

Impunity and the rule of law

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


Background

Through the adoption of the Declaration of the High-level Meeting on the Rule of Law at the National and International Levels on 24 September 2012, all Member States reaffirmed their commitment to the purposes and principles of the Charter of the United Nations, international law and justice and an international order based on the rule of law. The Declaration stressed that these are indispensable foundations for a more peaceful, prosperous and just world and emphasized the interlinked and mutually reinforcing nature of human rights, the rule of law and democracy.

Events around the world in 2012-2013 provided stark reminders of how the absence of the rule of law can lead to violations of civil, political, economic, social and cultural rights, as well as to oppressive rule and conflict. Tragic developments in the Central African Republic, Mali and the Syrian Arab Republic, in particular, highlighted the fundamental importance of human rights protection, including through the promotion, preservation of and respect for the rule of law. They also demonstrated the essential need for UN engagement to strengthen the effective protection of human rights and the rule of law.

Democratic societies founded on the rule of law and strong, accountable institutions, as well as transparent and inclusive decision-making processes, are more likely to provide effective protection of human rights. Impunity allows gross human rights violations to thrive. It undermines the fabric of societies and prevents the development of sustainable peace and reconciliation.



A portrait of a Black woman with short, dark, braided hair, looking directly at the camera with a serious expression. She is wearing a maroon top with gold-colored embroidery on the collar and large, gold-colored, geometric earrings. She is holding a large, white rectangular sign in front of her chest with both hands. The sign has the word "JUSTICE" written on it in a large, bold, black, serif font. The background is a solid, dark brown color.

JUSTICE

Establishing effective mechanisms to ensure that perpetrators of human rights violations do not go unpunished is a key step in the restoration or preservation of the rule of law in the aftermath of conflict or authoritarian regimes. It is also critical that effective and adequate redress and remedies for victims be at the centre of any accountability mechanism.

Transitional justice processes compliant with international norms and standards are vital to addressing the consequences of conflict or repressive rule. Rooted in the rights to justice, truth, reparations and guarantees of non-recurrence, transitional justice mechanisms can provide a comprehensive approach to help ensure accountability for past human rights violations and redress for victims.

OHCHR's role

Within the UN system, OHCHR consistently plays a leading role in encouraging respect for the rule of law and democracy, in particular through its focus on combating impunity and strengthening accountability. The key areas of the Office's impunity strategy include: supporting transitional justice processes; ensuring access to justice for individuals and groups facing discrimination; enhancing the framework for accountability for human rights violations, in full consideration of the specific needs of victims; increasing human rights protection and improving the administration of justice, including in the context of counter-terrorism; and ensuring that national legislation is in conformity with international human rights norms and standards.

In implementing its impunity strategy, OHCHR devotes particular attention to supporting national capacities to strengthen the rule of law and accountability and combat impunity, including through the development of practical guidance tools (i.e., the *Secretary-General's Guidance Note on the United Nations Approach to Transitional Justice*). Through its field presences, the Office has developed the capacity to work in close cooperation with States and all other stakeholders, including national human rights institutions (NHRIs), providing technical assistance, capacity-strengthening activities and advisory services to assist duty-bearers to implement the provisions of international human rights instruments and recommendations issued by the human rights mechanisms. Moreover, the Office contributes to strengthening the rule of law and combating impunity through monitoring, documenting and reporting on human rights violations.



OHCHR staff monitor the trial of the former President of Guatemala, Efraín Ríos Montt, March 2013.

At the global level, OHCHR supports the development of relevant international norms and standards and promotes good practices. It also supports human rights mechanisms in their efforts to enhance the legal protection of human rights and accountability. Furthermore, OHCHR is actively involved in the Rule of Law Coordination Resource Group (RoLCRG), led by the Deputy Secretary-General, and the activities of the Global Focal Point on Justice, Police and Corrections, which was established in 2012 by the Secretary-General.

National laws, policies and institutions (EA 1)

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

Constitution-making and constitutional courts

In 2012-2013, OHCHR provided advice and assistance in the drafting of new constitutions by advocating for the inclusion of provisions to strengthen human rights and to bring national constitutions in line with international norms and standards in a number of countries, including Egypt, Fiji, Libya, Somalia and Tunisia. For instance, in Somalia, the Human Rights Unit of the United Nations Political Office for Somalia (UNPOS)

cooperated with the Ministry of Constitutional Affairs and Reconciliation to provide support and advice on human rights issues to the governmental bodies tasked with developing the draft constitution.

In Tunisia, the National Constituent Assembly's (NCA) Constitution Commission published a final draft of the Constitution at the end of 2013. The Constitution was adopted in January 2014. The Office assumed a leading role within the United Nations Country Team (UNCT) and provided the NCA Speaker and Consensus Commission with extensive comments and recommendations on the various drafts and strongly advocated for the inclusion of human rights. The final draft incorporated provisions on national institutions and bodies related to elections, justice, human rights and the media and guaranteed their constitutional protection according to international standards.

