migrant rights, issues public statements on key topics and develops and offers guidance, tools and technical assistance to strengthen the capacity of States and other stakeholders. The Office also works to promote a human rights-based approach to trafficking, including through the dissemination of the Recommended Principles and Guidelines on Human Rights and Human Trafficking, which it developed in 2002.

OHCHR supports the work of the Special Rapporteur on the human rights of migrants, as well as other relevant special procedures such as the Special Rapporteur on trafficking in persons, especially women and children. The 2003 entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the subsequent establishment of the Committee on Migrant Workers gave further impetus to OHCHR's work in this area.

#### Ratification

The 20th anniversary of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) was commemorated in 2010. Ratification of the ICRMW is one of OHCHR's main priorities. During the 20 years since its adoption, only 44 States became a party to the Convention. The low level of ratification reflects persistent fears or misunderstandings held by States, particularly destination States, about losing control of migration management. In many countries, these concerns have resulted in and been exacerbated by, an alarming and visible rise in xenophobic rhetoric in national political discourse.

Securing ratification of the ICRMW will continue to be a challenge and requires sustained awareness-raising and advocacy measures, as well as commitment to on-going dialogue. Moreover, ratification and implementation of this Convention requires that governments undertake obligations to promote and protect the rights of migrant workers and their families and that national legislatures undertake formal action. International organizations and particularly UN entities, including OHCHR, can assist governments and legislative bodies by providing technical advice and assistance related to ratification. Such assistance may include analysing the legal implications of incorporating the Convention into domestic law, reviewing relevant draft legislation, providing guidance and sharing of "good practice" models on administrative mechanisms and institutions developed to, inter alia, implement the Convention, and monitoring national-level compliance.

In 2012-2013, OHCHR will strengthen its partnerships and outreach activities with a view to promoting ratification of the Convention, including as a member of the International Steering Committee for the Campaign for Ratification of the Migrants Workers Convention, as well as through its multiple presences at regional and national levels. To that end, the Office will continue to engage with governments, parliamentarians, trade unions and civil society actors. The High Commissioner will similarly continue to raise the issue of ratification of the Convention during country visits and in relevant international fora.

Ratification of the ICRMW is one of the expected results of the Thematic Strategy relating to the international mechanisms.

## Lessons learned and challenges

Recognizing the myriad of complex human rights issues raised by migration, it is essential that OHCHR continues to stress that migration is fundamentally about the rights of those human beings and not simply an issue of economic development, remittance transfers, border control and security.

OHCHR's work on migration has primarily concentrated on the international level, with important advances being made in terms of partnership and advocacy. A limited number of OHCHR field presences have begun to develop their work on migration in their particular country or regional context. More needs to be done, however, to develop and strengthen the capacity to engage at the field level to monitor violations and provide appropriate advice to address migration issues from a human rights perspective, including by supporting the implementation of recommendations from human rights mechanisms.

To promote and protect the human rights of migrants more effectively, OHCHR will need to continue to work with its existing and potential partners to call for the ratification and effective implementation of all relevant international human rights instruments, and particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

The OHCHR strategy will therefore focus on consolidating partnerships to effect change at the national, regional and international levels, including through the development of appropriate capacity-strengthening tools. In a few targeted thematic areas, such as the economic, social and cultural rights of irregular migrants and the human rights implications of mixed migration flows, OHCHR will provide an analysis of the scope and content of the international legal and normative framework. Efforts will also be made to enhance the capacity of all human rights mechanisms to include the situation of migrants in their analyses and recommendations.

## OHCHR's focus

OHCHR's work on protecting human rights in the context of migration will continue to have a global focus, yet field presences will also address issues of particular concern to their country or regional setting. The following focus areas will guide the overall work of the Office on migration:

- ▶ Combating discrimination, racism, xenophobia, and related intolerance against migrants: Migrants are increasingly subject to acts of xenophobia, anti-migrant sentiment, hate speech and hate crimes. They often confront multiple forms of discrimination in their daily lives, including exclusion from decision-making processes and avenues of legal recourse. These sentiments and practices are often reinforced in discriminatory legislation, regulations and policies which criminalize and exclude migrants.
- ▶ Protecting the economic, social and cultural rights of migrants: The enjoyment of economic, social and cultural rights entails access to education, decent work, housing and health, together with the protection of family life and related civil and political rights. Yet many migrants, particularly irregular migrants, are unable to access these rights in law or in practice.
- ▶ Advocating for access to safeguards in the context of immigration detention and finding alternatives to the detention of migrants: Due to the drastic impact of detention on individuals, there is increasing concern about human rights violations related to the detention of migrants. OHCHR has joined with other stakeholders to call on States to explore effective alternatives to immigration detention, and to protect the human rights of all migrants in the context of such detention.
- ▶ Opposing the criminalization of irregular migrants: It has been widely recognized by human rights mechanisms that infractions of immigration rules should not be a criminal matter. The Working Group on Arbitrary Detention and the Special Rapporteur on the human rights of migrants, for instance, have stressed that criminalizing the irregular entry and stay in a country exceeds the legitimate interest of States to control and regulate irregular immigration. The criminalization of such acts often leads to unnecessary detention, can prevent migrants from accessing key rights such as health or housing, and encourages stigmatization, hostility, and xenophobia against migrants.
- ▶ Protecting human rights in the context of mixed migration: So-called "mixed flows" of migration include people on the move with various motivations and protection profiles, including refugees and asylum seekers, unaccompanied children, victims of trafficking, irregular migrants, and smuggled migrants. In the context of mixed flows, migration observers have identified a growing human rights crisis at international borders where violence, discrimination, unlawful interception, refoulement and even loss of life are increasingly common.

## Expected results for the biennium

### National laws, policies and institutions (EA1)

#### Increased compliance with international human rights standards of national laws, policies and administrative regulations relevant to migration.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Providing technical assistance to governments and lawmakers to develop/reform legal and administrative frameworks related to migration which are compliant with international human rights standards.
- ▶ Assisting governments in implementing recommendations relevant to migration by UN human rights treaty bodies (in particular those of the Committee on Migrant Workers), special procedures and the Universal Periodic Review.
- ▶ Providing technical assistance to governments on the Recommended Principles and Guidelines on Human Rights and Human Trafficking including through the organization of relevant training events.
- ▶ Developing tools and organizing capacity strengthening workshops and activities on migration and human rights for governments, judges and lawyers, NHRIs and civil society organizations.
- ▶ Advocating for the active and meaningful participation of civil society in the development of national laws, policies and administrative regulations relevant to migration.
- ▶ Developing research-based materials on international human rights standards related to migration, and raising awareness about the rights of migrants, including through expert seminars and conferences.



By the end of 2013, OHCHR expects to have contributed to improvements in the compliance of migration-related laws, policies and institutions with human rights standards in: Burkina Faso, Cameroon, Cape Verde, Congo, Equatorial Guinea, Gabon, Mexico, Sao Tomé and Principe, Senegal and countries covered by the Regional Offices in the Middle East and Europe.

With OHCHR support, it is anticipated that a law to combat trafficking will be adopted in Côte D'Ivoire and that the human rights-based approach of the EU anti-trafficking directive is maintained by EU Member States in its transposition at the national level.

In addition, an increasing number of field presences will be engaged in migration-related issues. Since this is a relatively new thematic priority for OHCHR, concrete results in many of these countries are likely to be achieved only in the coming bienniums.



© OHCHR photo/ Katarina Månsson

Special Rapporteur on the human rights of migrants visits a border crossing point with Greece during his mission to Albania.

#### Effective functioning of judicial, quasi-judicial and administrative mechanisms to monitor, investigate and provide redress for violations of migrants' human rights.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Strengthening the capacity of the judiciary and the legal profession to apply international human rights standards of relevance to migration.
- ▶ Strengthening the capacity of NHRIs and civil society actors to promote, monitor and investigate violations of migrants' human rights.
- ▶ Disseminating jurisprudence on migrant rights from international, regional and national courts, as well as the human rights treaty bodies.

### Responsiveness of the international community (EA10)

#### Increased responsiveness of the international community to migrants' rights, including international and regional processes on migration.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Raising awareness among senior government representatives and international officials about human rights issues relating to migration, including through public advocacy by the High Commissioner, and the production of thematic reports and studies for the Human Rights Council and the General Assembly.

- ▶ Engaging with key international and regional processes on migration, including the Global Forum on Migration and Development, to advocate for a focus on migrants' rights. In the lead-up to the second High-Level Dialogue on International Migration and Development to be held by the General Assembly in 2013, OHCHR will engage with partners at the international, regional and national levels to promote a human rights-based approach to migration. More specifically, it will build on research and activities undertaken by the Office and develop tools and advocacy materials on key migration and human rights issues.
- ▶ Reviewing and sharing information on migration and human rights with external partners, including through the webpage and an e-bulletin.

### Human rights mainstreaming within the United Nations (EAI1)

#### Increased integration of human rights standards and principles into UN system policies and programmes relevant to migration.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Supporting the human rights mechanisms in addressing the situation of migrants, including through the increased recognition and integration of migration-related human rights concerns in lists of issues, concluding observations and General Comments of the human rights treaty bodies, and in the thematic reports, country visits and individual complaint mechanisms of the special procedures.



Migrants stranded in Djibouti with no money to continue or return home.

- ▶ Integrating a human rights-based approach to trafficking within the work of the Inter-Agency Coordination Group against Trafficking in Persons (ICAT).
- ▶ Assisting UNCTs, including through capacity-strengthening activities, to focus on human rights and migration in programming, and adopt a human rights-based approach in their work on migration-related issues. The Office will finalize and publish a Trainers' Guide and set of training modules on migration and human rights for the use of OHCHR field presences and UNCTs, as well as other stakeholders.
- ▶ Participating in the Global Migration Group to advocate for the integration of a human rights-based approach to migration in its work plan and activities.



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### Protecting the rights of migrants in an irregular situation

Tens of thousands of migrants around the world live and work in an irregular situation. Migrants constitute one of the most vulnerable groups of persons, facing discrimination, exclusion, exploitation and abuse. In 2010, the Global Migration Group issued a landmark statement on the Human Rights of Migrants in an Irregular Situation which underscored a basic premise that is often ignored or denied by States, namely that even in an irregular situation, migrants should not be deprived of their dignity or humanity and are entitled to enjoy the full range of all human rights. The Universal Declaration of Human Rights clearly states that "Everyone" is entitled to the rights and freedoms set forth therein.

Nevertheless, migrants in an irregular situation continue to receive lower standards of protection. States are increasingly criminalizing irregular entry and stay, and frequently rely on the use of administrative detention of irregular migrants in immigration detention centres.

In the new biennium, OHCHR's work on migration will focus on the de-criminalization of irregular migrants, access to safeguards in the context of detention, as well as alternatives to detention. The protection of migrants in an irregular situation will also be prioritized by the relevant UN human rights mechanisms. During the coming biennium, the Committee on Migrant Workers will adopt a general comment on the rights of migrant workers in an irregular situation and members of their families. The Special Rapporteur on the human rights of migrants will continue to advocate for the rights of irregular migrants through thematic reports, country visits and other activities.



© Kate Holt/RIN

A soldier controls a crowd at a food distribution point in an IDP camp in Somalia.





# Violence and insecurity

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## Protecting human rights in situations of violence and insecurity

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### Background

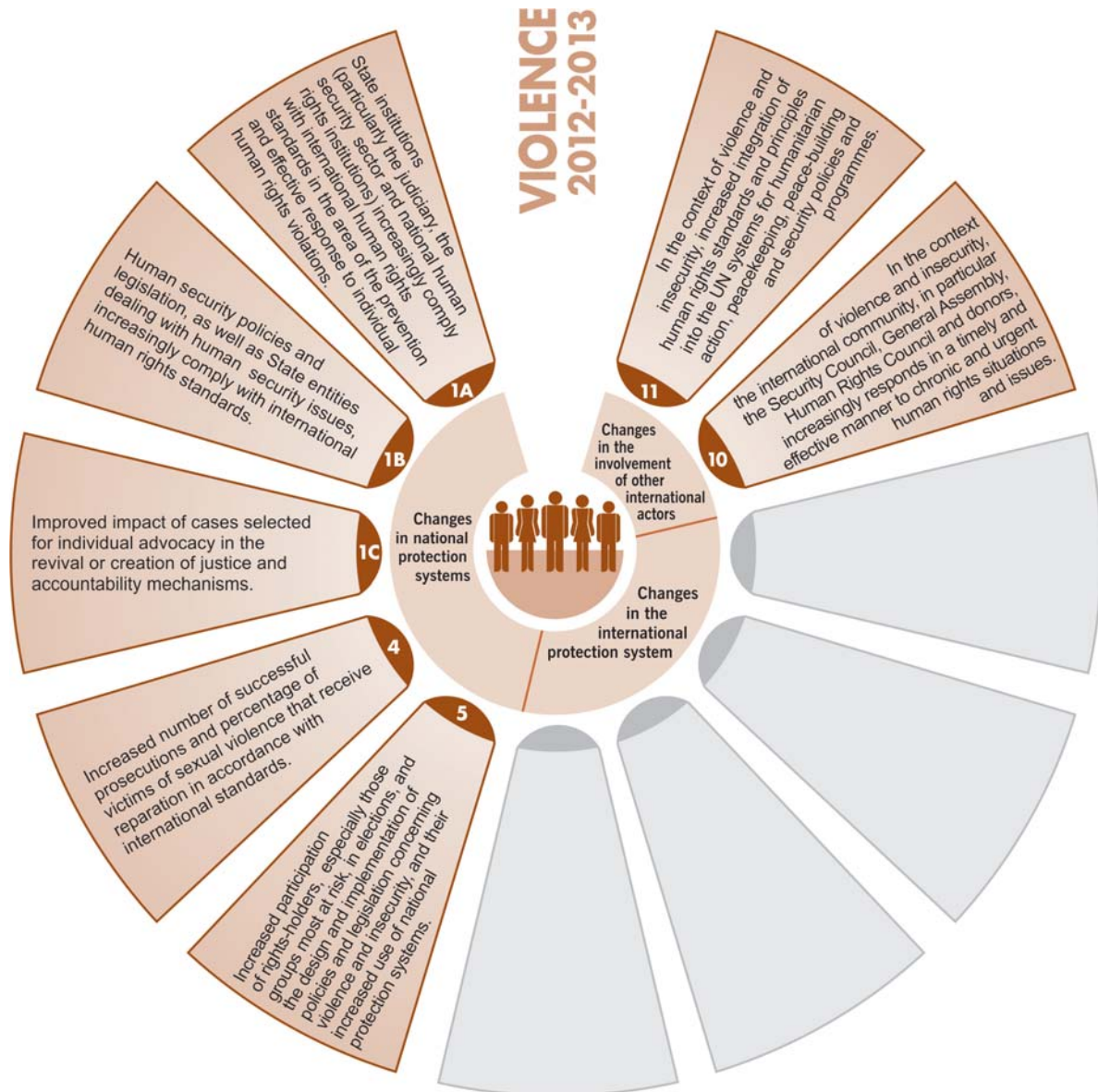
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Violence and insecurity exist everywhere. OHCHR, however, focuses its efforts in countries lacking an appropriate State response to violence which fosters an environment of insecurity. Insecurity exists when a government cannot or will not ensure the protection of its citizens, organizations and institutions against threats to their well-being and the prosperity of their communities, including from the government itself. OHCHR recognizes, as the World Bank did in its 2011 Development Report, that organized crime, trafficking, civil unrest and terrorism have supplanted armed conflict as the main sources of violence and insecurity in our world.

Most frequently, OHCHR works in three types of situations of violence and insecurity:

- ▶ International or internal armed conflict.
- ▶ Humanitarian crises, both manmade and natural, invariably result in, or aggravate, pre-existing human rights concerns. Human rights violations in turn exacerbate the impact of the humanitarian crisis on affected populations.
- ▶ OHCHR has been increasingly involved in the protection of human rights in countries where social, economic and criminal violence is prevalent, as well as in societies struggling with terrorism. There is a need to protect the whole population against violence and insecurity, but hard-line or repressive responses tend to engender further violations and have proven ineffective. A rights-based approach that promotes human security is needed to give effect to the entitlement of each person to feel secure and protected in their daily lives.

International human rights law, whether established by treaty or custom, is applicable at all times in these contexts. In all three situations (armed conflict, humanitarian crisis and human security), populations are left defenceless or at risk. In many instances, these States are party to one or more of the international human rights treaties and have failed to fulfil their



### **Violence and insecurity Thematic Expected Accomplishments for the biennium 2012-2013**

human rights obligations to protect those living within its jurisdiction. When violations reach the level of genocide, slavery or crimes against humanity, States have obligations regardless of their treaty commitments. Human rights law, national law, refugee law and international humanitarian law (IHL) are complementary and mutually reinforcing. In situations of armed conflict, IHL provides protection for people who are not, or are no longer, taking part in hostilities and limits the scope of permissible means and methods to conduct warfare. In addition to the primary responsibility of the State, the international community has the responsibility to protect when international crimes are being systematically committed.

Violence and insecurity (i.e., crime-related) expose populations to widespread human rights violations,

such as extra-judicial killings, torture and ill-treatment, disappearances, sexual and gender-based violence and arbitrary detention. Under these circumstances, State institutions that are needed to protect human rights lack the capacity, resources, or power to resolve the crisis or may themselves be part of the problem (i.e., subject to corruption). Civil society, on the other hand, often lacks the political space, capacity or influence to make effective demands on government to resolve a crisis and ensure the protection of human rights.

Countries may be experiencing armed conflict, a humanitarian crisis or threats to human security as singular or simultaneous events. Empowering citizens with the knowledge of their human rights and the capacity to demand redress for violations of those

rights in the context of violence and insecurity reduces the gap between citizens and the State. There is little doubt that empowerment and engagement of the population is necessary to secure durable solution.

This Thematic Priority attempts to highlight OHCHR's unique response to situations of violence and insecurity. Appropriate solutions must be based on multifaceted policies, strategies, and actions that involve the entire UN human rights system, strengthen the rule of law, fight impunity and address the root causes of exclusion, including discrimination, that contribute to an environment of insecurity and violence.

## OHCHR's role

Violations of human rights can be the cause or a symptom of violence and insecurity. Respect for human rights law provides a path to prevent, reduce and combat violence and insecurity.

At the heart of the UN human rights system, OHCHR is in a unique position, as both a normative and operational entity, to work toward the progress, development and implementation of international law. Its role is to facilitate positive change in the human rights situation of each Member State.

In addition to its expertise, OHCHR maintains and uses a variety of interdependent tools and methodologies to help Member States comply with their human rights obligations including: the leveraging power of the High Commissioner's voice to stimulate debate and action; timely interventions from field presences and other parts of the UN human rights system to monitor and investigate, initiate dialogue, create political spaces, mainstream human rights, advocate for specific cases, support institution-building, and implement technical cooperation projects. OHCHR also works to frame situations of violence and insecurity as human rights concerns and undertakes advocacy to counter perceptions that human rights constitute obstacles or distractions to the achievement of political stability. Ensuring the rights of those most affected by violence and insecurity and the need to strengthen institutions and civil society feature prominently in this work.