OHCHR also continued to work with constitutional courts and advocated for the application of human rights standards in national decisions. For instance, at the request of the Constitutional Court in Colombia, OHCHR presented its observations on a proposed constitutional reform that would expand the scope of military justice. Through an analysis of applicable international human rights and humanitarian law norms, including jurisprudence developed by the Inter-American Human Rights Court and decisions handed down by the UN Human Rights Committee, the Office indicated that the proposed constitutional reform was in violation of Colombia's human rights obligations. The Court issued its final decision

in August 2013 and resolved to strike down the constitutional reform on procedural grounds.

In Guatemala, OHCHR organized high-level meetings with members of the Constitutional Court and international experts. In line with the international standards discussed at these meetings, the Court developed the doctrines of "constitutional block" which allows for the constitutional protection of rights that are not expressly affirmed in the Constitution and "conventionality control" which seeks to harmonize domestic legislation and government acts with international standards and jurisprudence. Moreover, with the support of OHCHR, the Constitutional Court published an online thematic database in 2012 of international standards and recommendations emanating from human rights mechanisms.

Compliance of national legislation and policies with human rights

Torture

In Uganda, in cooperation with the Uganda Human Rights Commission (UHRC) and civil society organizations in the framework of the Coalition against Torture, OHCHR analysed draft legislation on the prevention and prohibition of torture and undertook advocacy in Parliament. The resulting Prevention and Prohibition of Torture Act, adopted in 2012, is coherent with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).



Demonstrators advocating for the end of torture during Human Rights Day celebrations in Somalia.



The High Commissioner participates in a meeting organized by the UN Counter-Terrorism Implementation Task Force Office in partnership with the Government of Switzerland, June 2013.

In Afghanistan, following a report published by the Human Rights Unit of the United Nations Assistance Mission in Afghanistan (UNAMA), entitled *Treatment of conflict-related detainees in Afghan custody*:

One year on, the President established a fact-finding presidential delegation to investigate the allegations of torture and ill-treatment reflected in the report. The President endorsed the recommendations of the delegation and subsequently issued Presidential Decree No. 129, ordering several State authorities to investigate allegations of torture, prosecute alleged perpetrators, release detainees and prisoners held in arbitrary detention and ensure their access to defence lawyers and medical personnel.

In Paraguay, OHCHR advocated for the revision of legislation on torture and provided technical advice, including through trainings, workshops and publications. These initiatives were undertaken with the UN Subcommittee on Prevention of Torture (SPT), the Human Rights Committee, UN partners and other international experts. The Parliament subsequently approved the legislative changes, which included a definition of torture in compliance with international standards.

Death penalty

During the biennium, OHCHR continued to advocate for the abolition of the death penalty. In June 2012, OHCHR held a global event in New York on moving away from the death penalty, focusing on lessons learned from national experiences. In June 2013, the Office organized a similar high-level event highlighting the increasing number of wrongful convictions in death penalty cases, with a particular focus on the worldwide failure of judicial reviews to find errors in death penalty cases. At the 5th World

Congress against the Death Penalty in June 2013, the High Commissioner urged all States that apply the death penalty to impose a moratorium.

In 2012, Singapore abolished the mandatory imposition of the death penalty, the President of Myanmar commuted 150 death sentences and the Government of Thailand prohibited the use of shackles on death row prisoners. In October 2013, in cooperation with the Ministry of Justice of Thailand, OHCHR organized a regional expert meeting on moving away from the death penalty in South-East Asia. At the meeting, the Ministry of Justice announced that the Government would soon propose legislation to abolish the death penalty.

Pending abolition of the death penalty, OHCHR has advised retentionist States, including Bahrain, Bangladesh, Egypt, India, Indonesia, Iran, Iraq, Japan, Libya, Maldives, Nigeria, Papua New Guinea, Pakistan, the State of Palestine, Saudi Arabia, Singapore, Somalia, South Sudan, United States of America and Viet Nam, on the implementation of international standards guaranteeing the protection of the rights of those facing the death penalty and on the establishment of a moratorium pursuant to respective General Assembly resolutions. These processes have, for example, contributed to the reintroduction of a moratorium on the death penalty in Pakistan.

Security and counter-terrorism

The High Commissioner continued to raise concerns regarding the adoption and implementation of broadly formulated national counter-terrorism legislation and the abusive use of counter-terrorism legislation by authorities to curb otherwise

legitimate activity. Serious human rights violations in the counter-terrorism context, as well as the failure of many States to ensure accountability for past violations, including torture and involvement in renditions, were addressed by the Office through advocacy undertaken at headquarters and in the field.

Moreover, OHCHR supported efforts by States, as part of an holistic and effective counter-terrorism strategy, to ratify and implement all international human rights treaties. As Chair of the Counter-Terrorism Implementation Task Force (CTITF) Working Group on Protecting Human Rights while Countering Terrorism, OHCHR developed a series of practical human rights reference guides on security infrastructure and the stopping and searching of persons. Further guides are under development on the conformity of national counter-terrorism legislation with international human rights law, detention, the proscription of organizations and the right to a fair trial and due process in the context of countering terrorism. Together with the CTITF Office, OHCHR conducted a series of regional expert workshops on the latter issue. Technical assistance was provided by OHCHR, in cooperation with various partners, to States and other stakeholders in the Middle East, North Africa and the Sahel and in South Asia on the development and implementation of human rights-compliant counter-terrorism legislation and other security-related policies and practices.

Peaceful assembly and association

In Uganda, OHCHR cooperated with the Uganda Human Rights Commission and civil society organizations to provide legal analysis and advice concerning the Public Order Management Act adopted in 2013. The text consequently incorporates provisions that reflect human rights standards on freedom of peaceful assembly and association. OHCHR has identified a number of remaining concerns to be raised with the police, with a view to ensuring they are addressed through related regulations and standards of procedure.

Human rights defenders and journalists

In several countries, OHCHR provided support to the development and implementation of legislation and policies aimed at protecting human rights defenders and journalists. For instance, in Mexico, OHCHR provided extensive technical advice on the drafting of the Law for the Protection of Human Rights Defenders and Journalists, which entered into force in June 2012. The Law creates a National Mechanism that provides protective measures to guarantee the life, integrity, security and freedom

of human rights defenders and journalists. As of November 2013, the National Mechanism had received 98 requests for protective measures, yet had only reviewed and approved measures in 32 cases. OHCHR will continue to provide technical advice and trainings to the National Mechanism, in particular concerning the analysis of risk and protection plans.

In Guinea-Bissau, a National Human Rights Defenders Network was established in 2013 with the support of OHCHR. The Network aims to reinforce the protection of human rights defenders and mitigate the risks to which they are exposed. In Honduras, a bill was drafted related to the creation of a protection mechanism for human rights defenders and journalists. OHCHR provided comments to ensure the compliance of the text with relevant international human rights standards.

Human rights action plans

Also in Honduras, the Executive Branch approved the first National Action Plan on Human Rights, which is based on international human rights norms and standards and the recommendations issued by treaty bodies and special procedures. OHCHR supported the Ministry of Justice and Human Rights by providing advice and technical support in drafting the Plan. To facilitate the implementation of the Plan, OHCHR convened workshops for representatives of various ministries to ensure its inclusion in their annual work plans for 2014.

In Paraguay, the National Human Rights Action Plan (NHRAP) was adopted. OHCHR assisted the authorities with the drafting through workshops, trainings, seminars and awareness-raising activities. OHCHR promoted the application of a



The OHCHR Representative in Mexico presents the Human Rights Defenders Report 2013 in Mexico.

participative methodology for the design of public policies, such as the NHRAP, which facilitated an unprecedented level of participation by marginalized and discriminated groups and provided them with an opportunity to influence decision-making processes. OHCHR also contributed to the exchange of experiences between Indonesia, Malaysia and Thailand on the development of national human rights action plans. Following the suggestion of OHCHR, Malaysian officials visited Thailand to learn from their experience in developing a plan.

Strengthening human rights compliance by judicial and law enforcement institutions

In all regions, OHCHR provided human rights training and technical assistance to the judiciary, prosecutors, lawyers, police and other security forces, including military forces, to enhance their awareness of and compliance with international human rights standards. For instance, with the support of OHCHR, judicial academies in Chile, the Dominican Republic and Peru incorporated human rights trainings in their curricula. In Kenya, OHCHR support ensured that the 2013-2016 Judiciary Transformation Framework incorporated capacity-building of judges to ensure that they apply international human rights standards in their decisions, particularly in the area of economic, social and cultural rights.

In Guatemala, as a result of OHCHR monitoring, technical assistance and training, the Attorney General's Office, the judiciary and the Constitutional Court have increasingly applied international human rights norms and standards in legal proceedings and court decisions, including in transitional justice cases and cases relating to the rights of indigenous peoples. In Bolivia, the capacity of the Judicial Council to comply with international standards on judicial independence was strengthened through a revision of the "rules of the judicial career" and through technical assistance provided regarding the implementation of the disciplinary rules and monitoring the quality of the process.

The Georgian Bar Association developed a human rights course for its training centre. OHCHR supported this by conducting trainings and translating into Georgian the *OHCHR Facilitators Guide* and the OHCHR training series manual on *Human Rights in the Administration of Justice*.