## Lessons learned and challenges

Experience has demonstrated that monitoring, investigating and reporting are mutually reinforcing activities and an essential foundation for advocacy and technical cooperation efforts. Without these elements, technical cooperation is unlikely to facilitate real change. Monitoring without technical cooperation and case-based advocacy limits the ability of field workers to facilitate change.

The challenges we face can quickly change in nature and magnitude, sometimes on a daily basis. Field presences are more frequently affected by changes in their local environments and need to ensure a flexible approach.

In each country where we operate, OHCHR should facilitate the development of partnerships (i.e., with civil servants, UN agencies and other interveners) in order to support the application of the human rights-based approach to situations of violence and insecurity; assert a leadership role in the management of peace missions; and participate in the Protection Cluster for humanitarian responses and UNCTs to ensure that human rights perspectives and concerns are fully integrated into their work. In this regard, OHCHR has recently shown leadership in DRC (through the creation of Joint Protection Teams (JPTs) and the due diligence policy); Haiti (through its leadership in the Protection Cluster responding to a natural disaster); and Kyrgyzstan (in actions responding to on-going violence and insecurity).

Recent events in Côte D'Ivoire, Libya and across North Africa and the Middle East have provided an opportunity for OHCHR to use its influence to motivate others to act. Important lessons have also been drawn from the establishment of commissions of inquiry and human rights assessment missions.

Finally, OHCHR should strengthen communication and cooperation between field presences and its offices in Geneva and New York, especially in the context of discussions in the Security Council or the General Assembly.

## OHCHR's focus

OHCHR focuses its efforts in countries where violence frequently fails to be met by an appropriate response from the State and thereby fosters an environment of insecurity; such as situations of armed conflict; humanitarian crises; and where social, economic and criminal violence is prevalent.



Woman in wheelchair being helped across a flooded street in Lahore, Pakistan.

When dealing with situations of violence and insecurity, OHCHR focuses on strengthening the response of duty bearers to comply with international human rights standards, as well as the empowerment of rights-holders to demand redress for violations of their rights and to participate in decision making processes, including elections. To support rights-holders, human rights defenders must be supported and protected. OHCHR focuses on the rights of those most affected by situations of violence and insecurity, with particular attention paid to victims of sexual violence.

## Expected results for the biennium

### National laws, policies and institutions (EA1)

**State institutions (particularly the judiciary, the security sector and national human rights institutions) increasingly comply with international human rights standards in the area of the prevention and effective response to individual human rights violations.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Engaging with States affected by violence or insecurity through direct dialogue, legal advice and existing human rights mechanisms, with the aim of

strengthening their capacity to address human rights challenges.

- ▶ Advocating for legislation and practices that limits trafficking in and the use of arms and light weapons.
- ▶ Raising awareness about issues of concern, including through public reporting, statements, and media activities to encourage appropriate action.
- ▶ Supporting civil society in making demands on State institutions, including NHRIs, to better prevent and respond to individual human rights violations.
- ▶ Advocating for special measures, including legislative measures, to protect victims of human rights violations as a result of violence and insecurity, as well as human rights defenders working on their behalf. Building on the results of a survey about OHCHR's work in relation to the protection of civil society actors, the Office will develop a dynamic resource base and provide examples of good practices.



In the coming biennium, OHCHR expects to contribute to improving the level of responsiveness and accountability of State institutions vis a vis individual human rights violations in: Afghanistan, Bolivia, Burundi, Colombia, Guatemala, Haiti, Iraq, the Occupied Palestinian Territory (OPT), Sri Lanka, and Sudan (Darfur).

In addition, OHCHR will support the establishment of specific mechanisms or policies to protect human rights defenders and journalists in Colombia and Mexico.

## Human security policies and legislation, as well as State entities dealing with human security issues, increasingly comply with international human rights standards.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Providing support to civil society to use laws, policies and institutions to leverage human rights change.
- ▶ Providing advice on methodology and conducting training to support the establishment or reform of professional, human rights-compliant and accountable security agencies, armed forces, police and other law enforcement agencies.
- ▶ Supporting the integration of human rights in the curricula of key law enforcement institutions.
- ▶ Providing advice on draft laws, policies and practices relating to violence against women, women in detention and prison, and the rights of women to participate in public life.
- ▶ Providing advice on draft laws, policies and practices relating to children in conflict with the law, violence against children, and children involved in armed conflict.
- ▶ Discussing with governments, legislatures and other stakeholders the impact of counter-terrorism and security measures on rights-holders, taking into account relevant recommendations by UN human rights mechanisms. Pertinent to this work will be, for example, the potential new international instrument to regulate private security companies introduced by the Working Group on the Use of Mercenaries, which is leading intergovernmental discussions in this area.
- ▶ Contributing to strengthening the protection of human rights in the context of counter-terrorism, as Chair of the Working Group on Protecting Human Rights While Countering Terrorism of the Counter-Terrorism Implementation Task Force (CTITF) and developing basic human rights reference guides to support the development and implementation at the national level of human rights-compliant counter terrorism policies and legislation. The Office will also convene regional expert meetings in the Middle East and North Africa, South Asian and European regions in relation to due process guarantees, including the right to a fair trial, for persons accused of terrorist-related offences.



By the end of the biennium, OHCHR expects to have contributed to the integration of human rights standards and principles in policies and legislation with regard to security and citizen security in: Bolivia, Cambodia, Ecuador, Guatemala, Libya, Mauritania, Mexico, South Sudan and Uganda. In Cambodia and Mauritania, OHCHR expects to have an impact on juvenile justice frameworks.

In other countries, such as Cambodia, Djibouti, Ethiopia, Guinea, Guinea Bissau, Nepal, Papua New Guinea, Somalia and United Republic of Tanzania, OHCHR will work to ensure that police and prison officials comply with human rights standards in their work.

By the end of 2013, OHCHR also expects to have contributed to the inclusion of human rights in the curricula of the army, the police and the penitentiary in: Cameroon, Congo, Ecuador, Equatorial Guinea, Haiti, Lebanon, Mexico, Sierra Leone, South Sudan and Timor-Leste.

## Improved impact of cases selected for individual advocacy in the revival or creation of justice and accountability mechanisms.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Developing case selection criteria for efforts to advocate for accountability in national or international fora in response to individual violations of human rights or international humanitarian law.
- ▶ Undertaking case-based advocacy to identify gaps in the justice system that can inhibit human rights violations from being investigated, keep perpetrators from being prosecuted, tried, and punished and prevent victims from receiving reparations in accordance with international standards.
- ▶ Working alone or in partnership to address the gaps in the criminal justice system through advocacy work and projects (i.e., the UN Peacebuilding Fund) by sharing information with appropriate entities (i.e., partners or funders).
- ▶ Supporting provisional solutions and capacities that can assist with redress in accordance with human rights law (i.e., mobile courts, traditional mechanisms, hybrid tribunals and international commissions).
- ▶ Supporting the establishment and development of national judicial and administrative oversight mechanisms, including for the security sector, that comply with international standards to prevent and remedy human rights violations, with special attention paid to empowering communities to complain when security institutions violate human rights.

- ▶ Strengthening the capacity of civil society organizations, including the creation of the requisite political space, to carry out credible, independent monitoring, reporting and advocacy activities within their own countries.



By 2013, OHCHR expects to have contributed to the establishment of effective and independent oversight mechanisms in security sector institutions in: Colombia, South Sudan, and Uganda.

### Access to justice and basic services (EA4)

#### Increased number of successful prosecutions and percentage of victims of sexual violence that receive reparation in accordance with international standards.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Supporting the establishment of justice and accountability mechanisms in accordance with international human rights standards to prosecute perpetrators and ensure reparation for victims of sexual violence.
- ▶ Contributing to creating and implementing national strategies against sexual violence in conformity with Security Council resolutions 1888 and 1960 and relevant guidance notes. In cooperation with the

Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict and the UN Action against Sexual Violence in Conflict Network, strengthening their capacity to monitor and investigate conflict-related sexual violence through improved training and the deployment of additional staff to priority countries to inform national and international responses and contribute to the fight against impunity.

- ▶ Supporting the (re)establishment of assistance for victims of sexual violence and related human rights violations to make the victims whole and bring perpetrators to justice.
- ▶ Supporting the Committee on the Elimination of Discrimination against Women in the elaboration of a "General Recommendation on Women in Conflict and Post-conflict Situations."



By the end of 2013, OHCHR expects to have contributed to improving access to justice for victims of violence against women in: Afghanistan, Mali, Senegal and countries in West Africa. In the Central African Republic, Côte D'Ivoire, DRC, Haiti, Nepal and Sudan (Darfur), the focus will be on access to justice for victims of sexual and gender-based violence. In El Salvador, OHCHR will contribute to the prosecution of femicide cases. OHCHR will also contribute to increased attention paid to the situation of women victims of gender-based violence in the forthcoming EU directive on the protection of victims of crime.

### Sexual and gender-based violence

OHCHR promotes responses to conflict-related sexual violence through a variety of strategies and activities such as public reporting, monitoring and investigation of human rights violations, including sexual violence. Through the human rights components of peace missions, OHCHR plays a leading role in the design and implementation of protection responses on the ground, as well as in gathering data and information on trends and incidents of conflict-related sexual violence.

OHCHR also works to strengthen capacities on the ground to address conflict-related sexual violence, including through the promotion of access to justice; advocacy and support for legislative reform; assistance in the development of national policies and plans; support for the participation of women in peace-building processes; and efforts to ensure that the needs of victims are taken into account in the provision of remedies and reparations. OHCHR played a key role in the development of the Monitoring, Analysis and Reporting Arrangements (MARA) established under Security Council resolution 1960 in 2010, as well as in the elaboration of the terms of reference of Women Protection Advisers (WPA). OHCHR also supports relevant human rights mechanisms that address conflict-related sexual violence and encourages their cooperation with the mechanisms established by Security Council resolutions on women, peace and security.

OHCHR, in cooperation with DPKO and UNDP, is a member of the Team of Experts established by the Secretary-General, pursuant to Security Council resolution 1888. The Team of Experts is rapidly deployed to situations of particular concern involving sexual violence in armed conflict to assist national authorities with strengthening the rule of law.

In 2012, OHCHR will strengthen the capacity of several human rights components of peace missions to implement the mandate on conflict-related sexual violence in accordance with relevant Security Council resolutions, and in cooperation with other UN entities, including through strengthened training and the deployment of WPAs. OHCHR will also continue to promote coordination and cooperation between the relevant mandates and mechanisms established by the Human Rights Council and those established by Security Council resolutions on conflict-related sexual violence.



Deputy High Commissioner for Human Rights hears the testimony of victims of sexual violence in the Democratic Republic of Congo.

## Participation (EA5)

### **Increased participation of rights-holders, especially those groups most at risk, in elections, and the design and implementation of policies and legislation concerning violence and insecurity, and their increased use of national protection systems.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Advocating for and encouraging civil society monitoring of the implementation of policies relating to security and humanitarian assistance, as well as for the creation and operation by State institutions and civil society of systems that gather and analyze related information.
- ▶ Contributing to enabling public participation in the development of solutions related to security, violence and humanitarian crises, including by supporting opportunities to initiate or reconvene dialogue between national and local authorities, State institutions, NGOs, and human rights defenders in the design of policies, legislation and other measures.
- ▶ Advocating among humanitarian and development actors regarding the importance of the participation of rights-holders, without denying the importance of meeting urgent needs.
- ▶ Encouraging active participation in elections by all rights-holders and working to protect the freedoms of expression and assembly in that context.

- ▶ Advocating for the incorporation into peace agreements of provisions protecting the rights of rural communities, minorities, indigenous peoples, IDPs and refugees, and, within these communities, children, women, persons with disabilities and elderly persons, while also highlighting their rights to participate in bringing about peace and stability in their country, including in elections.
- ▶ Supporting the work of human rights defenders to promote the knowledge and enjoyment of rights to promote change that can prevent, reduce or combat situations of insecurity and violence.



As a means of creating stability, by the end of the biennium OHCHR expects to have contributed to the active participation of rights-holders in claiming their rights in Afghanistan.

In Guatemala, OHCHR will seek the participation of rights-holders in the design and implementation of policies and legislation concerning violence and insecurity. In Central Africa, Madagascar and Togo, OHCHR will support civil society reporting and monitoring of the political and electoral processes.

The Office will also contribute to ensuring that IDPs and victims of gender-based violence, including sexual violence, in Kenya, as well as women and children victims of violence in Timor-Leste use existing national protection systems to claim their rights.

## Responsiveness of the international community (EA10)

**In the context of violence and insecurity, the international community, in particular the Security Council, General Assembly, Human Rights Council and donors, increasingly responds in a timely and effective manner to chronic and urgent human rights situations and issues.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Supporting the Human Rights Council to increase its responsiveness to urgent, chronic and emerging situations, including through a variety of tools, such as special sessions, commissions of inquiry and presidential statements, with special attention paid to facilitating the receipt and use of information from OHCHR field presences and relevant OHCHR sources.
- ▶ Raising awareness about human rights challenges identified during monitoring and investigation activities, including through coordinated advocacy initiatives with concerned governments.
- ▶ Pursuant to paragraphs 138 and 139 of the 2005 World Summit Outcome Document, assisting States in exercising their responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity; advocating for “timely and decisive actions” by the international community when national authorities are “manifestly failing” to protect their populations from such crimes; and cooperating with Special Advisers of the Secretary-General on the Responsibility to Protect and on the Prevention of Genocide in the implementation of the three-pillar strategy on the Responsibility to Protect (R2P) of the Secretary-General.
- ▶ Using the High Commissioner’s report, and information gathered in the field, to engage with Member States to advocate for the inclusion of human rights violations on the agenda of relevant UN bodies, including the Human Rights Council, the Security Council and the General Assembly.
- ▶ Working to integrate human rights personnel in each peace mission mandated by the Security Council or the General Assembly.
- ▶ Issuing public reports regarding specific events or patterns that identify legislative or institutional gaps or human rights concerns, and strategically disseminate these reports as along with recommendations of relevant UN human rights mechanisms, and advocating for their implementation.
- ▶ Based on monitoring and protection work, briefing relevant special procedures mandate-holders and other UN human rights experts, including the Special

Adviser on the Responsibility to Protect, the Special Adviser on the Prevention of Genocide, the Special Representative of the Secretary-General on Sexual Violence in Armed Conflict, and the Special Representative of the Secretary-General on Children and Armed Conflict, regarding human rights developments that may warrant their attention.

- ▶ Working toward the exercise of due diligence by all entities intervening in countries that are experiencing violence and insecurity (i.e., peacekeepers, bilateral, inter-governmental or non-governmental humanitarian and development actors, as well as transnational corporations) to ensure that they do no harm and, in fact, contribute to measurable human rights change.

## Human rights mainstreaming within the United Nations (EA11)

**In the context of violence and insecurity, increased integration of human rights standards and principles into the UN systems for humanitarian action, peacekeeping, peace-building and security policies and programmes.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Mainstreaming human rights throughout planning, preparedness, response and recovery efforts by conceptualizing and articulating a human

### Human Rights Due Diligence Policy

OHCHR and DPKO are the Co-chairs of the Review Group on the UN Human Rights Due Diligence Policy (HRDDP). The HRDDP sets out principles and measures to mainstream human rights in the work of non-UN global security forces. UN entities are engaged to ensure that this work is consistent with the purposes and principles of the UN Charter and obligations under international law to respect, promote and encourage respect for international humanitarian, human rights and refugee law. The objective is to help recipients become fully compliant with these standards in the fulfilment of their duties. UN support cannot be provided where there is a real risk that receiving entities may be committing grave violations of international humanitarian, human rights, or refugee law and where relevant authorities have failed to undertake necessary corrective or mitigating action. If the United Nations receives reliable information that a recipient of its support is committing grave violations of international humanitarian, human rights or refugee law, relevant authorities must be informed with a view to bringing those violations to an end. If the situation persists in spite of intervening actions, the United Nations must suspend its support.





Members of the UN Human Rights Council's Independent Commission of Inquiry on Syria brief correspondents in Geneva.

rights-based approach in the delivery of assistance by partners. In this regard, OHCHR will promote respect for the principles of non-discrimination and equality and participation and accountability, in processes and outcomes.

- ▶ Actively engaging the UN Policy Committee, the UN Chief Executives Board (CEB) including the undg and its relevant working groups, the Executive Committee on Peace and Security (ECPS), the Executive Committees on Humanitarian Affairs (ECHA) and the global Protection Cluster to facilitate changes in UN policy and practice that will contribute to the active promotion of respect for human rights law.
- ▶ Assuming leadership or co-leadership for national Protection Clusters when relevant and developing good practices in relation to this role.
- ▶ Strengthening collaboration with the Departments of Peacekeeping Operations (DPKO) and Political Affairs (DPA), providing human rights input into policy directives and actions, and participating in the planning of integrated missions to ensure comprehensive human rights mandates and the increased operationalization of human rights standards. In this context, OHCHR will monitor the implementation of the Policy on Human Rights in UN Peace Operations and Political Missions, jointly endorsed in 2011 by OHCHR, DPKO, DPA and the Department of Field Support (DFS).
- ▶ Supporting the implementation of the Human Rights and Due Diligence Policy (HRDDP) aimed at mainstreaming human rights in the support provided by UN entities to non-UN security forces globally.
- ▶ In cooperation with other parts of peace missions and UNCTs, addressing issues of human rights violations and the protection of civilians with relevant security forces and rebel groups present in conflict or post-conflict States.
- ▶ More effectively utilizing various UN Funds (i.e., peace-building) and appeals (i.e., the Consolidated Appeal Process (CAP) and Flash) to obtain adequate resources to support human rights work in the context of situations of violence and insecurity.
- ▶ Providing training on human rights and human rights mechanisms to UN staff that are to be deployed as part of peace missions and humanitarian responses.



By the end of the biennium, OHCHR expects to have contributed to the integration of human rights standards and principles in the UN peacekeeping and peace-building programmes in: Afghanistan, Côte D'Ivoire, DRC, Guinea Bissau, Kosovo, Libya, and Sudan. Results are also expected in relation to the integration of human rights in the development of a UN conflict prevention mechanism in Togo. Finally, through its role in the protection cluster, the Office intends to ensure the mainstreaming of human rights into humanitarian programmes in: Fiji, Haiti, Nepal, Niger, OPT, Samoa, South Sudan, Timor-Leste and into the Risk, Emergency, and Disaster Task Force Inter-Agency Workgroup for Latin America and the Caribbean.



© UN Photo/Jean-Marc Ferré

The Human Rights Council meets for its 18th session.

# Human Rights Mechanisms

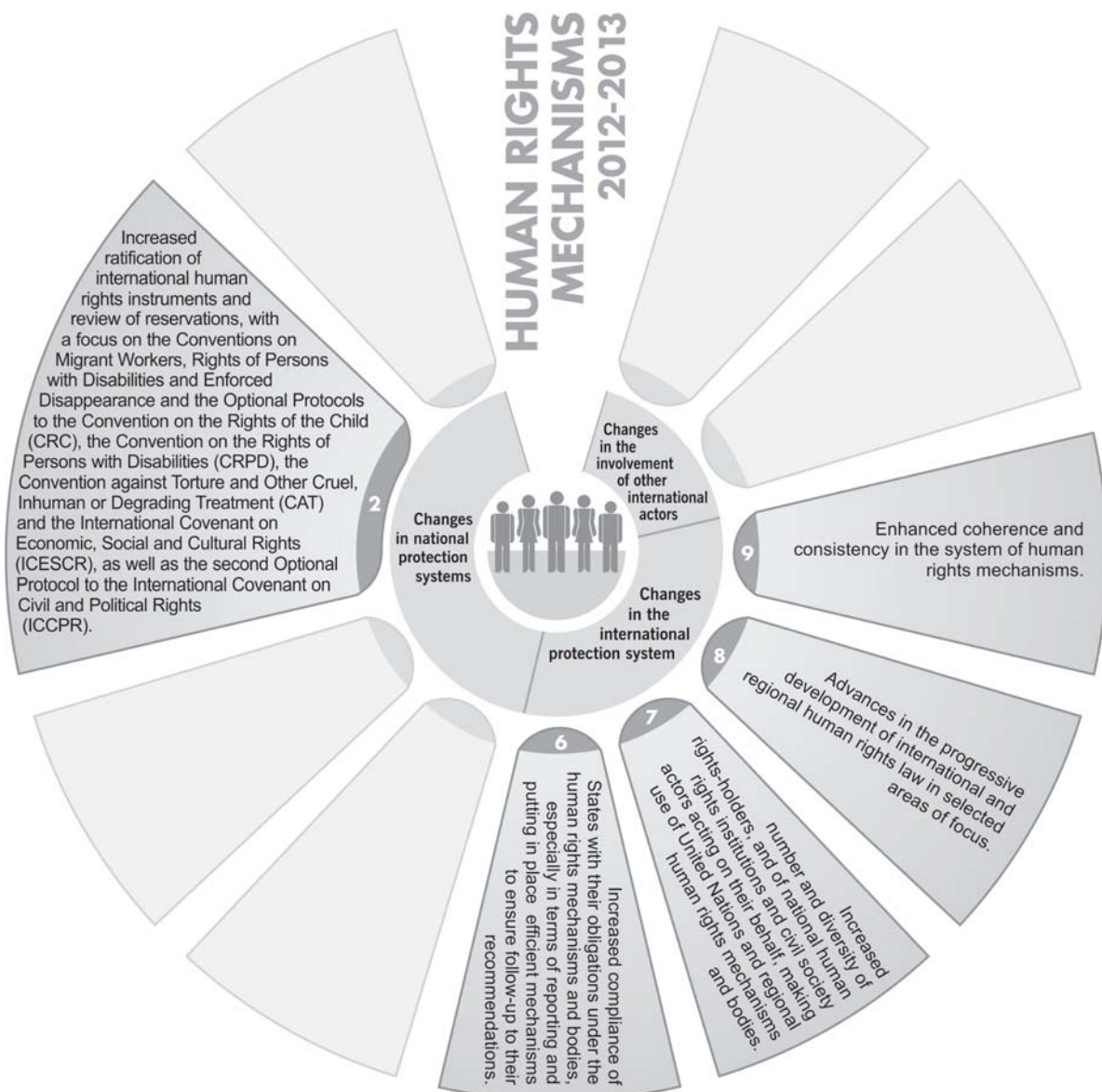
## Strengthening human rights mechanisms and the progressive development of international human rights law

### Background

The past five years have seen significant reforms of the international bodies and mechanisms that comprise the UN human rights system, with wide-ranging implications for OHCHR's work. Since the establishment of Human Rights Council (HRC) in 2006, other key developments have taken place such as the 2008 launch of the Council's Universal Periodic Review (UPR) mechanism and the review of the Council's special procedures in 2007-2008 which led to an increase in the number of mandates. Although the review of the work and functioning of the HRC in 2011 did not yield an ambitious result, the Council dealt with numerous emerging human rights situations in a timely and constructive manner, including by convening special sessions and urgent debates, dispatching commissions of inquiry and regularly engaging with the High Commissioner. Several new international human rights treaties were adopted and their corresponding monitoring bodies, including the Committee on the Rights of Persons with Disabilities (CRPD) and the Committee on Enforced Disappearance (CED) began their work. Taken together, these changes represent a significant strengthening of the legal framework for the protection of human rights, and the coherence and consistency of the system. The proliferation of mechanisms and the increased frequency of Council and treaty body sessions have, however, added to the workload of OHCHR. Additional responsibilities delegated to the Office have not been matched by an equivalent increase in resources, creating acute management challenges for the Office.

### OHCHR's role

OHCHR's mandate includes support for UN human rights bodies and mechanisms. It has unparalleled expertise and experience in the interpretation and



### Human Rights Mechanisms Thematic Expected Accomplishments for the biennium 2012-2013

implementation of international human rights instruments and the application of the procedures of the human rights mechanisms. OHCHR is well positioned to identify and implement policies and measures to strengthen existing mechanisms. It is also the conduit for communication between various human rights mechanisms and external partners, including UN entities, regional human rights mechanisms, NGOs, civil society and other stakeholders. An evaluation report of the UN Office of Internal Oversight Services (OIOS) notes that: “[b]ased on stakeholder perceptions and OIOS’ independent assessment, OIOS finds that OHCHR’s comparative advantage lies in its position as the central reference point for international human rights standards and mechanisms. As such, it is the authoritative source of advice and assistance to

governments, civil society and other United Nations entities on compliance with those standards and on the human rights-based approach. More strategic utilization of this strength would enable OHCHR to implement its mandate more efficiently.” The UN human rights mechanisms and bodies also implement the strategies outlined in this OHCHR Management Plan through their regular activities.

### Lessons learned and challenges

Over the previous biennium, OHCHR has provided substantive support to the HRC, including during the June 2011 review of its work and functioning. OHCHR has advocated for the Council to enhance its

capacities to address chronic and urgent human rights situations through the use of its existing toolbox and more systematic cooperation with other human rights mechanisms and bodies. In its resolution 65/281, the General Assembly (GA) decided to align the annual cycle of the Council with its own in order to clarify the relationship between the Council, the GA's plenary session and its Third Committee. It is anticipated that this alignment will enable the GA to undertake timely action on Council decisions and resolutions that require urgent action and financial support. It should be noted that the Council's efforts to establish fact-finding missions or commissions of inquiry have been largely commended by the international community.

To continue supporting the Council in implementing the recommendations of the review, OHCHR will need to address the significant temporal and financial challenges that have resulted from the recent creation of additional Council mandates. The review of the Council's work provided guidance for the 2nd cycle of the Universal Periodic Review (UPR) mechanism and suggested that the focus should be on the implementation of recommendations made during the first cycle and securing the participation of NHRIs in the UPR process. A Task Force composed of representatives from OHCHR, the United Nations Office in Geneva and relevant stakeholders is being established to study a number of issues related to the secretariat service, accessibility for person with disabilities and the use of information technology relating to the HRC. Recommendations will be made to the Council at its nineteenth session.

Good practices have been developed to increase the synergy between the subsidiary bodies of the Council including the Advisory Committee, the Social Forum, the Forum on Minority Issues, the Expert Mechanism on the Rights of Indigenous Peoples as well as other intergovernmental bodies, such as the Working Group on the Right to Development and standard-setting working groups related to Durban follow-up.

The first cycle of the UPR mechanism attracted significant support from different constituencies. States appreciated the peer-driven process which gave them the chance to comment on how they were meeting their international human rights obligations and the challenges they faced in that regard. The UPR's participatory process also offered opportunities for interactions among various stakeholders, including States, NHRIs, civil society and UN entities; in many cases for the first time. In numerous instances, national structures and consultation processes have been established to assist with the review preparation which can now be adapted for reporting to the treaty bodies,

engaging with special procedures, and implementing their recommendations from all human rights mechanisms. The UPR has furthermore led to an increase in the ratification of international human rights treaties and is expected to enhance reporting to the treaty bodies. It has similarly generated new standing invitations to special procedures mandate-holders.

At the same time, the success of the UPR also creates challenges. For instance, the increasing number of recommendations deriving from different UN human rights mechanisms, that are at times repetitive or contradictory put States in a difficult situation. OHCHR is therefore encouraging a coordinated approach that would result in the establishment or strengthening of coordination mechanisms, to enable States to meet their reporting obligations and prioritize the holistic implementation of recommendations. The recommendations deriving from the different mechanisms have the potential to place additional demands on the resources of OHCHR in relation to the provision of technical assistance. OHCHR must work with States and other stakeholders to find effective solutions to these challenges.

The crucial role of special procedures has been affirmed by the HRC review and more recently through the creation of new thematic and country mandates. The review also reaffirmed and consolidated the importance of specific principles, such as the integrity, independence, transparency, and accountability of special procedures and the need for a robust system to enhance the Council's capacity to address human rights situations, and strongly oppose reprisals against those who cooperate with the United Nations in the field of human rights.

The outcome of the review stressed that the Council should continue to be a forum for discussing cooperation between States and special procedures. The review reminded States of their obligations to cooperate with special procedures and urged them to assist them in their work, and to carefully study and implement their recommendations. For their part, special procedures have been requested to foster a constructive dialogue with States, formulate their recommendations in a concrete and accessible way, and pay attention to technical assistance needs in their reports. The review process also highlighted the need for more transparency, in particular with regard to the selection process.

In recent years, OHCHR has noted an increase in the expectations of and requests to special procedures from all relevant stakeholders. These requests, however, must often be met despite the unavailability of matching resources. In this regard, the outcome of the review called



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The Special Rapporteur on the human right to safe drinking water and sanitation in discussion with employees at Misono Purification Plant in Tokyo, Japan.

on the Council to streamline requests addressed to special procedures, particularly regarding reporting, and ensure meaningful discussion on the reports. Ensuring implementation and follow-up to the recommendations of special procedures represents another important challenge, and may be partially facilitated through assessments of its efficiency and impact.

Since the call of the High Commissioner to initiate a process of reflection on strengthening the treaty body system in 2009, a number of consultations have been organized with different stakeholders including Member States, NHRIs, NGOs and civil society. The consultation process has been bottom-up and open to all stakeholders. The process, which is expected to be concluded by mid-2012, has made clear that in light of the continued expansion of the treaty body system and particularly during times of financial hardship, we must strike an inevitably precarious balance between preserving the unique specificities of treaty bodies and recognizing the need for greater harmonization, while at the same time ensuring cost efficiencies, and strengthening the overall impact of the treaty bodies on the ground.

It is imperative that the issue of resource limitations be addressed. Mandated activities should be funded from the regular budget. The number of independent UN experts and Working Groups, all of which are supported by OHCHR staff, has risen from 39 (51 experts) to 43 (66 experts) in the past two years.

The number of treaty bodies has risen from six in 2000 (97 experts) to ten in 2011 (172 experts). In both instances, there has not been a commensurate increase in the resources needed to adequately deal with the additional tasks.

There has been an increased focus on the relationship between regional human rights mechanisms and the international human rights system. Following a recommendation of Human Rights Council resolution 6/20, OHCHR convened a workshop for 'an exchange of good practices, added value and challenges' for regional human rights arrangements. In response to the workshop's recommendations, the High Commissioner appointed a dedicated focal point in OHCHR Field Operations and Technical Cooperation Division to facilitate office-wide engagement in relation to regional human rights mechanisms and the National Institutions and Regional Mechanisms Section (NIRMS). Several activities aimed at enhancing cooperation between UN and regional human rights mechanisms have been undertaken and revealed that international, regional and sub-regional human rights mechanisms recognize the importance and utility of strengthening their cooperation. OHCHR can play a key role in facilitating the dialogue between UN, regional and sub-regional human rights bodies by providing a global perspective and sharing lessons learned and good practices.

## OHCHR's focus

- ▶ Ensuring the accessibility and effective functioning of UN human rights mechanisms, including their increased synergies, and more effective follow-up and implementation of their recommendations by States.
- ▶ Enhancing cooperation between UN and regional human rights mechanisms.
- ▶ Promoting universal ratification of human rights treaties.
- ▶ Strengthening OHCHR's support to human rights mechanisms and States in the progressive development of international and regional human rights law.

- ▶ Providing information, advice and technical assistance to governments and lawmakers in relation to ratification of international human rights treaties.
- ▶ Continuing to make available updated public information on the status of ratifications and reservations, interpretation and significance of the human rights treaties.

## Expected results for the biennium

### Ratification (EA2)

**Increased ratification of international human rights instruments and review of reservations, with a focus on the Conventions on Migrant Workers (ICRMW), Rights of Persons with Disabilities and Enforced Disappearance and the Optional Protocols to the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), as well as, the second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR).**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Continuing to advocate for ratification of human rights treaties and withdrawal of reservations, including through public statements of the High Commissioner, media initiatives and bilateral meetings with governments.
- ▶ Encouraging ratification of human rights treaties and withdrawal of reservations by working with State officials and NHRIs, including through visits by special procedures mandate-holders, and relevant recommendations of international human rights mechanisms. The 10th anniversary of the adoption of the Optional Protocol to the CAT in 2012 will provide an additional opportunity to advocate for its ratification.



In each of its interventions at the national level, OHCHR advocates for the ratification of all international human rights instruments. In relation to the focus areas for the biennium, by the end of 2013 OHCHR expects to have contributed to the ratification of the Convention on Migrant Workers by: Republic of Moldova and South Sudan; the Convention of the Rights of Persons with Disabilities by: Cambodia, Georgia, Iraq, Mozambique, Netherlands, Papua New Guinea, Russian Federation, South Africa, South Sudan, Sri Lanka, former Yugoslav Republic of Macedonia, and Timor-Leste; the Optional Protocol to the Convention against Torture by: Burkina Faso, Cape Verde, Colombia, Mali, Mauritania and Tajikistan; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights by: Armenia, Azerbaijan, Burkina Faso, Cape Verde, Colombia, Georgia, Mali, Mexico, Republic of Moldova, Nepal, and countries covered by the Regional Office in South America; and the second Optional Protocol to the International Covenant on Civil and Political Rights on the death penalty, by: Burkina Faso, Cambodia, Cape Verde, Mali and Mauritania.

By the end of the biennium, OHCHR also hopes to have supported the withdrawal by Mexico of its reservations to international human rights treaties and to have contributed to steps taken by Mauritania to its withdrawal of its general reservations to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

### State engagement with human rights mechanisms (EA6)

**Increased compliance of States with their obligations under the human rights mechanisms and bodies, especially in terms of reporting and putting in place efficient mechanisms to ensure follow-up to their recommendations.**

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

*Support to all human rights mechanisms and bodies:*

- ▶ Providing substantive and technical support to human rights mechanisms and bodies in their daily work.

- ▶ Sensitizing and supporting States, NHRIs, civil society organizations and UN partners to promote and monitor respect for human rights and follow-up to recommendations of the human rights mechanisms.
- ▶ Engaging with representatives of the human rights mechanisms and bodies to encourage them to identify and address emerging situations of violence and preventive measures, and adopt more targeted recommendations.
- ▶ Continuing to disseminate, in a variety of accessible formats, relevant outputs, decisions and recommendations of human rights mechanisms at the international and national level including through the Universal Human Rights Index.
- ▶ Supporting and encouraging the sharing of good practices, experiences and cooperation among and between States and civil society, and with OHCHR in relation to the implementation of recommendations from all human rights mechanisms.
- ▶ Promoting the improvement of accessibility of OHCHR facilities, goods and services for persons with disabilities.

Support to the Human Rights Council, including thematic/country mandates of the special procedures and the Universal Periodic Review:

- ▶ Supporting the HRC to address all human rights issues, including through special sessions, thematic debates and other formats of dialogue and engagement with States, in cooperation with other human rights bodies and mechanisms.
- ▶ Continuing to maintain information on special procedures such as mandates, mandate-holders, invitations, country visits and responses in a comprehensive and accessible manner.
- ▶ Continuing to ensure the independence and integrity of the special procedures and sustainability of the UPR process.
- ▶ Encouraging and supporting implementation of the report on joint communications submitted for the first time by all special procedures mandate-holders to the eighteenth session of the HRC September 2011. An updated report will be submitted to each Council session and will streamline documentation, avoid duplication and enhance follow-up activities.

Support to treaty bodies:

- ▶ Continuing to support the process of reflection on strengthening the treaty body system. In 2012, the University of Pretoria (South Africa) will partner with OHCHR to prepare a study on the impact of the treaty bodies in twenty countries.

Support to States and stakeholders:

- ▶ Ensuring that outcomes and recommendations of human rights mechanisms and bodies are systematically considered when defining and reporting on OHCHR's overall priorities and programme of work.
- ▶ Assessing and responding in a timely manner to requests for technical assistance by Member States, and, as appropriate, other national stakeholders. This may include providing assistance in relation to reporting, and the establishment of efficient mechanisms to ensure analysis of and follow-up to recommendations, definition of roadmaps, identifying technical assistance needs, incorporating priority recommendations in relevant national plans of action, and developing indicators and of databases to oversee/document/assess and periodically report on progress in the implementation of recommendations.



In this biennium, OHCHR intends to contribute to the timely submission of quality reports to the treaty bodies and UPR in: Afghanistan, Angola, Argentina, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Costa Rica, Côte D'Ivoire, Djibouti, Gabon, Gambia, Guinea Bissau, Liberia, Malawi, Mali, Mauritania, Mozambique, Niger, Peru, Senegal, Sierra Leone, South Africa, South Sudan, Swaziland, the former Yugoslav Republic of Macedonia, Timor-Leste and Uganda. With the support of OHCHR, it is anticipated that States in Europe due to report in the coming biennium will use the new reporting procedures.

Prioritized recommendations of human rights mechanisms will be implemented with OHCHR support in: Afghanistan, Angola, Armenia, Azerbaijan, Bolivia, Burkina Faso, Cambodia, Cape Verde, Congo, Costa Rica, Djibouti, Ecuador, El Salvador, Equatorial, Ethiopia, Gambia, Georgia, Guinea, Guinea Bissau, Haiti, Honduras, Kazakhstan, Kyrgyzstan, Liberia, Madagascar, Malawi, Mali, Republic of Moldova, Mozambique, Niger, two of the Pacific Islands, Panama, Papua New Guinea, Paraguay, Rwanda, Sao Tomé and Principe, Senegal, Serbia, Sierra Leone, Somalia, South Africa, South Sudan, Sudan (Darfur), Swaziland, Tajikistan, Uganda, the United Republic of Tanzania, Zimbabwe, and countries covered by the Regional Offices of Europe and South America.