In Haiti, the Police Academy incorporated human rights into the curriculum of its basic training programme. OHCHR contributed by training a group

of trainers in charge of delivering the human rights module and producing short videos as teaching aids. In Timor-Leste, in 2013, 248 new police recruits received training on international human rights standards by the Provedoria for Human Rights and Justice. OHCHR supported the training programme through six training sessions on human rights, including the human rights legal framework related to the use of force, arrest and detention and women's and children's rights, and by providing training materials.

In Tunisia, the Minister of Interior finalized the Code of Conduct of Human Rights and Law Enforcement in February 2014. OHCHR provided technical assistance in the drafting of the Code. Since 2011, approximately 7,000 law enforcement officials have been trained on relevant human rights norms and standards by OHCHR. This has contributed to improving the trust of civil society in the security services.

In Uganda, the number of civilians who are being tried by court martial has decreased. OHCHR contributed to this result through direct advocacy with the Uganda People's Defence Force (UPDF) Division Court. The Office conducted routine monitoring of court martial proceedings, inspected military detention facilities and undertook advocacy with both the UPDF and the Uganda Police Force for the transfer of cases of civilians being held in military detention to civilian courts. In Nigeria, the capacity of the justice sector to deal with terrorism cases in compliance with international human rights standards was enhanced. In October 2012, the United Nations and the Commonwealth jointly organized a training programme for judges of the High Court of Nigeria and other officials. Through its participation, OHCHR ensured that human rights considerations were fully addressed in the training sessions.

Prisons and other detention facilities

As a result of monitoring, advocacy and technical support provided by OHCHR and other partners, the conditions and the treatment of prisoners in detention facilities have improved in several countries. For instance, in Puntland, Somalia, OHCHR monitored prisons and provided training and advisory services to local government officials, including prosecutors, judges, prison and correction officials, regarding compliance with international human rights and humanitarian law standards. In Somaliland, OHCHR contributed to a research programme on prisons and the publication of the outcome for government use. It also supported the revision of the Prisons Act.

In Cambodia, the General Department of Prisons adopted a strategic plan for 2014-2018, which provides a framework for prison management and the treatment of prisoners, and is more compliant with international human rights norms and standards. Since 2012, OHCHR actively engaged with the Department, including by submitting detailed comments on the draft plan and facilitating a consultative process during the drafting phase.

Moreover, cooperation between the police, courts and prisons improved in several provinces. OHCHR supported this by providing technical advice and participating in numerous meetings among various actors across the country.

In Togo, OHCHR funded two Criminal Court sessions in Lomé and Kara which helped resolve the excessive pre-trial detention of 70 detainees in

Finally released after being acquitted for the second time

At the end of 2009, the Court of Appeal in Cambodia had a backlog of nearly 3,400 pending cases, both civil and criminal. The Court did not have enough judges, clerks or space to effectively address the situation. Since 2007, improved case management and a more efficient use of the Court's resources prevented the backlog from increasing. Yet, even with these positive changes, calculations demonstrated that if the Court continued hearing cases at the same pace, it could take up to nine years to clear the backlog. Efforts undertaken by OHCHR and the Court led to the raising of funds for a new building, additional office and court space and more equipment, thereby making it possible to accommodate more judges and clerks. A database was also introduced to manage new cases. OHCHR continued to seek other ways to assist the Court in yielding improved results and respect for human rights by the justice system.

Of particular concern is the backlog of criminal appeals, primarily relating to those persons who are being detained. When a prisoner is awaiting sentencing, prisons cannot fully implement the sentence, prisoners cannot apply for sentence reduction, parole or a pardon and release procedures are hampered. Long delays related to a pending appeal negatively impact on the rights of a prisoner. The right to appeal becomes meaningless when prisoners with pending appeals remain in detention for the same

length of time as, or longer than, their first instance sentence. Long delays further affect their right to a fair trial as evidence can get lost, witnesses may die or can no longer be traced and memories about the event may fade. Finally, according to the Cambodia Code of Criminal Procedure, where prosecutors have initiated an appeal, prisoners must remain in detention until the Court of Appeal has decided on their case, including where the individual has been acquitted by the court of first instance, turning the presumption of innocence into a presumption of guilt.