Participatory mechanisms will be developed for reporting and follow-up will be established in: Armenia, Azerbaijan, Georgia, Guinea Bissau, Niger, Panama, Somalia, South Sudan, and Zimbabwe.



## Civil society engagement with human rights mechanisms (EA7)

### Increased number and diversity of rights-holders, and of national human rights institutions and civil society actors acting on their behalf, making use of United Nations and regional human rights mechanisms and bodies.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Promoting and facilitating access to UN human rights mechanisms and bodies by NHRIs, civil society actors, and especially individuals and groups that are subject or vulnerable to discrimination.
- ▶ To the greatest extent possible, providing protection to NHRIs and civil society actors who engage with UN human rights mechanisms and bodies, including by following-up on alleged cases/situations of reprisals. A panel will be convened on this topic during the twenty-first session of the HRC.
- ▶ Enhancing accessibility to human rights mechanisms by rights-holders, such as persons with disabilities, including through the increased use of accessible formats and information technology and ensuring facilitated physical access to meetings held in Geneva.
- ▶ Developing/updating training materials and make available information on the human rights mechanisms through national human rights institution networks and Civil Society Section broadcasts (i.e., weekly notes, newsletters) as well as other means.
- ▶ Provide training designed to assist NHRIs and civil society actors make more effective use of human rights mechanisms and bodies.
- ▶ Continuing to conduct fellowship programmes for minorities, indigenous peoples and Afro-descendants, and for staff of NHRIs.
- ▶ Fully operationalizing the expanded mandate of the Fund on Indigenous Populations to increase the participation of indigenous peoples in human rights mechanisms.



By the end of the biennium, OHCHR expects to have contributed to an increase in the use of international human rights mechanisms by civil society actors in: Argentina, Belize, Bolivia, Cambodia, Chad, Chile, Côte D'Ivoire, Costa Rica, Djibouti, Ecuador, Ethiopia, Guatemala, Guinea Bissau, Honduras, Kenya, Kosovo, Republic of Moldova, Nepal, Nicaragua, OPT, Panama, Papua New Guinea, Paraguay, Peru, Serbia, South Sudan, Timor-Leste, Uganda, United Republic of Tanzania, and countries covered by the Regional Offices for South-East Asia, Europe and the Pacific and the Regional Centre in Doha.

## Universal Human Rights Index

OHCHR manages the Universal Human Rights Index ([www.uhri.ohchr.org](http://www.uhri.ohchr.org)) which is an electronic tool that compiles recommendations from the treaty bodies, the special procedures and the UPR. Indexing of UPR recommendations should be completed during the first half of 2012. The website has been upgraded and is now available in all UN official languages to contribute to the widest possible dissemination of recommendations. By enabling users to analyse and compare the recommendations of the three human rights mechanisms, the index will assist States in adopting a coordinated approach to implement those recommendations, facilitate follow-up and simplify the work of those who use the conclusions and recommendations.

## International and regional laws and institutions (EA8)

### Advances in the progressive development of international and regional human rights law in selected areas of focus.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Continuing to support the development of new human rights instruments and standards.
- ▶ Continuing to support the human rights mechanisms in relation to the development of international human rights law, including by supporting the development of General Comments and jurisprudence by treaty bodies, and the normative work of the Human Rights Council, its Advisory Committee and special procedures.
- ▶ In the context of OHCHR's thematic strategies, support the Committee on the Elimination of Discrimination against Women in its elaboration of a "General Recommendation on Women in Conflict and Post-conflict Situations" and the Committee against Torture in its elaboration of a "General Comment on article 14 of the UN Convention against Torture on the Scope of the Right to Redress."
- ▶ Continuing to support standard-setting and thematic activities undertaken by subsidiary bodies of the Human Rights Council, including the Advisory Committee, the open-ended inter-governmental Working Group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies; the Inter-governmental Open-ended Working Group on the Right to Development; the Expert Mechanism on the Rights of Indigenous Peoples; the United Nations Forum on Minority Issues; the



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The Committee on the Rights of Persons with Disabilities in session.

Ad-Hoc Committee on complementary standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects; and the Social Forum of the Human Rights Council.

- ▶ Continuing to support the General Assembly's Open-ended Working Group on Ageing to strengthen the protection of the human rights of older persons.
- ▶ Continuing to contribute to the progressive development of international standards on business and human rights, and the effective implementation of the United Nations Guiding Principles on Business and Human Rights, including through OHCHR's participation in the Global Compact Human Rights Working Group and by supporting the mandate of the Working Group on the issue of human rights and transnational corporations and other business enterprises.
- ▶ Commemorating the 20th anniversary of the adoption of the United Nations Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities with concrete regional and global awareness raising activities and the promotion of expert dialogue to enhance its effectiveness.
- ▶ Reporting on the outcome of the OHCHR expert workshops on the prohibition of incitement to national, racial or religious hatred, and initiating and implementing adequate follow-up initiatives thereto.
- ▶ Continuing to cooperate closely with regional human rights systems to strengthen and ensure consistency of international and regional human rights law, in particular through OHCHR biennial workshops on cooperation and annual consultations between UN and regional human rights mechanisms, and focusing on interaction with national mechanisms (including in the context of OP-CAT), thematic priorities and implementation of follow-up initiatives. The first consultation between UN special procedures mandate-holders and the African regional mechanisms will take place in Addis Ababa in January 2012.



By the end of the biennium, mainly through its regional offices, OHCHR expects to have contributed to the progressive strengthening of the African Union Commission and the African Union human rights institutions. It also expects to meaningfully contribute to the ASEAN regional human rights system, especially in relation to the Intergovernmental Commission on Human Rights and the Commission for the Promotion and Protection of the Rights of Women and Children and towards the establishment of a regional human rights mechanism in South Asia. Results are also anticipated in relation to the ratification of Council of Europe's instruments, specifically the Convention on preventing and combating violence against women and domestic violence.

### Coherence among human rights mechanisms (EA9)

#### Enhanced coherence and consistency in the system of human rights mechanisms.

OHCHR intends to contribute to this result by implementing strategic interventions that will include:

- ▶ Concluding the facilitation of consultations among various stakeholders, including treaty body members, States, NHRIs and NGOs to consolidate proposals for treaty body strengthening and harmonization. The High Commissioner will compile all proposals in a report. The responsibility for the implementation of these proposals will remain with the different stakeholders within their respective spheres of competence.
- ▶ Implementing and continuing to develop proposals to improve coordination between and among members of treaty bodies and special procedures mandate-holders in relation to working methods or around specific issues. Examples of this are the joint communications report by special procedures at each Council session or the planned meetings in 2012 between the Working Group on discrimination against women in law and in practice and the Committee on the Elimination of Discrimination against Women, and between the Committee on Migrant Workers and the Special Rapporteur on the human rights of migrants. Similarly, the Working Group on Enforced or Involuntary Disappearances and the Committee on Enforced Disappearance will hold a simultaneous session each year to facilitate the exchange of substantive information and the harmonization of working procedures. Coordination will also be facilitated between the different mandates devoted to indigenous peoples.

- ▶ Implementing the outcome of the Human Rights Council review related to the modalities of the UPR and enhancing the selection and appointment process for special procedures mandate-holders.
- ▶ Engaging with representatives of the human rights mechanisms to increase the tailoring of their recommendations so as to facilitate incremental improvement of human rights situations on the ground.
- ▶ Working with regional human rights mechanisms to identify opportunities for cooperation and complementarity between regional and international human rights mechanisms and procedures, including in follow-up on all relevant recommendations.



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Joint press conference of the Special Rapporteur on violence against women and the Chairperson of CEDAW.

### Follow-up mechanisms of the special procedures

The mandates on torture and on extrajudicial, summary and arbitrary executions routinely prepare follow-up reports to their country visit reports. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the Working Group on Enforced or Involuntary Disappearances have recently adopted this practice, and OHCHR is encouraging other mandate-holders to follow their lead. Letters inquiring about the steps taken to follow-up on recommendations are sent to Member States by the Independent Expert on minority issues and by the Special Rapporteur on freedom of religion or belief. The latter mandate-holder also sends follow-up tables to governments it has visited and includes information from relevant UN documents. Some special procedures mandate-holders have also developed dedicated follow-up reports. The annual report of the Special Rapporteur on extreme poverty and human rights to the HRC will provide follow-up on the recommendations of the country visits she undertook between 2009 and 2010.

The Special Rapporteur on torture has initiated regional workshops in countries he has visited to bring together representatives of States, NHRIs and civil society to discuss follow-up to his recommendations. The Special Rapporteur on the situation of human rights defenders plans to convene a workshop in 2012 to assess follow-up to recommendations made since the initiation of the mandate in 2000. Follow-up workshops will also be organized by the Special Rapporteur on contemporary forms of slavery, while OHCHR will support the follow-up visits of the Special Rapporteurs on violence against women and on the sale of children, child prostitution and child pornography.

Accessibility to the output of the Working Group on Arbitrary Detention and its follow-up will be significantly increased as a result of a recently created free public database which includes full documentation of its opinions.



# Global Management Outputs

The 2010-2011 Strategic Management Plan (SMP) of the Office of the High Commissioner for Human Rights (OHCHR) identified for the first time a number of management areas in which the Office intended to invest resources with a view to increasing its efficiency. The areas identified resulted from a self-assessment and an evaluation conducted by the United Nations Office of Internal Oversight Services (OIOS) on the implementation of OHCHR's mandate (A/64/203). By improving these management areas, OHCHR intends to be more effective in achieving the results defined in its Thematic Strategies.

Taking into account that the Office is moving into a four-year cycle, the 2010-2011 Global Management Outputs (GMOs) underwent a minor revision. This revision was based on the lessons learned and gaps identified in the implementation process. As a result, some of the existing GMOs have been merged and two new GMOs have been added, namely:

- ▶ A GMO on gender mainstreaming in all OHCHR policies, programmes and processes. This new GMO seeks to address the gaps identified in the 2010 Evaluation of OHCHR's Performance in Gender Mainstreaming. It captures the key elements of the Gender Equality Policy approved by OHCHR in September 2011 as a follow-up to the evaluation recommendations.
- ▶ A GMO on the efficient management of human and financial resources to address the difficulties identified in this area through the analysis of the Annual Reports from the previous biennium. In 2011, after review by the Senior Management Team (SMT), the High Commissioner adopted a set of recommendations to improve recruitment processes. The recommendations will be primarily implemented in the 2012-2013 biennium.

In addition, OHCHR has reviewed the existing monitoring framework to make it more relevant and practical. More specifically, OHCHR is working to ensure that the framework serves as an appropriate

tool for the assessment of OHCHR's performance and takes into account its capacity to gather relevant information. For the first time, targets have been provided for each of the defined indicators (see table on pages 90-91). The monitoring framework will help OHCHR monitor and report on related outputs as a basis for management decisions.

## **OHCHR strategic direction is shared and implemented across the Office (GMO1)**

OHCHR's strategic direction is articulated in its vision statement, thematic priorities, and Expected Accomplishments. Taken together, these elements define OHCHR's goals, its priority areas of work and the changes that OHCHR is committing to support. To further the understanding of its strategic direction across the Office, OHCHR will continue to foster a culture of open and transparent communication between organizational units, both at headquarters and in the field.

## **Approach**

- ▶ This will be achieved, for example, by continuing the practice of office-wide meetings such as the Annual Consultations of Heads of Field Presences and the OHCHR Planning Week (bringing together field and headquarters staff to share and coordinate their respective work plans). Regional meetings of field presences, with the participation of headquarters regional focal points from various divisions, will be used as a means to improve communication and coordination and encourage cross-fertilization within regions.
- ▶ At headquarters level, the various Divisions will ensure that intra-divisional communication is implemented, for example, by sharing minutes of Division meetings with staff of other Divisions and through increased sharing of information at senior management level in Directors and senior management meetings.

- ▶ The High Commissioner will continue to convene all-staff meetings to provide updates on progress achieved, remaining challenges and required changes related to implementation of the Office's strategic direction. The weekly Friday Morning Meetings of Senior Managers will continue to be held, with minutes being circulated to all staff. These meetings aim to facilitate the exchange and circulation of day-to-day information concerning both field and headquarters activities.
- ▶ At the same time, OHCHR will continue to improve its capacity to manage knowledge by establishing further elements of a knowledge management system, such as procedures and tools. The Performance Monitoring System will contribute to systematizing information on OHCHR's planning and performance monitoring, while the recruitment of a new Records Manager will facilitate the creation of a new archiving system and revision of existing archiving procedures.
- ▶ In terms of implementation, OHCHR will continue to invest in becoming a results-based organization, in particular by implementing results-based management (RBM) with the aim of making the organization accountable, efficient and effective in the achievement of the results to which it has committed. To monitor progress towards the achievement of such targets, the Programme and Budget Review Board (PBRB) will continue to examine projects and plans to ensure their contribution to planned results and monitor progress towards the targets of Expected Accomplishments.



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Office-wide meetings such as the Annual Consultations of Heads of Field Presences and the OHCHR Planning Week contribute to creating a shared OHCHR strategic direction.

- ▶ The use of the finalized Performance Monitoring System by all organizational units will be crucial for fully implementing RBM within OHCHR. The system links planned results with monitoring on the basis of office-wide Expected Accomplishments and indicators and enables organizational reporting of results at both outcome and output levels.

### **Strategic decisions are made in a timely and transparent manner, and effectively implemented (GMO2)**

The Office has created two bodies at senior management level that are charged with setting and updating policies and monitoring and reviewing programme and budget issues (including human

#### **The Organizational Effectiveness Programme**

The Organizational Effectiveness Programme (OEP) was launched by the High Commissioner on 7 December 2009 in response to recommendations by the Office of Internal Oversight Services (A/64/203/Corr.1). The OEP addressed issues of organizational strategy and direction, key work processes, internal communication, and management and decision-making.

The objective of the OEP was to: (a) sharpen management processes, including decision-making and management roles; (b) improve internal communication and collaboration across divisions; and (c) review key work processes to make them more efficient.

Four critical work processes, namely recruitment, strategic planning, mission preparation procedures and documentation submission and clearances processes, have been reviewed under the OEP. The review of the GMOs took the recommendations into consideration. The work processes will be implemented in 2012-2013.

The following results have been achieved in the context of the OEP:

- ▶ Revision of the internal decision-making process whereby staff at all levels now have the opportunity to identify issues for action and bring them to the attention of the SMT through a formal mechanism. Staff are informed when decisions have been made and progress on implementation can be tracked electronically on the OHCHR portal.
- ▶ Review of the recruitment work processes in OHCHR resulting in a set of recommendations for streamlined internal recruitment procedures within the general framework of the INSPIRA system and UN Secretariat guidelines.
- ▶ Review of the strategic planning process in OHCHR and introduction of simplified procedures related to work planning and budgeting as well as with respect to internal and external reporting.
- ▶ Implementation of the recommendations on internal communications in the Office.
- ▶ Review of document production processes resulting in a set of recommendations in order to improve timeliness and quality of documents submitted.

resources aspects), namely the Senior Management Team (SMT) and the Programme and Budget Review Board (PBRB).

The Terms of Reference of both bodies have been revised during the previous biennium and operational procedures have also been put in place to ensure strategic decisions are undertaken in a more timely and transparent manner and to facilitate follow up on the implementation of approved decisions. In this context, participation in the SMT has been enhanced to include field representatives on a rotational basis; a process was created to enable all staff to propose issues for discussion and for staff representatives to participate on an ad hoc basis; consultations of documents prior to their discussion is required in order to make approvals easier at meetings - except in the case of urgent issues, which benefit from an exceptional procedure; an intranet-based system has been established to enable staff to view all documents being discussed and have access to decisions taken; regular updates of recommendations are provided and discussed for the assessment of progress.

Both bodies might specifically request that senior managers undertake additional actions to ensure that staff are informed about issues discussed or decisions taken. The High Commissioner occasionally takes up this role by communicating to all staff in relation to issues of the highest priority and importance. Issues of staff security are regularly raised in these bodies and addressed as a matter of priority.

## Approach

- ▶ The PBRB advises the High Commissioner on office-wide planning guidelines and budgetary policies. More specifically, the PBRB reviews all proposals related to the Office's programming and allocation of resources, monitors all aspects of the financial situation of the Office and makes recommendations to the High Commissioner. The Board is composed of the Deputy High Commissioner (Chair), the NYO Assistant Secretary-General, all Directors of Divisions, the Chiefs of the Programme Support and Management Services (PSMS), the Policy, Planning, Monitoring and Evaluation Service (PPMES), and the Donor and External Relations Section (DEXREL). After a 2010 review of work processes, the Financial Monitoring Committee, previously a separate body, was merged into the PBRB, improving its capacity to comprehensively review programmatic, financial and human resource issues and ensure a coherence of response. The PBRB meets once a month but can be convened as

needed by the Chair to ensure timely discussion of and decision-making about emerging issues.

- ▶ The SMT is OHCHR's principal consultative and advisory body. The role of the SMT is to provide support, advice and recommendations to the High Commissioner for addressing office-wide issues beyond programme planning and budgeting. It is composed of the High Commissioner (Chair), the Deputy High Commissioner, the NYO Assistant Secretary-General, all Directors of Divisions, Chiefs of Branches and of PSMS and of PPMES, as well as Heads of Executive Direction and Management Sections (Civil Society, DEXREL, Communications, Security). The SMT meets once a week.

## Gender perspective is effectively integrated in all OHCHR policies, programmes and processes (GMO3)

The promotion of women's human rights, the search for gender equality and the empowerment of women are at the core of OHCHR's responsibilities and commitments. The adoption of the OHCHR Gender Equality Policy in September 2011 led to the development of a new GMO dedicated to gender and the integration of gender indicators in other GMOs. This created a momentum for the integration of a gender perspective in all policies, programmes and processes undertaken by OHCHR that is supplemented with a set of indicators to facilitate the measurement of progress achieved over time. Findings will be fed into OHCHR's contribution to the UN System-Wide Action Plan on Gender Equality and the Empowerment of Women (SWAP), which constitutes a key step in the implementation of the UN Chief Executives Board approved policy on gender mainstreaming at the United Nations.

Targets have been defined based on guidelines from the Gender Equality Policy and minimum standards that should be applied in the UN within the SWAP framework. This GMO aims at establishing the basis for accountability of staff members in relation to their gender integration efforts, the delivery of a gender-sensitive allocation of available resources, the expansion of inter-agency cooperation in achieving gender equality and the empowerment of women within and outside the United Nations. Gender-based indicators are also included in the GMOs relating to capacity-building (GMO6) and the management of human resources (GMO8); the latter of which is focused on the creation of an environment conducive to a work-life balance and the achievement gender equality through flexible working arrangements.

## Approach

To reach the established targets, OHCHR is setting-up an accountability framework through the preparation of a biennial gender equality strategic plan (2012-2013), which defines implementation, monitoring, and reporting responsibilities, as well as a set of priority actions in the following areas:

- ▶ Identifying Gender Facilitators for each Branch/ Division and NYO and the provision of relevant training, support and regular consultation to facilitate the integration of a gender perspective in their respective organizational units. Four OHCHR regional offices will maintain dedicated gender adviser to enhance OHCHR's capacity in relation to women's rights and gender at the field level.
- ▶ Organizing training sessions for Heads of Field Presences and Gender/Women's Human Rights Focal Points by region (such training was provided to the Central African Sub-region in 2011 and a second one is planned for the Middle East and North Africa region in 2012).
- ▶ Developing online training for all staff members with a view to sensitizing them about the added-value of engendered work and gender-sensitive thinking in the development of programmes of activities. This module would become mandatory for all staff members and therefore would be included in the training package for the induction of OHCHR newcomers.
- ▶ An updated analysis of gender integration in the work of the special procedures mandate-holders will be prepared and synergies will be strengthened between the Committee on the Elimination of Discrimination against Women (CEDAW) team and the Gender and Women's Rights Section with a view to ensuring that the work

of CEDAW is drawn upon in the implementation of the gender equality strategy, as appropriate. The Human Rights and Treaties Division (HRTD) will explore, and as feasible, facilitate the implementation of the gender equality strategy within the work of the human rights treaty bodies.

- ▶ OHCHR will also strengthen its working relations with partners, notably UN Women and inter-agency mechanisms such as the Inter-Agency Network on Women and Gender Equality (IANGWE) which can serve as effective channels for disseminating lessons learned and promoting good practices identified in the implementation of the SWAP by each participating institution.

## Increased effectiveness in servicing human rights mechanisms (GMO4)

OHCHR provides substantive and organizational support in relation to 66 special procedures mandate-holders; 72 weeks per year of treaty body sessions, some taking place in parallel, with 72 treaty body experts; 10 weeks per year of Human Rights Council (HRC) sessions, as well as Special Sessions and six weeks of meetings of the Working Group on the Universal Periodic Review (UPR).

A significant component of the work related to this GMO is the provision of documentation for the different human rights mechanisms, including the HRC and its related entities, the human rights treaty bodies, as well as the General Assembly and the Economic and Social Council. The Office has been able to gradually improve the timeliness of document submissions. To further improve in this area, the Office aims to submit 90 per cent of its documents to Conference Management by their allocated slot dates.



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Special Rapporteur on the situation of human rights in Cambodia holds a community dialogue during his mission to the country.

OHCHR will seek feedback from Member States, treaty body members and special procedures mandate-holders to measure the effectiveness of its support to the different human rights mechanisms.

## Approach

To reach these targets, OHCHR is planning a set of priority actions in the following areas:

- ▶ Pursuing the issue of properly resourcing the human rights mechanisms through the regular budget in light of the fact that the growth in the number of mandates and human rights instruments and bodies has not been matched by a commensurate allocation of resources and meeting time.
- ▶ Joint planning for the year ahead and increased synergies among and between the Divisions supporting the mechanisms and other parts of OHCHR, including through maintenance of a prospective planning calendar listing all activities of the treaty bodies and the HRC, including UPR and special procedures.
- ▶ Implementing the measures taken to improve the timely submission of documents, including working with the Group of Document Focal Points; the compilation, submission and monitoring of document forecasts; the late-slotting arrangement with the United Nations Office in Geneva (UNOG); and the improvement in document submission patterns by human right treaty bodies.
- ▶ Increasing the visibility of the human rights mechanisms through a number of information tools such as press releases, civil society broadcasts, the quarterly HRTD Newsletter and the special procedures Mandate-Holders' Visual Directory. Based on the positive feedback received from delegations, OHCHR will continue to build on the use of the extranet as a tool to inform delegations and other participants in a practical and timely manner, and to reduce the use of paper. On the social media front, the Office will continue to use its Council-dedicated Twitter, Flickr, YouTube and Facebook accounts. The Facebook account was added late last year as a means of promoting the activities of the HRC, enhance its visibility, and engage with the public on issues of importance to its work. Moreover, the Office will continue to provide information in real time through the use of its SMS alert service which has been well received by its subscribers and has proven to increase operating efficiency.
- ▶ Improving the efficiency of the internal system to support the UPR mechanism. While the out-posting of human resources dedicated to the preparation of UPR pre-session, in-session documentation, and follow up to the working group sessions has helped to instil a sense of ownership of the UPR among

other Divisions, it has also raised important organizational and management challenges.

- ▶ Providing improved security to Special Rapporteurs through dedicated security support during sensitive missions, as well as to commissions of inquiry, fact-finding, assessment and mapping missions.
- ▶ Updating the existing roster of high-level experts that could be part of commissions of inquiry and fact-finding missions mandated by the HRC and the Secretary-General.
- ▶ Organizing induction sessions for new mandate-holders focusing on the political context of their work as independent experts of the Council, the opportunities and challenges this creates and good practices in working methods. Efforts will be made to enhance the Annual Meeting of special procedures Mandate-Holders, including by creating greater opportunities for engagement with States and building on the 2011 interactive session. OHCHR will also ensure that the Annual Meeting is a forum for the exchange of good practices and lessons learned by mandate-holders. Substantive support will be provided to the Coordination Committee of special procedures to ensure that the system of mandates works in a holistic and coherent manner.

## Increased effectiveness in supporting field operations (GMO5)

For 2012-2013, increasing the effectiveness and efficiency in supporting field operations remains a priority for OHCHR.

## Approach

To reach the set targets, OHCHR is aiming for priority actions in the following areas:

- ▶ Continuing to promote the use of standard mandates for field presences. The Office's policies on human rights advisers and regional offices will be enhanced in light of the increased demands placed on them in the past biennium.
- ▶ Developing standard operating procedures for rapid response activities to respond to human rights crises in a timely and systematic manner. The Office will continue to maintain internal and external rosters of experts, including one for senior-level staff, for rapid response activities and will develop its expertise in the area of investigation, fact-finding and human rights needs assessment. The roll-out of the OHCHR human rights database is expected to improve documentation, monitoring and follow-up on cases of human rights violations. Efforts will continue for the development and dissemination of internal checklists on engagement in humanitarian crisis



response, including when playing a lead role in Protection Clusters.

- ▶ Implementing the cooperation framework between OHCHR, the Department of Peacekeeping Operations (DPKO), the Department of Political Affairs (DPA) and the Department of Field Support (DFS), as well as other policies relevant to human rights in peace missions, most notably: the joint policy on human rights integration in peace operations and special political missions; the Operational Framework for Protection of Civilians; guidelines on protection strategies; the Human Rights Due Diligence Policy, as well as various guidelines on integrated planning processes.
- ▶ Increasing efficiency in filling vacant posts for human rights staff in peace missions through DPKO and DPA. OHCHR will also pursue its strategy of seeking funds for its support to the human rights components of peacekeeping, peacebuilding and political missions through the peacekeeping support account.
- ▶ Strengthening information flows between headquarters in Geneva and New York and the field, including through policy refinement regarding the role of the Desk Officers.
- ▶ Improving responsiveness and coordinated support by substantive units at Headquarters for the implementation of the Thematic Strategies, including through the organization of annual planning events.
- ▶ Further harmonizing the work flows within OHCHR headquarters and field offices, particularly in the context of preparing background documentation for treaty body sessions and providing relevant information to special procedures mandate-holders so they may consider aligning their work plans with the priority needs identified by field presences in each region.
- ▶ Continuing to implement the security risk management approach of careful balancing of “acceptable risk” in meeting programmatic objectives, as opposed to an “avoidance of risk” approach, which has enabled the conducting of field operations in high-risk environments.

### **OHCHR staff has the necessary competencies and skills to effectively implement the OHCHR programme for the biennium (GMO6)**

In the coming biennium, OHCHR will continue to invest in opportunities for staff learning and skills development in support of the fulfilment of OHCHR’s mandate and the implementation of this programme, taking into account the results of the global learning needs assessment conducted in 2009 and OHCHR’s 2011 Learning Strategy, as well as emerging needs.



© OHCHR/Photo: Julien Attakla-Ayman

OHCHR is providing training in substantive human rights areas in line with the thematic priorities.

### **Approach**

To reach the set targets, OHCHR is focusing on priority actions in the following areas:

- ▶ Addressing organizational and individual learning needs and shaping a culture of learning and skills development across all functions, units and geographical locations.
- ▶ Ensuring that all staff members are aware of the learning opportunities available, including resources for informal and self-learning to enable them to acquire necessary new skills and competencies. In this regard, special efforts will be undertaken to further engage field presences through the Learning Focal Points. Coaching and team-building services will be offered to supplement learning activities.
- ▶ Focusing on alternative ways of delivering training beyond *in-situ* activities, such as the use of web conferencing and e-learning.
- ▶ Continuing to liaise with the Learning Leadership and Organizational Development Section, Office of Human Resources Management as well as other Secretariat Offices worldwide.
- ▶ Continuing to strengthen induction trainings for new staff members and consultations with administrative staff from the field.
- ▶ Providing training in substantive human rights areas in line with core functions and thematic priorities, including in relation to: human rights monitoring and investigations; monitoring economic, social and cultural rights; human rights and humanitarian action; human rights training methodology; evaluation of human rights training; human rights-based approaches; human rights indicators; and monitoring budgets from a human rights perspective. This training will be done on the basis of new guidance tools to further professionalize human rights work both within and outside OHCHR (i.e. Manual on human rights investigations; Guide on human rights budget analysis).

- ▶ Strengthening peer-learning by organizing bimonthly “coffee briefings” on substantive human rights issues, including a special series on the OHCHR thematic priorities, which are now available as podcasts for field staff members.
- ▶ Delivering results-based management training to all field presence and headquarters staff, and developing corresponding on-line training in this field. Capacity-building on results-based management will be further supported through customized coaching and advice and the development of a comprehensive reference manual.

### Improved awareness, understanding of and support to OHCHR’s mission and programme by Member States and other stakeholders (GMO7)

The year 2011 has been crucial for human rights. The Office has engaged with the media to an unprecedented degree to highlight critical human rights situations and issues (with a fourfold increase in measurable coverage in comparison to the previous three years). At the same time, OHCHR has been affected by the negative effects of the global economic crisis which prompted many governments to review their funding commitments.

A central element of the Office’s strategy over the next two years will be improving awareness, understanding of and support for OHCHR’s mission. During this time of financial constraints, it is essential for OHCHR to join forces and increase synergies with key partners to fulfil its mandate. In light of increasing competition for funds, OHCHR also needs to renew its efforts to communicate its comparative advantage and capacity to deliver results more effectively.

### Approach

To reach the set targets, OHCHR is implementing priority actions in the following areas:

- ▶ Developing of an integrated external relations strategy outlining the key roles, responsibilities and synergies required across different parts of the Office to strengthen OHCHR’s outreach.
- ▶ In the spirit of transparency and accountability, special efforts will be made to further engage and inform Member States on OHCHR’s activities. Regular briefings will be made, including regional and political groupings, both in Geneva and in New York. In New York, the Office will conduct a two-day orientation programme for delegates who cover human rights at UN Headquarters.
- ▶ Continuing to develop understanding of and support for OHCHR’s mission by civil society,



The High Commissioner for Human Rights responding to the press during her mission to Bolivia.

including by taking into account the feedback and recommendations received from civil society surveys to develop audio-visual tools and guidance in all six UN official languages.

- ▶ Strengthening the integration of human rights into the UN system's public information apparatus, by networking with counterparts, engaging with policy-making bodies and disseminating OHCHR media products via the United Nations Department of Public Information (UNDPI) outlets, such as United Nations Information Centres and social media platforms, and through UNCTs.
- ▶ Engaging with the media to highlight critical human rights situations and issues so that international and local communities are mobilized to respond. Articulating the global messages in ways that regional and country offices can utilize.
- ▶ Continuing to build a strong presence in social media platforms, through Facebook and Twitter.
- ▶ Progressively upgrading the Office's website to provide a more flexible multi-media platform for OHCHR through the implementation of the Web Management Plan which includes governance, architecture and content strategies.
- ▶ Developing and maintaining the 43 existing extranets serving human rights treaty bodies, special procedures, commissions of inquiry and other human rights issues as a key communication platform for better collaboration between OHCHR and its external partners.
- ▶ Organizing annual consultations with major donors to present priorities and funding needs; and providing donors with high-quality funding proposals and reports.
- ▶ Creating a strategy for engagement with the private sector, establishing new and innovative partnerships, promoting online donations via OHCHR's website, and exploring ways to partner with private foundations.

### Efficient management of human and financial resources (GMO8)

The efficient management of human, financial and physical resources is a key task of OHCHR. Financial discipline and budgetary rigour have become more important for the Office in the current economic climate. In 2010, extrabudgetary expenditures exceeded income for the first time. Increased demands have put insurmountable strains on regular budget resources. OHCHR is striving to ensure that administrative services are managed in an efficient, cost-effective, and consistent way.

OHCHR endeavours to recruit the best candidates from all regions and countries. A key success factor for OHCHR is building a broadly diverse workforce that is

able to respond to various emergencies, while also ensuring that their working conditions enable them to enjoy a satisfactory work-life balance.

### Approach

To reach the set targets, OHCHR is establishing a set of priority actions in the following areas:

- ▶ Preparing the Organization to be at the forefront of the changes taking place in the United Nations Secretariat. These changes include the development of a new management information system (UMOJA) and the adoption of the International Public Sector Accounting Standards (IPSAS) for the preparation and presentation of financial statements. IPSAS will ensure alignment with best practices, stewardship of assets and liabilities, improved transparency, improved consistency and comparability and enhanced public confidence.
- ▶ Redistributing existing resources to maximize efficiency and undertake new work. The existing resources for the UPR work will be maximized to enable the Office to undertake a proactive role in assisting in the follow-up to implementation of the UPR recommendations, as well as the recommendations of other human rights mechanisms.
- ▶ Strengthening PSMS capacity to support the efficient review, evaluation, testing and interviewing of the many candidates who apply for each position.
- ▶ Enhancing flexible working arrangements, such as staggered working hours and working from home. A database will be established in early 2012 to capture information about the various options being used by OHCHR staff.
- ▶ Continuing to enhance mechanisms to allow different levels of management to monitor the financial and staffing situation on a regular basis, including through the distribution of monthly reports and their discussion at the Programme and Budget Review Board.
- ▶ Finding ways of doing more with less. As travel is one of OHCHR's main expenses, the Office is looking into ways of reducing the cost of tickets, including by increasing the percentage of early bookings. The new instruction on advanced ticket purchase from the Under-Secretary-General for Management is being strictly implemented by OHCHR. Any travel request submitted less than 19 days before travel must be justified and approved by senior management. The 19-day rule will also be incorporated into the revised electronic travel request system and staff members will be alerted if their request has not been submitted within the deadline.

GLOBAL MANAGEMENT OUTPUT	INDICATORS	TARGETS
<b>1. OHCHR's strategic direction is shared and implemented across the Office.</b>	Percentage of staff who understand OHCHR's strategic direction.	70%
	Percentage of staff satisfied with internal communication tools and processes.	70%
	Extent to which a knowledge management system is progressively established.	Knowledge management activities progressively implemented.
	Degree to which organizational units progressively apply results-based management (RBM) to their planning, monitoring and evaluation work.	Field presences and headquarters units that have undergone training (60% of the total) apply RBM to a high degree; others to a moderate degree.
	Percentage of expected accomplishments that achieve or nearly achieve the targets.	70%
<b>2. Strategic decisions are made in a timely and transparent manner, and effectively implemented.</b>	Percentage of staff that feels adequately consulted on decisions that concern them.	70%
	Percentage of OHCHR projects/plans approved/rejected by the Programme and Budget Review Board (PBRB), on the basis of their current and potential contribution to programming cycle results.	40%
	Percentage of issues taken up by the SMT and the PBRB that have resulted in timely, clear and implementable decisions by senior managers.	85%
<b>3. A gender perspective is effectively integrated into all OHCHR policies, programmes and processes.</b>	Percentage of ePAS of managers, gender facilitators and gender focal points, including references related to gender integration or women's rights and gender equality.	At least 25% of ePAS of managers, 75% of gender facilitators and 50% of gender focal points.
	Percentage of sections and field presence's Annual Work Plans that include at least one activity related to gender equality.	At least 25% of Annual WorkPlans of Sections at headquarters 25% of Annual WorkPlans of field presences.
	Amount of OHCHR resources allocated for staff and activities primarily focusing on women's rights and gender equality objectives.	US\$ 3 million
	Extent to which OHCHR has met requirements of the UN System-Wide Action Plan on Gender Equality and Empowerment of Women.	At least 3 of 6 requirements met.
<b>4. Increased effectiveness in servicing human rights mechanisms.</b>	Compliance rate for timely submission of documents.	90% of documents submitted to Conference Management by slot date.
	Percentage of Member States, treaty body members and special procedures mandate-holders providing positive feedback on servicing and support provided by OHCHR, including in the field where the Office is present.	80% of Member States providing positive feedback as a result of the support provided by the Secretariat to the HRC 60% of treaty body members and special procedures mandate-holders providing positive feedback as a result of the support provided by OHCHR.
<b>5. Increased effectiveness in supporting field operations.</b>	Existence of updated policies on OHCHR's different types of field presences.	Policies for all 4 main types of presences updated.
	Existence of updated guidance on the work of field presences in the areas of protection and technical cooperation.	Guidance on protection and technical cooperation approved.
	Percentage of OHCHR field staff providing positive feedback on headquarters support.	85% of all field staff.
	Percentage of field presences whose requests for logistical and administrative support are satisfied (such as those involved in opening new presences, budget approvals, recruitment, etc.).	85% of field presences.

GLOBAL MANAGEMENT OUTPUT	INDICATORS	TARGETS
<b>6. OHCHR staff has the necessary competencies and skills to effectively implement the OHCHR programme for the biennium.</b>	Number of staff who have acquired new knowledge/skills relevant to the implementation of OHCHR's programme through training (disaggregated by field and headquarters staff).	300 field staff. 450 headquarters staff.
	Number and percentage of staff who understand results-based management concepts and their implication on their work (disaggregated by field and headquarters staff).	300 field staff. 100 headquarters staff.
	Extent to which organizational units are applying results-based management to their planning, monitoring and evaluation work.	Partial.
	Number of days used by staff member for learning activities.	5 days (as per Secretariat Guidelines).
	Number and percentage of staff who have attended training which includes a gender component, disaggregated by sex, grade and location.	At least 100 headquarters staff and 100 field staff.
<b>7. Improved awareness, understanding of and support to OHCHR's mission and programme by Member States and other stakeholders.</b>	Percentage of key stakeholders assessing OHCHR as a valuable partner.	75%
	Increase in number of unique visitors to OHCHR website per year.	10%
	Increase in number of likes on Facebook and followers on Twitter per year.	50%
	Number of articles in the media mentioning the High Commissioner and OHCHR.	7,000
	Level of participation of stakeholders in communication initiatives launched by OHCHR.	Human Rights Day activities reported in 100 countries.
	Percentage of donors maintaining or increasing their voluntary contributions.	90%
	Percentage of unearmarked funding from the total voluntary contributions.	50%
	Number of new donors.	25
<b>8. Efficient management of human and financial resources.</b>	Reduced post vacancy rate (for posts filled through regular recruitment).	5% reduction
	Reduced average number of days for all steps in the recruitment process under authority of the Office.	64 days
	Unspent obligations are identified and liquidated quarterly; degree to which prior biennium obligations are utilized.	Fully
	Budget implementation rates.	90%
	Percentage of official travel tickets issued late (within 14 days of travel).	Less than 10%
	Number and percentage of flexible working arrangement (FWA) requests granted, disaggregated by organizational units, sex, category and duration.	To be defined.