With these concerns in mind, OHCHR supported the General Department of Prisons in carrying out a nationwide census of prisoners awaiting appeal in 2011. The census revealed that there were many prisoners across the country who had been awaiting an appeal for several years, some of whom had been waiting for up to 10 years, as well as tens of prisoners who had been acquitted in a court of first instance. OHCHR helped to process the census data and identify a number of priority appeal cases, which the Office shared with the relevant justice institutions. These cases typically included long-pending cases and appeals initiated by the prosecutor. OHCHR provided funding to two legal aid NGOs to enable them to offer legal assistance to the priority cases identified. One of these cases involved a young man named Makara.*

Makara was arrested and detained in October 2008 on a charge of murder. Following a trial in 2009, he was acquitted. The prosecution appealed and, as is the practice in Cambodia, Makara had to remain in detention until the appeal was decided. He felt betrayed by the justice system and was stressed because he knew he would have to spend a longer period of time in detention.

Before his arrest, he had worked as a fisherman with his father to provide for his parents and three siblings. He had no idea what a lawyer was or how one could help him with his case. The lawyer provided by one of the OHCHR-supported NGOs successfully re-investigated the case and provided witnesses to help prove his innocence. In late December 2012, the Court of Appeal upheld the decision of the court of first instance and acquitted Makara. On 15 January 2013, Makara walked out of prison a free man. His first comments were moving:

"My head feels dizzy being a free man. I have never been to Phnom Penh and it is so busy. It is strange to be free and out of my cell. There has been so much change." He spent an unnecessary four years in prison only to be acquitted a second time.

* Name has been modified to protect the identity of the individual.

several cases. Following the joint advocacy effort of the *Atlas of torture* project, which was implemented by a team led by a former Special Rapporteur on torture and OHCHR, the Council of Ministers adopted a decision to reduce the number of pre-trial detainees by 50 per cent by the end of 2012. As a result, 421 detainees were released in 2012 and another 562 in early 2013.

With a view to ensuring better protection for the human rights of all persons deprived of their liberty, OHCHR continued to contribute to the process of revising the Standard Minimum Rules for the Treatment of Prisoners, which was led by the United Nations Office on Drugs and Crime (UNODC).

Fair trial indicators

OHCHR continued to support the elaboration of indicators for evaluating the advances and impact of public policies on human rights. In Mexico, the OHCHR indicators framework was formally adopted by 32 local level judicial powers and the Tribunal of Justice of Mexico City produced



OHCHR staff monitoring a detention centre in Senegal.

two new volumes of data on fair trial indicators. The Prosecutor's Office of Mexico City also undertook a participative process and formally adopted a set of fair trial indicators. Building on the positive experiences in Mexico, OHCHR initiated and supported similar processes in four Latin American countries. The results of these processes

Monitoring centres of detention

My name is Thierry del Prado and I work in the Special Procedures Branch of OHCHR.

When I was 18 my grandmother told me the story of her parents during World War II in occupied France. I learned that my great-grandparents were arrested, stripped of their citizenship and deported to Auschwitz because they were Jewish. This personal story about the Shoah led me to pursue a law degree to get the necessary training and tools to effectively fight racism, anti-Semitism and any other kind of discrimination.

In my work with OHCHR, I have undertaken a range of human rights work which has showed me the difference we can make as well as the enormous task the Office still faces in realising human rights. I have visited detention centres and witnessed testimonies from prisoners throughout the world, in

developed as well as poor countries, in established democracies as well as in countries which struggle with the rule of law. No matter the conditions of detention and the reasons for it, we were often told by the prisoners that we were the only ones who would come and visit them inside their cells, not even their lawyers, families or NHRIs were able to do so.

On the topic of immigration, I witnessed a situation of unaccompanied children being deported back to their countries of origin because of their irregular status and helped ensure that it was undertaken according to international human rights standards. On a mission to Somalia, where the 20-year internal conflict had left the country in a very difficult context, I worked with persons who relentlessly pursued the goal of restoring peace and promoting human rights, despite the

security environment and material conditions.

A typical day for me at OHCHR involves responding to numerous allegations of alleged human rights violations. I undertake country visits together with special procedures mandate-holders, which require extensive substantive and logistical preparations. I also carry out extensive research for the thematic reports which are submitted to the Human Rights Council and General Assembly.

What inspires me is the fact that we can make a difference in peoples' lives. At OHCHR, we have set high standards for ourselves to deliver quality and timely outputs. With a clear vision and direction we are able to fulfil our mission, but for this we need stable and increased resources.

Unlawful detention in Yemen

Thirteen years ago, a 45-year old farmer named Aymen* was sentenced to amputation of his right hand for allegedly stealing a car. The Criminal Investigation Department Officers obtained his confession through the use of excessively violent methods. While the imposition of a sentence of amputation remains sanctioned by law in Yemen, it has not been carried out since 1991. In this case, the amputation was not undertaken and Aymen was held in detention from 2000 until 2013. Five years after he was first detained, his wife requested a divorce, his son was placed in an orphanage and his daughter was placed in the custody of an aunt in a distant village.

OHCHR raised its concerns about the case with the Prosecutor-General and the Prime Minister in May 2013. The advocacy efforts resulted in a presidential decision ordering the release of Aymen in June 2013. He is now looking for a job and would like to get his children back.