## **Part II - Budget and funding requirements**

## Budget and funding requirements

The Office of the High Commissioner for Human Rights (OHCHR) relies on funding from the United Nations (UN) regular budget and voluntary contributions from Member States and other donors in order to carry out its work. For the 2010-2011 biennium, the ratio of 40.7 to 59.3 per cent respectively.

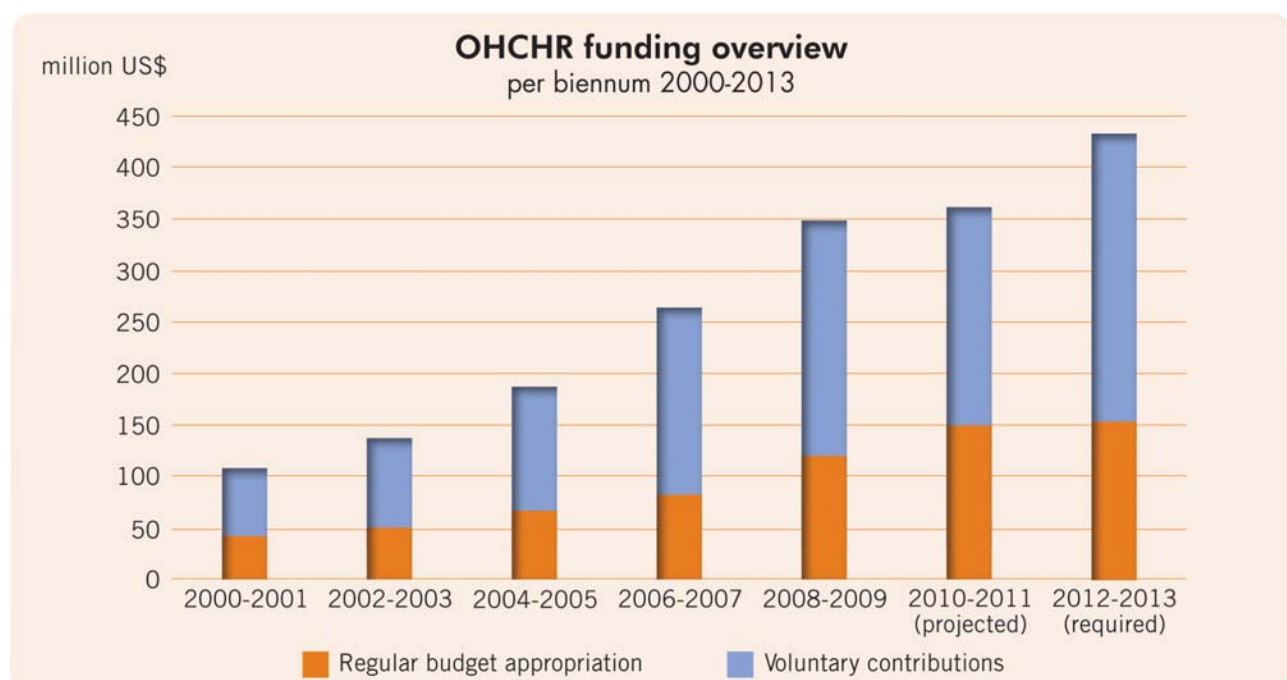
The total estimated resource requirements for OHCHR for the 2012-2013 biennium is US\$448.1 million. This represents an increase of approximately US\$40.7 million, or ten per cent, compared with the original 2010-2011 budget.

While human rights is recognized as one of the three pillars of the United Nations, alongside peace and security and development, the High Commissioner's Office receives less than 3 per cent of the total UN regular budget. At present the Office has been allocated US\$156.5 million from the regular budget of the Organization to cover its 2012-2013 expenditures. Voluntary contributions must therefore provide the remaining US\$291.6 million. The funding trends of

2010 and 2011, however, demonstrate that the projected income from voluntary contributions is likely to be approximately US\$110-112 million per year. If these trends continue, OHCHR will face a funding shortfall of nearly US\$70 million in this biennium.

The Office is receiving increasing requests for support in a number of diverse areas, including in response to the events in North Africa and the Middle East in 2011; for additional secretariat support for the human rights treaty bodies, the Human Rights Council (HRC) and its unprecedented number of new and expanded mandates; and to assist the wider UN system as human rights mainstreaming gains further momentum.

Additional funding is critical to enable the Office to effectively respond to the growing calls for assistance; facilitate the empowerment of people to claim their rights and assist those responsible for the promotion and protection of human rights to fulfil their obligations under international human rights law.





## United Nations regular budget

The UN regular budget is funded from assessed dues that are payable by all Member States in accordance with the Charter of the United Nations. The amount of each Member State's contribution is determined by a number of factors, including their respective share of the world economy. Every two years, the Secretary-General submits a proposed biennial budget for the entire organization to the General Assembly for its review and approval. For the 2012-2013 biennium, in light of the difficult global financial situation, the Secretary-General proposed a total budget reflecting a decrease from the approved 2010-2011 biennium. Despite the overall reduction, the actual allocation to OHCHR has increased because of the growth in the human rights treaty body system and the addition of new and expanded mandates from the HRC. Of the US\$156.5 million allocated to OHCHR from the UN regular programme budget in 2012-2013, US\$153 million comes from the Human Rights section (Section 24), and US\$3.5 million is from the Regular Programme of Technical Cooperation (Section 23).

The Office provides a great deal of input into every stage of the regular budget process. However, the decision regarding the allocation of resources within the proposed programme budget rests with the UN Controller who acts on the advice of the Programme Planning and Budget Division. The proposed budget is then subject to the approval of Member States in the Fifth Committee of the General Assembly.

### Facts and Figures

#### For 2012-2013

**US\$448.1** million total budget

**35%** from the UN regular budget, **65%** will need to come from voluntary contributions

**US\$291.6** million in voluntary contributions requirements

#### In 2010-2011

**US\$220.5** million received in voluntary contributions

**52.5%** of voluntary contributions unearmarked

**71** institutional donors in 2010 (64 of which are Member States)

**79** institutional donors in 2011 (72 of which are Member States)

Despite the actual increase in the total amount allocated to OHCHR for the 2012-2013 biennium, the regular budget appropriation for the Office is not commensurate with its mandated activities. The frequent addition of mandates, and the necessary shifting of priorities that must be implemented within existing resources, have made financial planning and management increasingly difficult. This was particularly evident in 2011 with the dramatic increase in the number of urgent fact-finding missions and commissions of inquiry that were mandated by the HRC. While OHCHR welcomes the expansion of Council-mandated activities, it must be acknowledged that this also places unanticipated financial strains on the Office. As the United Nations is under constant pressure to reduce costs, there is little likelihood that OHCHR will receive sufficient funding from the regular budget to cover both existing mandates and new responsibilities. Future additional support from Member States will be required to ensure the availability of appropriate regular budget funding for OHCHR's mandated work.

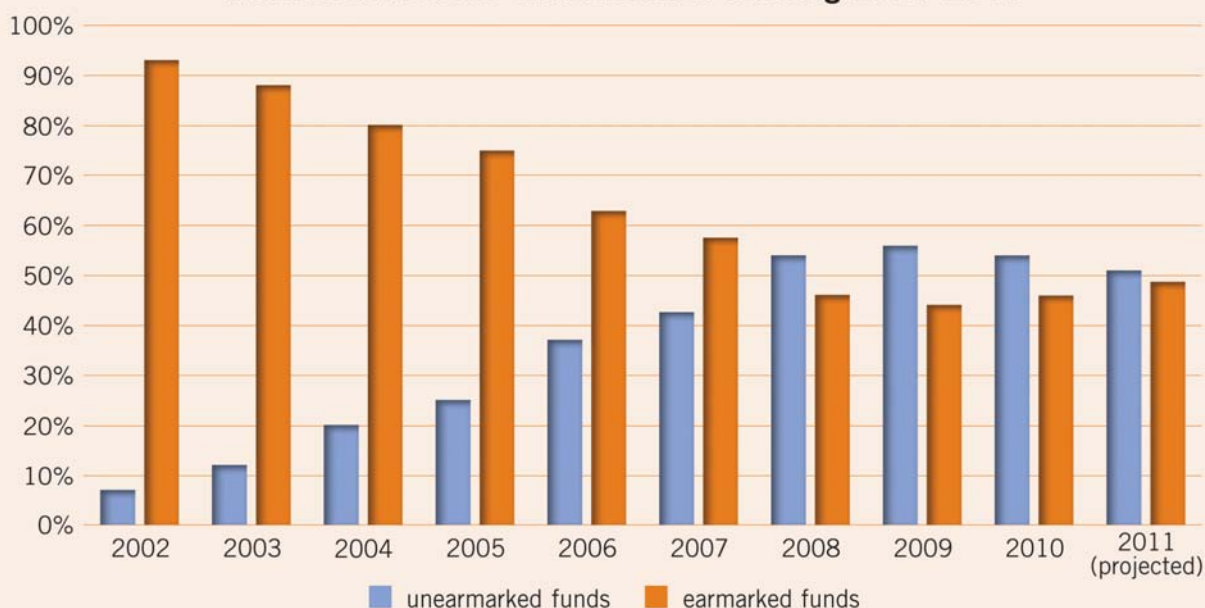
## Voluntary contributions

The majority of voluntary contributions are provided by Member States, but OHCHR also accepts contributions from intergovernmental organizations, non-governmental organizations, companies, foundations and private individuals. These contributions are primarily spent on activities which are generally not covered by the regular budget. Since the regular budget has historically provided limited support for fieldwork, for instance, establishing and maintaining OHCHR's network of field presences is funded almost exclusively by voluntary contributions. Throughout the Office, voluntary contributions are also used to support normative human rights work; the OHCHR Contingency Fund, which allows for rapid deployment of assistance in crises situations; and other substantive trust funds which provide grants to civil society organizations around the world (see chapter on the Funds administered by OHCHR).

OHCHR also allocates voluntary funds to supplement regular budget funding for certain mandated activities, such as supporting the HRC, special procedures and the human rights treaty bodies.

In recent years, OHCHR has appealed to donors to increase the level of their voluntary contributions, and to make more unearmarked funding available. Unearmarked funding provides the Office with greater flexibility when planning and setting priorities, and

### Earmarked versus unearmarked funding 2002-2011



ensures that activities can be recalibrated as conditions change and needs emerge. A high level of unearmarked funding also reinforces OHCHR's independence and ensures that programmes are developed and implemented in line with priorities established by the High Commissioner in accordance with her mandate.

Over 2010-2011, OHCHR received a total of US\$220.5 million in voluntary contributions, while its total expenditures amounted to US\$253.9 million, resulting in a shortfall of close to US\$33 million. While this situation was to some extent anticipated and offset with a surplus balance available from previous years, it nevertheless raises serious concerns for the longer term.

### Recent trends in voluntary support

Between 2002 and 2008, voluntary contributions tripled from US\$40 million to US\$120 million. In 2009, the level of financial support slipped to US\$118.1 million before dropping further to US\$109.4 million in 2010, and then slightly recovering to US\$111.1 million in 2011. Over the same period of growth, the proportion of unearmarked funding rose steadily from 7 per cent in 2002 to a high of 56 per cent in 2009 before it decreased to 54 per cent in 2010 and then again to 51 per cent in 2011. A specific appeal launched in March 2011 for funding for the North Africa region during the "Arab Spring" generated an encouraging response of contributions totalling US\$9.6 million. These funds served to offset a reduction in other contributions for 2011.

Current funding challenges have generated considerable discussion and concern at OHCHR. The global economic downturn has prompted many governments to review and cutback on their funding commitments, leading to a significant decline in the support received by OHCHR. If this downward trend in funding continues, the Office will be forced to make dramatic cuts in its activities and staffing structure.

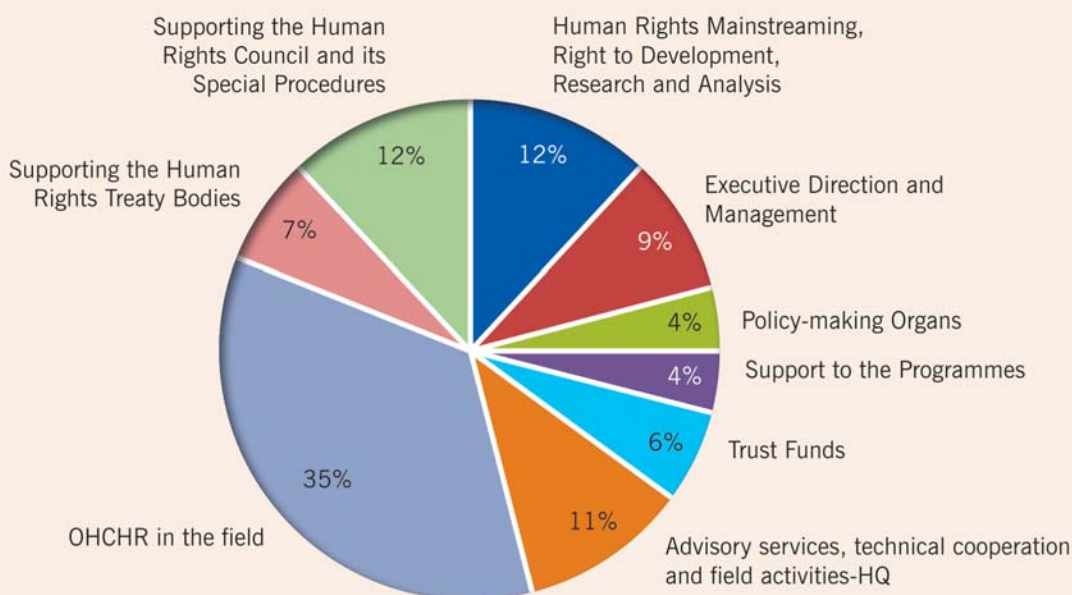
### Challenges and opportunities

OHCHR faces three main fundraising challenges, namely to: (i) sustain and increase the level of voluntary contributions; (ii) maintain and increase the level of unearmarked contributions; and (iii) increase and diversify its donor base.

Achieving these objectives is particularly challenging at a time when most donor countries are struggling to recover from the global economic recession. Nevertheless, in light of the fact that economic crises disproportionately affect the human rights of the world's poorest and most vulnerable people, the need for support for human rights activities is greater than ever.

As an organization, the Office is acutely aware of its responsibilities. We are committed to building the capacity of our staff and strengthening our managerial mechanisms to ensure that every donor dollar is both accounted for and well-spent. Over this biennium, the results-based framework will be finalized and implemented across the Office and ensure consistent reporting at the results level. At the same time, we will continue to invest in our outreach capacity through a

## Funding requirements by main programme for 2012-2013



revised engagement strategy with donors and other stakeholders that will raise our visibility and establish feedback mechanisms to facilitate information sharing.

In 2011, in order to broaden its donor base OHCHR accepted its first financial voluntary contribution from a private corporate donor (AVIVA) for the partnered sponsorship of a study on the rights of street children. In the coming years, we will explore the potential of partnering with the private sector and foundations.

OHCHR would also like to cooperate further with non-traditional government donors. While it is important to maximize the overall level of resources, it is equally important to establish the broadest possible funding base. We believe that increasing the number of donor countries that support the Office is the best way to reflect the true diversity of international support for human rights.

### 2012-2013 resource requirements

OHCHR's budget is the product of intensive internal consultation and review. Programme plans are developed with a focus on what is practical and affordable in the current fundraising environment.

At US\$448.1 million, the 2012-2013 budget represents an increase of ten per cent over the budget presented in the High Commissioner's 2010-2011 Strategic Management Plan, and an estimated increase of 10.5 per cent compared with projected expenditures in 2010-2011, taking into account our recent work in North Africa and currency fluctuations. At present US\$156.5 million has been allocated to

OHCHR from the UN's regular budget to cover its 2012-2013 expenditures. An overall target of US\$291.6 million has therefore been set for 2012-2013 voluntary contributions.

In terms of proportion, approximately 46 per cent of all planned expenditure will be devoted to OHCHR's field operations, 12 per cent to thematic human rights research, 12 per cent to supporting the Human Rights Council and its special procedures and 7 per cent to supporting the human rights treaty bodies.

#### How to Help

OHCHR accepts contributions from Member States, intergovernmental organizations, foundations, NGOs and individuals. Prospective donors are encouraged to contact OHCHR's Donor and External Relations Section before making a pledge to discuss the Office's priorities and possible conditions attached to the contribution, and for all other issues related to funding. If you, or the institution you represent, would like to make a contribution, please contact the Office's Donor and External Relations Section at the address below:

#### Donor and External Relations Section

Office of the High Commissioner for  
Human Rights  
United Nations Office at Geneva (UNOG)  
Geneva 10, CH 1211 Switzerland  
Tel: +41 22 917 96 44  
Fax: +41 22 917 90 04  
Email: DexRel@ohchr.org.

**OHCHR MANAGEMENT PLAN 2012-2013  
COMBINED REGULAR AND EXTRABUDGETARY REQUIREMENTS**

(in thousands of US\$)

	Regular Budget 1/	Extrabudgetary requirements	Total
<b>OPERATING RESOURCES</b>			
<b>HEADQUARTERS</b>			
Executive Direction and Management	15,089.9	26,455.8	41,545.7
Policy-making Organs	16,386.1	-	16,386.1
<b>Programme of Work</b>			
Subprogramme 1: Human Rights Mainstreaming, Right to Development, Research and Analysis	22,358.2	30,823.2	53,181.4
Subprogramme 2: Supporting the Human Rights Treaty Bodies	16,890.3	12,133.2	29,023.5
Subprogramme 3: Advisory Services and Technical Cooperation	20,740.0	30,538.1	51,278.1
Subprogramme 4: Supporting the Human Rights Council and its special procedures 2/	33,939.6	20,738.9	54,678.5
Total Programme of Work	93,928.1	94,233.4	188,161.5
Support to the Programmes	12,145.1	6,100.9	18,246.0
Subtotal Headquarters	137,549.2	126,790.1	264,339.3
<b>FIELD PRESENCES 2/</b>			
Advisory services, technical cooperation and field activities 3/	3,534.5	-	3,534.5
Africa	3,781.7	35,821.0	39,602.7
Americas	3,004.5	45,899.3	48,903.8
Asia and the Pacific	5,219.3	15,624.3	20,843.6
Europe and Central Asia	3,437.6	13,370.6	16,808.2
Middle East and North Africa	-	26,386.7	26,386.7
Subtotal Field Presences	18,977.6	137,101.9	156,079.5
<b>TOTAL HQ + FIELD PRESENCES</b>	<b>156,526.8</b>	<b>263,892.0</b>	<b>420,418.8</b>
<b>TRUST FUNDS</b>			
Voluntary Fund for Victims of Torture	-	25,696.2	25,696.2
Voluntary Fund for Indigenous Populations	-	533.9	533.9
Trust Fund on Contemporary Forms of Slavery	-	1,425.2	1,425.2
<b>TOTAL TRUST FUNDS</b>	<b>-</b>	<b>27,655.3</b>	<b>27,655.3</b>
<b>GRAND TOTAL</b>	<b>156,526.8</b>	<b>291,547.3</b>	<b>448,074.1</b>

1/ Proposed programme budget excluding Committee on Missing Persons in Cyprus (USD 1,323.1 in 2012-2013).

2/ Includes Human Rights Council activities and Trust Funds for the Universal Periodic Review.

3/ Regular programme of technical cooperation.

<b>EXTRABUDGETARY REQUIREMENTS 2012-2013</b>	
	Requirements (in US\$)
<b>HEADQUARTERS</b>	
<b>Executive Direction and Management</b>	
Executive Office of the High Commissioner	3,346,204
New York Office	4,298,322
Project for UN Action against Sexual Violence in Conflict	272,570
Communications Section	5,331,776
Donor and External Relations Section	4,293,112
Civil Society Section	1,150,472
Policy, Planning, Monitoring and Evaluation Service	2,147,272
Safety and Security Section	3,724,010
Document Processing Unit	1,892,118
	<b>Sub-total</b>
	<b>26,455,856</b>
<b>Programme of Work</b>	
<b>Subprogramme 1 - Research and Right to Development Division</b>	
Coordination & Management	2,468,938
Anti-discrimination	3,490,048
Disabilities	704,000
HIV and AIDS	603,826
Indigenous Populations and Minorities	2,926,336
Women's Human Rights and Gender	4,688,492
Rule of Law and Democracy	3,812,258
MDGs and Human Rights-Based Approach	1,397,500
Economic and Social Issues	1,704,354
Business and Human Rights	294,612
Right to Development	225,096
Methodology, Education and Training	6,335,138
Indicators	1,103,558
Migration	228,622
Reparations for sexual violence survivors in DRC	840,393
	<b>Sub-total</b>
	<b>30,823,171</b>
<b>Subprogramme 2 - Human Rights Treaties Division</b>	
Human Rights Treaties	10,319,764
Optional Protocol of the Convention Against Torture	1,813,460
	<b>Sub-total</b>
	<b>12,133,224</b>
<b>Subprogramme 3 - Field Operations and Technical Cooperation Division</b>	
Coordination & Management	2,512,984
Africa	6,744,980
Americas	1,840,824
Asia and the Pacific	3,371,722
Europe and Central Asia*	3,286,716
Middle East and North Africa	3,539,892
National Institutions	3,628,706
Rapid Response and Peace Missions	4,276,986
Trust Fund for Universal Periodic Review - Technical Assistance	1,335,282
	<b>Sub-total</b>
	<b>30,538,092</b>
<b>Subprogramme 4 - Human Rights Council and special procedures Division</b>	
Coordination & Management	592,626
Human Rights Council	3,208,494
Trust Fund for Universal Periodic Review - Participation	1,710,022
Special procedures	15,227,734
	<b>Sub-total</b>
	<b>20,738,876</b>
<b>Total Programme of Work</b>	<b>94,233,363</b>

\* Including the budgets for the HRA in Serbia and the Former Yugoslav Republic of Macedonia.

<b>EXTRABUDGETARY REQUIREMENTS 2012-2013</b>	
	Requirements (in US\$)
<b>Programme Support and Management Services</b>	
Information Technologies Section	5,341,000
Human Rights Case Database Project	759,882
Sub-total	6,100,882
<b>Sub-total Headquarters</b>	<b>126,790,101</b>
<b>FIELD PRESENCES</b>	
<b>AFRICA</b>	
Central Africa, Yaoundé - Sub-regional Centre for Human Rights and Democracy	987,634
East Africa, Addis Ababa - Regional Office	2,217,942
Southern Africa, Pretoria - Regional Office	2,155,466
West Africa, Dakar - Regional Office	710,110
Guinea - Country Office	4,796,300
Togo - Country Office	3,312,894
Uganda - Country Office	7,458,292
Uganda- Joint programme for Transitional Justice	603,974
Burundi - Human Rights Component in Peace Mission	1,152,243
Central African Republic - Human Rights Component in Peace Mission	63,556
Côte D'Ivoire - Human Rights Component in Peace Mission	361,600
DRC - Human Rights Component in Peace Mission	533,208
DRC, Joint Human Rights Project to Fight Impunity against Sexual Violence in West DRC	960,608
DRC, Joint Protection Teams project	1,030,961
Guinea-Bissau - Human Rights Component in Peace Mission	296,738
Liberia - Human Rights Component in Peace Mission	146,946
Sierra Leone - Human Rights Component in Peace Mission	805,172
Somalia -Human Rights Component in Peace Mission	885,486
South Sudan - Human Rights Component in Peace Mission	855,184
Sudan, Darfur - Human Rights Component in Peace Mission	260,815
Chad - Human Rights Adviser	1,057,044
Great Lakes Region (Burundi) - Human Rights Adviser	741,064
Kenya - Human Rights Adviser	1,904,892
Madagascar - Human Rights Adviser	592,798
Niger - Human Rights Adviser	648,424
Rwanda - Human Rights Adviser	697,148
New Human Rights Adviser	584,476
Sub-total Africa	35,820,975
<b>AMERICAS</b>	
Central America, Panama - Regional Office	232,956
Central America, Panama, Joint project for Afrodescent	141,090
South America, Chile - Regional Office	1,929,298
Bolivia - Country Officer	3,292,710
Colombia - Country Office	18,422,812
Colombia, Joint project for national HR education plan	2,012,924
Colombia, Project for monitoring HR measures	948,260
Colombia, Project for promoting right to free	67,808
Colombia, Support of emerging issues	712,825
Guatemala - Country Office	7,441,994
Guatemala, Joint "Maya" programme for Indigenous Peoples	810,639
Mexico - Country Office	5,759,424
Haiti - Human Rights Component in Peace Mission	413,106
Haiti, Support for Haiti Earthquake Response/Protection Survey	244,866

<b>EXTRABUDGETARY REQUIREMENTS 2012-2013</b>	
	Requirements (in US\$)
Ecuador - Human Rights Adviser	1,168,368
Honduras - Human Rights Adviser	1,088,534
Paraguay - Human Rights Adviser	1,211,690
Sub-total Americas	45,899,304
<b>ASIA and the PACIFIC</b>	
South-East Asia, Bangkok - Regional Office	822,404
Pacific, Suva - Regional Office	1,877,102
Cambodia - Country Office	2,703,780
Nepal - Country Office	5,351,674
Afghanistan - Human Rights Component in Peace Mission	1,689,070
Timor-Leste - Human Rights Component in Peace Mission	1,297,430
Papua New Guinea - Human Rights Adviser	945,876
Sri Lanka - Human Rights Adviser	937,032
Sub-total Asia and the Pacific	15,624,368
<b>EUROPE and CENTRAL ASIA</b>	
Central Asia, Bishkek - Regional Office	1,380,662
Central Asia, Kyrgyzstan	3,095,898
Europe, Brussels - Regional Office	1,292,020
Kosovo - Stand-Alone Office	1,958,082
Republic of Moldova - Human Rights Adviser	560,656
Russian Federation - Human Rights Adviser	2,386,732
Serbia - Human Rights Adviser	
South Caucasus - Human Rights Adviser	2,270,410
The Former Yugoslav Republic of Macedonia - Human Rights Adviser	
Ukraine - Human Rights Adviser	426,118
Sub-total Europe and Central-Asia	13,370,578
<b>MIDDLE EAST and NORTH AFRICA</b>	
Middle East, Beirut - Regional Office	3,366,428
North Africa - Regional Office	5,565,544
South West Asia and the Arab Region, Doha - Training and Documentation Centre	2,170,174
Mauritania - Country Office	2,398,614
Occupied Palestinian Territory - Stand-Alone Office	6,343,246
Tunisia - Country Office	5,007,028
Iraq - Human Rights Component in Peace Mission	346,684
Libya - Human Rights Component in Peace Mission	450,632
Libya, Humanitarian Country Team's Work	331,271
Yemen - field presence under negotiation	407,098
Sub-total Middle East and North Africa	26,386,719
<b>Sub-total Field Presences</b>	<b>137,101,944</b>
<b>TOTAL HQ + FIELD PRESENCES</b>	<b>263,892,045</b>
<b>TRUST FUNDS</b>	
Voluntary Fund for Victims of Torture	25,696,200
Voluntary Fund for Indigenous Populations	533,878
Trust Fund on Contemporary Forms of Slavery	1,425,242
<b>TOTAL TRUST FUNDS</b>	<b>27,655,320</b>
<b>GRAND TOTAL</b>	<b>291,547,365</b>

# Funds administered by OHCHR

## OHCHR'S MAIN FUNDS FOR VOLUNTARY CONTRIBUTIONS

Voluntary contributions to support OHCHR's activities at headquarters and in the field are channelled and managed through two main funds, namely the United Nations Trust Fund for the Support of the Activities of the High Commissioner for Human Rights and the United Nations Voluntary Fund for Technical Cooperation in the field of Human Rights.

### United Nations Trust Fund for the Support of the Activities of the High Commissioner for Human Rights

The High Commissioner's Trust Fund was established in 1993 by the Secretary-General to support the substantive work of the then Centre for Human Rights, and to supplement regular budget resources. Since that time, the Fund has been a source of general funding for a wide range of OHCHR activities. It is the largest fund administered by OHCHR and is used to manage approximately 70 per cent of all extrabudgetary funds (including unearmarked funds).

### United Nations Voluntary Fund for Technical Cooperation in the field of Human Rights

The Voluntary Fund for Technical Cooperation was established in 1987 by the Secretary-General in response to resolution 1987/83 of the former Commission on Human Rights. Specifically, the Fund supports national efforts to build national human rights protection frameworks, including strong legal frameworks, effective national human rights institutions, independent judiciaries and vibrant civil society organizations. A Board of Trustees was appointed in 1993 by the Secretary-General and meets twice a year to provide administrative and operational advice to OHCHR. In recent years, the Board's advisory role has evolved to include topics such as the development of policy orientation and technical cooperation strategies at a broader programme level.

The Fund is the second largest trust fund administered by OHCHR. Activities financed through the Fund have resulted in: national-level efforts to incorporate international human rights standards into legislation, policies and practices; enhanced national capacities to adhere to these standards; strengthened policies, procedures and practices for the administration of justice; the development of human rights education programmes; the establishment of responsive national human rights institutions; the deployment of human rights advisers to UN Country Teams (UNCTs); and the development of national plans of action for the promotion and protection of human rights.

OHCHR also administers and manages the **United Nations Trust Fund for a Human Rights Education Programme in Cambodia** that was established in 1992 by the Secretary-General. The Fund serves as a financial mechanism and is financed through voluntary contributions. The objective of the Fund is to contribute to the development and implementation of a human rights education programme in Cambodia to promote the understanding of and respect for human rights.

During the biennium 2010-2011 the Fund received US\$1,009,200 in voluntary contributions.

*Estimated requirements for the 2012-2013 biennium: US\$2,703,780.*

## UNIVERSAL PERIODIC REVIEW (UPR) TRUST FUNDS

### United Nations Voluntary Fund for Participation in the UPR

*Support for the travel of 68 State representatives and 106 States benefitting from trainings*

The Trust Fund was established in 2008 by the Secretary-General pursuant to Human Rights Council (HRC) resolution 6/17 in order to facilitate the participation of countries in the UPR. The Fund was set



up as a financial mechanism to provide:

- ▶ Funding for official representatives of developing and least developed countries to travel to Geneva to present their national reports, take part in the ensuing interactive dialogue and be present for the adoption of the report in the UPR Working Group sessions.
- ▶ Funding for official representatives of developing countries that are members of the HRC but do not have a permanent mission in Geneva to travel to Geneva to act as rapporteur (i.e., member of the 'troika').
- ▶ Training for Member States in the preparation of national reports.

The Fund is financed through voluntary contributions and administered by OHCHR.

During the biennium 2010-2011, the Fund received US\$899,200 in voluntary contributions.

*Estimated requirements for the 2012-2013 biennium: US\$1,710,022.*

### **United Nations Voluntary Fund for Financial and Technical Assistance for the Implementation of the UPR**

The United Nations Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review was established in 2008 by the Secretary-General pursuant to HRC resolution 6/17. This financial mechanism was set up to provide, in partnership with multilateral funding mechanisms, financial and technical support to help countries implement recommendations issued by the UPR during the review process, in consultation with the country concerned.

In 2009, the terms of reference for this Fund were defined to provide funding for the:

- ▶ Dissemination of information on UPR outcomes to mobilize support for countries concerned and the integration of UPR outcomes into UN common country programming documents, including the United Nations Development Assistance Framework (UNDAF).
- ▶ Coordination of UN, multilateral and bilateral action in support of UPR outcomes, including conducting needs assessments and the formulation of programmes and projects aimed at implementing UPR outcomes.
- ▶ Exchange of information and sharing of best practices, including at regional and sub-regional meetings, seminars, consultations, and other interactions.
- ▶ Development of national capacity and expertise for the implementation of UPR outcomes.

- ▶ Co-funding of programmes and projects aimed at implementing UPR outcomes.
- ▶ Regular follow-up with relevant national bodies and institutions in relation to actions developed to implement UPR recommendations.

Although the first cycle of the UPR will only be completed in March 2012, a number of States have already voluntarily shared information on progress that has been achieved to date. Since the beginning of the first cycle in 2008, OHCHR has actively assisted and supported Member States with the establishment of follow-up mechanisms and other means to more effectively implement key Council recommendations and their own voluntary commitments. In accordance with HRC resolution 5/1, States will be reporting in the second cycle, inter alia, on their implementation of accepted recommendations, pledges and commitments, and any relevant human rights developments that have arisen since their initial review.

In the past two years (2010-2011), the Fund has supported over 133 project and activities in more than 50 countries through OHCHR field presences, regional offices and UNCTs.

During the biennium 2010-2011, the Fund received US\$981,900 in voluntary contributions.

*Estimated requirements for the 2012-2013 biennium: US\$1,335,282 to support further UPR activities through OHCHR regional and country offices.*

## **OTHER SUBSTANTIVE FUNDS**

OHCHR also acts as the Secretariat for three grant-making trust funds that were each established by a General Assembly (GA) resolution. These funds provide financial assistance to civil society organizations and individuals working in specific fields of human rights.

### **United Nations Voluntary Fund for Victims of Torture**

*300 projects for victims of torture funded in more than 70 countries*

The Voluntary Fund for Victims of Torture was established in 1981 by GA resolution 36/151. The Fund's Board of Trustees meets twice a year to determine its priorities, review the workings of the Fund, and award grants to organizations working to alleviate the physical and psychological effects of torture on victims and their families. In 2010-2011, with OHCHR's Secretariat support, the Fund disbursed over US\$22 million in grants to more than 300 projects around the world. The types of assistance provided by



Opening of the exhibition of artworks by victims of torture, organized by the Voluntary Fund for Victims of Torture.

Fund-supported organizations range from psychological, medical, and social assistance to legal aid and financial support.

Grants for psychological, medical and legal assistance are the most common, but recipient organizations often employ a holistic approach wherein more than one form of assistance is provided to victims. This approach has proven effective in helping victims cope with the after-effects of trauma, secure reparation and reintegrate into society. In 2010, the members of the Board of Trustees and the Secretariat of the Fund were particularly concerned by the growing gap between the requests for funds and available financial resources. In addition, an extremely limited number of applications are received each year from several of the Board's priority regions, including Central Asia and Portuguese-speaking Africa. Efforts to attract applications from organizations in these regions are underway, including allowing those in Central Asia to submit their requests in Russian.

During the biennium 2010-2011, the Fund received US\$17,425,300 in voluntary contributions.

*Estimated requirements for the 2012-2013 biennium: US\$25,696,200.*

### United Nations Voluntary Fund for Indigenous Populations

*155 grants to support indigenous participation in UN meetings and events*

The Voluntary Fund for Indigenous Populations was established in 1985 by GA resolution 40/131 to provide indigenous peoples with the opportunity to raise issues faced by their communities at the international level, and participate in the development and implementation of international standards and national legislation for the protection of their rights. Funds are distributed in the form of travel grants to enable indigenous peoples to participate in UN meetings and events.

Over the past twenty-five years, the Fund has enabled more than a thousand indigenous representatives to take part in meetings where decisions are taken that affect the lives of indigenous peoples around the world. In this context, indigenous representatives have engaged directly with representatives of governments and UN agencies, networked with other indigenous peoples and NGOs, and developed follow-up activities at the local level.

The Board of Trustees, comprised of indigenous experts, meets on an annual basis to determine priorities, review the Fund's work, approve new grants, and evaluate the impact of past grants. Due to the increasing gap between the number of grant requests and funds available, at least 90 per cent of the applications received in 2011 were rejected.

During the biennium 2010-2011, the Fund received US\$314,200 in voluntary contributions.

*Estimated requirements for the 2012-2013 biennium: US\$533,878.*

### United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

*113 grants to victims of contemporary forms of slavery in 54 countries*

The Voluntary Trust Fund on Contemporary Forms of Slavery was established by the General Assembly in 1991. The Fund distributes small grants to grassroots projects that provide humanitarian, legal, and financial aid to victims of contemporary forms of slavery. The Fund primarily focuses on projects that assist individuals who are suffering from the most severe forms of human rights violations occurring in the context of contemporary forms of slavery, including chattel slavery, debt bondage, serfdom, forced labour, trafficking in persons, sexual slavery, the worst forms of child labour, forced marriage, sale of wives, widow inheritance and other forms of exploitation.



The Voluntary Fund for Indigenous Populations supports their participation in UN meetings and events.

Since its inception, the Fund has provided support to more than 400 projects which have in turn directly assisted thousands of actual and potential victims in more than 90 countries. The distinctive value of the Fund is its ability to provide concrete assistance, including housing, legal aid, psycho-social support, food, medical care training and the development of sustainable sources of income.

The Fund is administered by the Secretary-General on the advice of a Board of five Trustees. The Fund has implemented all of the 22 recommendations made by the United Nations Office of Internal Oversight Services which have significantly increased the Board's impact and effectiveness. Coordination between the Fund and other UN bodies and mechanisms that address contemporary forms of slavery has also been enhanced. The growing gap between grant requests and available financial resources remains a source of grave concern for the Board of Trustees. As a result of funding limitations, approximately 85 per cent of the admissible applications received for 2011-2012 were rejected.