There are approximately 12 similar cases in Yemen and OHCHR is actively following up on them with the authorities.

* Name has been modified to protect the identity of the individual.

are summarized in an OHCHR publication, entitled *Generating Human Rights Indicators: Regional experiences*, which has been widely presented in international fora in the Americas and Europe.

OHCHR co-chaired an interdepartmental process to evaluate the implementation phase of the UN Rule of Law Indicators Project; the UN's largest rule of law project. This process included a review of implementation in Haiti, Liberia and South Sudan, taking stock of the major challenges in gathering and analysing data relating to the reform of prisons, the police and the judicial system. The outcome identified the way forward to better assist Member States in the use of indicators to measure change from the perspectives of accountability, integrity and performance.

Human rights education

Human rights education is fundamental to contributing to the long-term prevention of human rights abuses and the establishment and strengthening of the rule of law and democracy by ensuring that all stakeholders, including civil society, are equipped with human rights knowledge and skills to enable them to better contribute to human rights protection.

Throughout 2013, OHCHR carried out or supported a vast array of human rights education, training and public information activities. At Laikipia University in Kenya, a new mandatory human rights course was launched for all undergraduate students. At Bolivia's Plurinational School of Administration, a new master's programme was established for civil servants to educate them, among others, on the prevention of discrimination and the adoption of inclusive approaches to public sector work. In Côte d'Ivoire, the technical and financial support provided by the Human Rights Division of the United Nations Operation in Côte d'Ivoire (UNOCI) to the Government, through the Ministry of Education, contributed to the addition of a course on *Human Rights and Civic Education* to the school curricula. Seven pilot human rights clubs were successfully set up in several basic education schools in Tunisia as a result of the close collaboration between OHCHR, other UN agencies and the Arab Institute for Human Rights. The clubs increase the students' sensitivity and understanding of human rights principles, concepts and frameworks through a participatory approach.

During the biennium, OHCHR cooperated with two NGOs to produce a documentary film,



Legal advice offered by OHCHR staff to detainees in a women's detention centre.

New human rights education programme in Kenya

The Laikipia University in Kenya launched a new first-year course on human rights for all of its undergraduate students. The course meets all international human rights standards yet is also sensitive to the peculiarities of Kenya's legal system. It aims to inculcate the values, beliefs, attitudes and knowledge of future leaders to encourage them to uphold their own rights and those of others.

"Human rights education contributes to promoting the dignity of all human beings and to building societies where human rights are valued and respected," said the UN Resident Coordinator for Kenya. The Resident Coordinator stressed, "[t]aking cognizance of the fact that universities are fountains of knowledge and best suited as avenues for valued transformation of society, the UN system in Kenya commends Laikipia University for accepting to revise its curriculum in order to inculcate in its students the values and principles of human rights underlined by the Kenyan 2010 Constitution."

The pilot programme will gradually be introduced in five other Kenyan universities that have requested OHCHR's support in devising a course outline.

entitled *A Path to Dignity: The Power of Human Rights Education*, which highlights the impact of three human rights education programmes in Australia, India and Turkey. The film was shown at human rights film festivals in Bolivia, Canada and Switzerland and public events in other countries to raise awareness about the transformative effects of human rights education.

Democracy and elections

OHCHR supported national authorities, institutions and civil society organizations, including journalists, to strengthen their capacity to ensure respect for human rights during electoral processes through advocacy, training and awareness-raising, inter alia, in Guatemala, Guinea, Guinea-Bissau, Madagascar, Maldives and Timor-Leste.

In Côte d'Ivoire, the implementation of the Human Rights Division's Human Rights and Elections Strategy, which included provisions for monitoring human rights incidents related to the electoral process, as well as capacity-building activities targeting security forces and civil society actors, contributed to the holding of relatively peaceful municipal and regional elections in

2013. In the context of the elections in Mali, OHCHR provided technical support to the Malian Women's Platform to ensure transparent, non-violent and inclusive elections with the effective participation of women during all stages of the electoral process. OHCHR provided technical support to the implementation and functioning of the Platform.

In Cameroon, OHCHR engaged in advocacy with the Election Monitoring Body and undertook capacity-building with civil society organizations working in the area of democracy and human rights to enable them to advocate for equal rights for women in political processes. OHCHR also trained 130 journalists in Cameroon in 2013 on human rights and elections, focusing on their role in contributing to peaceful electoral processes and preventing violent situations. OHCHR also facilitated the exchange of experiences between Cameroonian and Congolese civil society organizations working on the political participation of persons with disabilities.

Increased engagement of national human rights institutions in addressing impunity

National human rights institutions and ombudsperson institutions are playing a key role at the national level to promote compliance of States with their international human rights obligations, as well as to combat impunity and promote the rule of law. OHCHR advocates for and supports the establishment and strengthening of NHRIs in compliance with the Paris Principles.

Establishment of NHRIs

In Niger, the National Human Rights Commission (NHRC) was formally inaugurated in May 2013.



Malians vote during the presidential election, July 2013.



Capacity-building activity facilitated by OHCHR for commissioners of Mozambique's National Human Rights Institution.

Legislation establishing the Commission was adopted and promulgated in 2012 in compliance with the Paris Principles, including by providing guarantees for the Commission's independence and financial autonomy. OHCHR and the UNCT advocated for the establishment of the NHRC, carried out trainings on the Paris Principles and provided technical advice and guidance. In Somalia, the Government adopted legislation for the creation of a commission for human rights in June 2013. The bill is before the Parliament for possible adoption in 2014. The UNSOM Human Rights Component presented parliamentarians with an assessment of the bill's compliance with the Paris Principles and recommended that broader consultations take place with the regions and civil society. In Benin, following advocacy and technical support provided by OHCHR, new legislation was adopted by the National Assembly establishing a NHRI in compliance with the Paris Principles. OHCHR continues to advocate for the adoption of a decree appointing members of the new committee.

In Iraq, the Independent High Commission for Human Rights was formally established with the appointment of 14 commissioners in April 2012 and since that time has commenced its work. Both the Iraqi Constitution and the law enabling the NHRI comply with international standards. UNDP and the Human Rights Office of the United Nations Assistance Mission for Iraq, in partnership with the Commission, carried out capacity-building activities for the commissioners and their staff, including the elaboration of a plan of action on capacity-development for 2014-2015.

In Yemen, the Cabinet approved the draft law on the establishment of the NHRI on 13 September 2013. Since 2012, OHCHR has been actively involved in capacity-building and advocacy activities, including the organization of six workshops to support the development of the draft and provided technical advice on compliance with the Paris Principles.

As the last version of the draft was not fully in compliance with international standards, the Office will continue to provide technical advice to encourage improvements to the draft.

Increased compliance with Paris Principles and strengthening of existing NHRIs

OHCHR continued supporting NHRIs and Ombudsperson Institutions to increase their compliance with the Paris Principles in several countries. In 2012, the Uganda Human Rights Commission was awarded the best NHRI in Africa by the African Commission for Human and Peoples' Rights and its 'A' status was renewed by the International Coordinating Committee of National Human Rights Institutions (ICC-NHRI) in May 2013. In the 2012-2013 period, the Commission strengthened its capacity for human rights monitoring, reporting and advocacy, as well as its advisory function. OHCHR contributed to that achievement through financial support and by undertaking joint projects and activities, including the development of a manual for the documentation of serious human rights violations during the Lord's Resistance Army conflict in northern Uganda and the provision of advice and training on witness protection. Similarly, in Sierra Leone, the Human Rights Commission will enjoy 'A' status accreditation until 2016. The Human Rights Section (HRS) of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) has consistently provided financial and technical support since the establishment of the Commission and in 2013, focused on strengthening the Commission's monitoring capacity.

The Ombudsperson Institution in Kosovo² increased its capacities to handle cases and promote human rights in 2013, including through the opening of two new regional offices and increasing its staff. OHCHR,

² All references to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo

in close cooperation with civil society organizations, the Council of Europe and the European Union, supported the Institution through capacity-building activities, technical support and joint initiatives.

In Ecuador, the NHRI increased its compliance with the Paris Principles in the area of human rights protection and is now in a better position to interact with international human rights protection mechanisms. A new Ombudsman, appointed in December 2011, started a restructuring process aimed at strengthening institutional capacities for the protection of human rights. OHCHR supported this process primarily by developing two training courses on human rights, providing guidance during the early stages of the restructuring process and extending technical assistance to improve the information system on cases assisted by the NHRI. In December 2013, the ICC-NHRI accorded 'A' status to the Haitian NHRI. During the reporting period, OHCHR financed two field agents, provided a consultant to help develop reporting capacities and conducted two month-long trainings on monitoring.

OHCHR continued to support the Myanmar National Human Rights Commission (MNHRC) with a view to promoting compliance with the Paris Principles. The draft enabling legislation passed both houses of the Parliament in August 2013 and March 2014, respectively. During the year, the Commission spoke out against ill-treatment and torture, visited a number of prisons and issued statements highlighting the findings of its visits to ethnic minority areas. OHCHR facilitated the discussions between the MNHRC and civil society on the promotion of human rights instruments and their engagement with international mechanisms.

In Senegal, OHCHR provided technical and financial support related to reform of the legislation establishing the Senegalese NHRI in order to bring it in line with the Paris Principles. The draft law was officially transmitted to the Minister of Justice.