During the biennium 2010-2011, the Fund received US\$1,087,100 in voluntary contributions.

*Estimated requirements for the 2012-2013 biennium: US\$1,425,242.*

## OTHER FINANCIAL MECHANISMS

### OHCHR Contingency Fund

A Contingency Fund of US\$1 million was established under the Project on Financial Support of Rapid Response Activities to enable OHCHR to respond to human rights emergencies in a timely and adequate manner. The Fund is maintained through voluntary contributions for rapid response activities and is used by the Office to "facilitate, implement, or carry out activities within the priorities, overall strategies and policies of the Office of the High Commissioner for Human Rights, in particular in the context of the establishment of a rapid response capacity within OHCHR." The Fund has greatly increased the capacity of OHCHR headquarters to provide conceptual and operational support to unforeseen mandates or situations that require a rapid response.

During the biennium 2010-2011, the Fund received US\$1,178,600 in voluntary contributions.

### Special Fund established by the Optional Protocol to the UN Convention against Torture

The Special Fund was established under article 26 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT). The objective of the Fund is to help finance the implementation of recommendations made by the Sub-committee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) after it visits a State Party, and to help support education programmes. The OP-CAT, which entered into force in 2006, creates a two-pillar system at the international and national levels to prevent torture and other forms of ill-treatment in all places of detention. At the international level, the OP-CAT established the SPT, which became operational in February 2007. The SPT has an operational function, which enables it to visit all places of detention in State Parties, and an advisory function, which consists of providing assistance and advice to State Parties.

The call for applications for the period 2011-2012 closed on 30 November 2011. The SPT established four thematic priorities for this period, namely:

- ▶ Informing detainees about their fundamental rights in a language which they can understand.
- ▶ Improving recreational and/or vocational activities for juveniles in detention.
- ▶ Providing basic training programmes for detention personnel (with a focus on health care).
- ▶ Any other specific recommendation in the visit reports that is identified as a pressing and compelling need.

Applications may only be submitted in relation to recommendations that have been issued by the SPT in visit reports that have been published at the request of the State Party. In this context, applications may be submitted by States Parties, National Preventive Mechanisms, National Human Rights Institutions (NHRIs) operating in full compliance with the Paris Principles, and NGOs, particularly if the proposed projects are to be implemented in cooperation with State Parties and/or NPMs.

*Estimated requirements for the 2012-2013 biennium: US\$1,813,460.*





Annexes

## I. Abbreviations

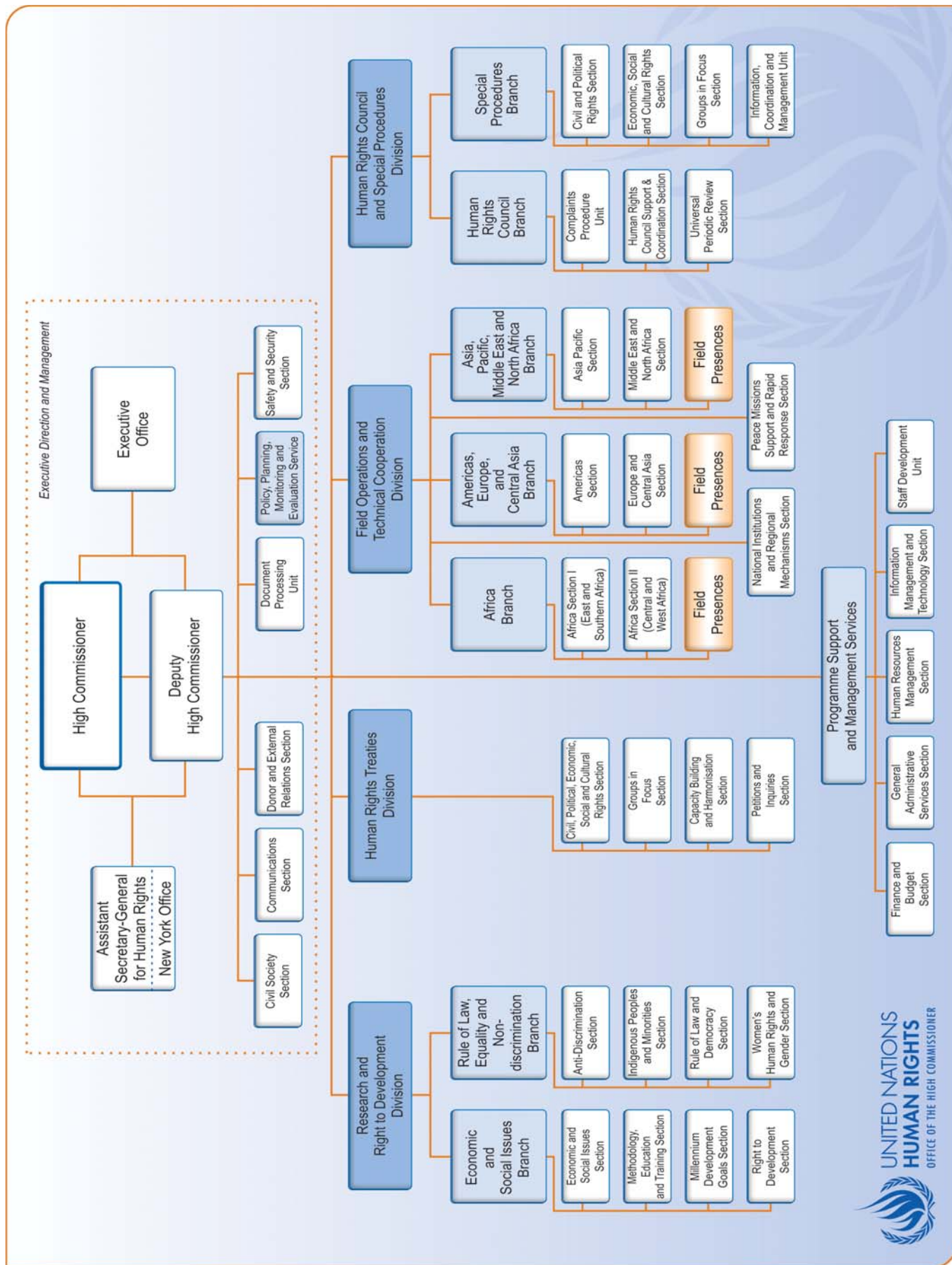
<b>ACHPR</b>	African Commission on Human and Peoples' Rights	<b>DEXREL</b>	Donor and External Relations Section
<b>AIDS</b>	Acquired Immune Deficiency Syndrome	<b>DPA</b>	Department of Political Affairs
<b>AMISOM</b>	African Union Mission in Somalia	<b>DPKO</b>	Department of Peacekeeping Operations
<b>ASEAN</b>	Association of Southeast Asian Nations	<b>DPRK</b>	Democratic People's Republic of Korea
<b>AU</b>	African Union	<b>DRC</b>	Democratic Republic of the Congo
<b>BINUB</b>	United Nations Integrated Office in Burundi	<b>EA</b>	Expected Accomplishment
<b>BNUB</b>	United Nations Office in Burundi	<b>EAC</b>	East African Community
<b>BINUCA</b>	United Nations Integrated Peace-Building Office - Central African Republic	<b>ECHA</b>	Executive Committees on Humanitarian Affairs
<b>BONUCA</b>	United Nations Peace-Building Office - Central African Republic	<b>ECHR</b>	European Convention on Human Rights
<b>CAP</b>	Consolidated Appeals Process	<b>ECOWAS</b>	Economic Community of West African States
<b>CAR</b>	Central African Republic	<b>ECPS</b>	Executive Committee on Peace and Security
<b>CAT</b>	Committee against Torture Convention against Torture and other Cruel, Inhuman or Degrading Treatment	<b>ECESA</b>	Executive Committee on Economic and Social Affairs
<b>CCA</b>	Common Country Assessment	<b>EDM</b>	Executive Direction and Management
<b>CCPR</b>	Human Rights Committee	<b>EPAS</b>	Electronic performance appraisal system
<b>CED</b>	Committee on Enforced Disappearances	<b>ESCRs</b>	Economic, social and cultural rights
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women Committee on the Elimination of Discrimination against Women	<b>EU</b>	European Union
<b>CERD</b>	Committee on the Elimination of Racial Discrimination	<b>FGM</b>	Female genital mutilation
<b>CESCR</b>	Committee on Economic, Social and Cultural Rights	<b>FOTCD</b>	Field Operations and Technical Cooperation Division
<b>CMW</b>	Committee on Migrant Workers	<b>GA</b>	General Assembly
<b>CoE</b>	Council of Europe	<b>GDP</b>	Gross Domestic Product
<b>CPED</b>	International Convention for the Protection of All Persons from Enforced Disappearance	<b>GMG</b>	Global Migration Group
<b>CRC</b>	Committee on the Rights of the Child Convention on the Rights of the Child	<b>GMO</b>	Global Management Output
<b>CRPD</b>	Committee on the Rights of Persons with Disabilities Convention on the Rights of Persons with Disabilities	<b>HIV</b>	Human Immunodeficiency Virus
<b>CTITF</b>	Counter-Terrorism Implementation Task Force	<b>HRA</b>	Human Rights Adviser
<b>CW</b>	Commonwealth of Nations	<b>HRC</b>	Human Rights Council
		<b>HRCSPD</b>	Human Rights Council and Special Procedures Division
		<b>HRM</b>	Human Rights Mainstreaming Mechanism (of the UN Development Group)
		<b>HRDDP</b>	Human Rights and Due Diligence Policy
		<b>HRTD</b>	Human Rights Treaties Division
		<b>ICRC</b>	International Committee of the Red Cross
		<b>IACHR</b>	Inter-American Commission on Human Rights
		<b>IASC</b>	Inter-Agency Standing Committee

<b>ICAT</b>	Inter-Agency Coordination Group against Trafficking in Persons	<b>MONUSCO</b>	United Nations Organization Stabilization Mission in the Democratic Republic of Congo
<b>ICC</b>	International Criminal Court	<b>NAP</b>	National action plan
<b>ICCPR</b>	International Covenant on Civil and Political Rights	<b>NEPAD</b>	New Partnership for Africa's Development
<b>ICCPR-OP1</b>	Optional Protocol to the International Covenant on Civil and Political Rights	<b>NIRMS</b>	National Institutions and Regional Mechanisms Section
<b>ICCPR-OP2</b>	Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty	<b>NYO</b>	OHCHR's Office in New York
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination	<b>NGO</b>	Non-governmental organization
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights	<b>NHRAP</b>	National human rights action plan
<b>ICGLR</b>	International Conference on the Great Lakes Region	<b>NHRI</b>	National human rights institution
<b>ICRMW</b>	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	<b>NPHRE</b>	National Plan on Human Rights Education
<b>IDP</b>	Internally Displaced Person	<b>NPM</b>	National Prevention Mechanism
<b>IHL</b>	International Humanitarian Law	<b>OAS</b>	Organization of American States
<b>ILO</b>	International Labour Organization	<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>IMDIS</b>	UN Integrated Monitoring and Documentation Information System	<b>OEP</b>	Organizational Effectiveness Programme
<b>IOC</b>	Indian Ocean Commission	<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>IOM</b>	International Organization for Migration	<b>OIC</b>	Organization of the Islamic Cooperation
<b>IMTF</b>	Integrated Mission Task Force	<b>OIF</b>	International Organization of the Francophonie
<b>ISF</b>	Integrated Strategic Framework	<b>OIOS</b>	United Nations Office of Internal Oversight Services
<b>ITF</b>	Integrated Task Force	<b>OMP</b>	OHCHR Management Plan
<b>JPS</b>	Joint Protection Teams	<b>ONU CI</b>	United Nations Operation in Côte D'Ivoire
<b>LAS</b>	League of Arab States	<b>OP-CAT</b>	Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
<b>LGBT</b>	Lesbian, Gay, Bisexual and Transgender	<b>OP-CEDAW</b>	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
<b>LRA</b>	Lord's Resistance Army	<b>OP-CRC-AC</b>	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
<b>MDGs</b>	Millennium Development Goals	<b>OP-CRC-SC</b>	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
<b>MERCOSUR</b>	Mercado Común del Sur - Common Southern Market	<b>OP-CRPD</b>	Optional Protocol to the Convention of the Rights of People with Disabilities
<b>MINUCI</b>	United Nations Mission in Côte D'Ivoire		
<b>MINURCAT</b>	United Nations Mission in the Central African Republic and Chad		
<b>MINUSTAH</b>	United Nations Stabilization Mission in Haiti		

<b>OP-ICESCR</b>	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	<b>UNAMID</b>	African Union/United Nations Hybrid Operation in Darfur
<b>OPT</b>	Occupied Palestinian Territories	<b>UNASUR</b>	Unión de Naciones Suramericanas - Union of South American Nations
<b>OSCE</b>	Organization for Security and Cooperation in Europe	<b>UNCT</b>	United Nations Country Team
<b>PBC</b>	Peace-Building Commission	<b>UNDAF</b>	United Nations Development Assistance Framework
<b>PBF</b>	Peace-Building Fund	<b>UNDG</b>	United Nations Development Group
<b>PBRB</b>	Programme and Budget Review Board	<b>UNDP</b>	United Nations Development Programme
<b>PNG</b>	Papua New Guinea	<b>UNDPi</b>	United Nations Department of Public Information
<b>PPMES</b>	Policy, Planning, Monitoring and Evaluation Service	<b>UNECA</b>	United Nations Economic Commission for Africa
<b>PRSP</b>	Poverty Reduction Strategy Papers	<b>UNESCAP</b>	United Nations Economic and Social Commission for Asia and the Pacific
<b>PSMS</b>	Programme Support and Management Services	<b>UNFPA</b>	United Nations Population Fund
<b>R2P</b>	Responsibility to Protect	<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>RBM</b>	Results-based management	<b>UNICEF</b>	United Nations Children's Fund
<b>RoLCRG</b>	Rule of Law Coordination and Resource Group	<b>UNIOGBIS</b>	United Nations Integrated Peace-Building Office in Guinea-Bissau
<b>RRDD</b>	Research and Right to Development Division	<b>UNIPFF</b>	United Nations Indigenous Peoples Partnership
<b>SADC</b>	Southern African Development Community	<b>UNIPSIL</b>	United Nations Integrated Peace-Building Office in Sierra Leone
<b>SC</b>	Security Council	<b>UNMIK</b>	United Nations Mission in Kosovo
<b>SICA</b>	Central-American Integration System	<b>UNMIL</b>	United Nations Mission in Liberia
<b>SG</b>	Secretary-General	<b>UNMIS</b>	United Nations Mission in Sudan
<b>SGBV</b>	Sexual and gender-based violence	<b>UNMISS</b>	United Nations Mission in South Sudan
<b>SMP</b>	Strategic Management Plan	<b>UNMIT</b>	United Nations Integrated Mission in Timor-Leste
<b>SMT</b>	Senior Management Team	<b>UNOCI</b>	United Nations Operation in Côte D'Ivoire
<b>SPT</b>	The Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	<b>UNOG</b>	United Nations Office at Geneva
<b>SRSB</b>	Special Representative of the Secretary-General	<b>UNOGBIS</b>	United Nations Peace-Building Office in Guinea-Bissau
<b>SWAP</b>	United Nations System-Wide Action Plan on Gender Equality and the Empowerment of Women	<b>UNOWA</b>	United Nations Office for West Africa
<b>TNC</b>	Transnational corporation	<b>UNPOS</b>	United Nations Political Office for Somalia
<b>UDHR</b>	Universal Declaration of Human Rights	<b>UNSMIL</b>	United Nations Support Mission in Libya
<b>UNAMA</b>	United Nations Assistance Mission in Afghanistan	<b>UPR</b>	Universal Periodic Review
<b>UNAMI</b>	United Nations Assistance Mission in Iraq	<b>WHO</b>	World Health Organization



# II. OHCHR organizational chart



### III. Table on treaty bodies functions

Treaty Body	Number of States Parties	Number of weeks in session annually	Periodicity of obligation to report
Committee on Economic, Social and Cultural Rights	160	8	5 years
Human Rights Committee	167	12	3, 4 or 5 years as per Committee's decision
Committee on the Elimination of Racial Discrimination	175	8	2 years
Committee on the Elimination of Discrimination against Women	187	14	4 years
Committee on the Rights of the Child	193 OP-AC 143 OP-SC 151	12	5 years
Committee Against Torture	149	8	4 years
Subcommittee on Prevention of Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment	61	3	N/A
Committee on Migrant Workers	45	3	5 years
Committee on the Rights of Persons with Disabilities	108	3	4 years
Committee on Enforced Disappearances	30	2	As per Committee's decision

Functions		
Reviews reports and issues recommendations of States Parties	Considers individual complaints	Conducts visits to countries
Articles 16-17 Number of reports examined per year: 10 Number of reports pending examination: 44 (estimated backlog of over four years)	Optional Protocol (not yet entered into force)	Article 11 Optional Protocol Confidential inquiries on systematic violations (not yet entered into force)
Article 40 Number of reports examined per year: 15 Number of reports pending examination: 25 (estimated backlog of nearly two years)	Optional Protocol Number of registered communications pending examination: 340 Average time between registration and final decision on merits: 3½ years	No
Article 9 Number of reports examined per year: 24 Number of reports pending examination: 16 (estimated backlog of less than a year)	Article 14 Number of registered communications pending examination: 3 Average time between registration and final decision on merits: 1½ years	No
Article 18 Number of reports examined per year: 24 Number of reports pending examination: 48 (estimated backlog of two years)	Optional Protocol Number of registered communications pending examination: 10 Average time between registration and final decision on merits: 2 years	Articles 8-10 Optional Protocol Confidential inquiries on systematic violations
Article 44 Number of reports examined per year: 30 (including OPAC and OPSC reports) Number of reports pending examination: 99 (including OPAC/OPSC reports) (estimated backlog of over three years)	Optional Protocol (not yet entered into force)	Articles 13-14 Optional Protocol Confidential inquiries on systematic violations (not yet entered into force)
Articles 19-20 Number of reports examined per year: 14 Number of reports pending examination: 20 (estimated backlog of nearly two years)	Article 22 Number of registered communications pending examination: 100 Average time between registration and final decision on merits: 2½ years	Article 20 Confidential inquiries on systematic violations
N/A	N/A	Articles 11-16 Subcommittee visits places of deprivation of liberty and communicates its recommendations by confidential report
Articles 73-74 Number of reports examined per year: 4 Number of reports pending examination: 6 (estimated backlog of 1½ years)	Article 77 (not yet entered into force)	No
Articles 35-36 Number of reports examined per year: 4 Number of reports pending examination: 23 (estimated backlog of nearly six years)	Optional Protocol Number of registered communications pending examination: 5 Average time between registration and final decision: N/A (Committee has yet to adopt its first decision)	Article 6 Optional Protocol Confidential inquiries on systematic violations
Article 29 Number of reports examined per year: to be determined Number of reports pending examination: 0	Article 31	Article 33 Visit on serious violations

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