Support provided to the establishment of other bodies promoting human rights

OHCHR continued to support the efforts of States to establish bodies other than NHRIs that are tasked with the promotion and protection of human rights at the national level. For instance, in Colombia, the National System of Human Rights and International Humanitarian Law established a State institution that is mandated to design a human rights public policy in a comprehensive and coordinated manner and is based on international standards. In Peru, the Vice-Ministry for Human Rights and Access to Justice was successfully

established with the active support of OHCHR, which included the provision of legal advice and the facilitation of a regional seminar to exchange lessons learned and gather best practices in human rights institution building. In 2013, the Vice-Ministry became fully operational and took the lead in promoting a human rights agenda.

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

In Yemen, following advocacy undertaken by OHCHR, the National Commission of Inquiry was established through a presidential decree in September 2012. The Commission is mandated to investigate human rights violations committed in 2011.

In Guinea-Bissau, at the National Conference on Impunity, Justice and Human Rights held in July 2013, conference participants, including representatives of the Government, adopted recommendations related to the: establishment of an international and independent commission of inquiry into past gross human rights violations; ratification of the Rome Statute of the International Criminal Court; establishment of national measures for victim and witness protection; and, in future, thorough investigation of violations. The National Conference was held as a follow-up to a Regional Conference in Bamako in December 2011 and was organized by the transitional authorities with the assistance of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) and technical and financial support from OHCHR, the UNDP Global Programme on the Rule of Law and the Economic Community of West African States (ECOWAS) Court of Justice. UNIOGBIS, in consultation with OHCHR and other stakeholders, subsequently developed a project for the implementation of the recommendations in 2014. In Guinea, OHCHR provided technical and logistical support to the judges investigating the intercommunal violence of mid-July 2013. Following fact-finding missions, OHCHR shared relevant information with the judges, put them in contact with victims of the violence, with the consent of the individuals concerned and contributed to efforts to inform them of their right to a remedy. To date, the judges have received approximately 1,000 complaints and have heard around 100 individuals.

In Timor-Leste, the Office of the Prosecutor investigated numerous alleged violations by security forces, as well as cases of gender-based violence. Many of the investigations resulted in the identification of members of the security forces as



Seminar on national preventive mechanisms organized by OHCHR in Paraguay.

suspects. The Human Rights and Transitional Justice Section of the former United Nations Integrated Mission in Timor-Leste (UNMIT) monitored the cases and submitted written information on the allegations to the Prosecutor's Office.

OHCHR also continued to support authorities in strengthening national capacities to protect victims and witnesses of international crimes and gross violations of human rights. In Uganda, a national Bill on witness protection was finalized. The bill takes into consideration Uganda's obligations under international human rights treaties and proposes a witness protection mechanism which is compliant with human rights standards. In December 2013, OHCHR, in cooperation with the Uganda Law Reform Commission and in partnership with international courts and tribunals based in The Hague, organized a consultative workshop on the technical and practical aspects of establishing a national witness protection programme in Uganda.

In 2013, OHCHR developed a new rule of law tool related to victim and witness protection. The tool is intended to assist national authorities entrusted with the responsibility for victim and witness protection, members of civil society who are engaged in justice and accountability initiatives and domestic law reform processes, staff of UN agencies as well as others committed to and engaged with issues of human rights, justice and accountability. During a validation workshop organized by OHCHR, experts discussed the draft tool and suggested areas for further improvement. The tool will be published in 2014.

National Preventive Mechanisms

National Preventive Mechanisms (NPMs), established in accordance with the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), play a key role in the prevention of torture and ill-treatment.

In a number of countries, NPMs were set up under OP-CAT. Following its ratification of the OP-CAT in June 2011, Tunisia passed the Organic Law establishing the National Authority for the Prevention of Torture in October and launched a call for candidates in November 2013. OHCHR actively supported and participated in the adoption process through the provision of technical advice, the holding of national consultations among State and non-State actors and the creation of a drafting committee in charge of preparing a draft statute for the NPM.

In Brazil, in 2013, a Law was passed at the federal level establishing a System for the Prevention of Torture, which includes a NPM under the OP-CAT. OHCHR promoted revisions to the Law through advocacy activities, including high-level meetings with relevant authorities and presentations within the framework of Mercosur's (the Common Market of the South) meetings of High-Level Authorities on Human Rights.

Transitional justice mechanisms (EA 3)

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

OHCHR supports a comprehensive approach to transitional justice, including national consultations, truth-seeking, criminal prosecutions, reparations, vetting and institutional reforms. During the period of 2012-2013, OHCHR provided relevant advice, assistance and training in many countries across the world. OHCHR also developed a publication, entitled *Transitional Justice and Economic, Social and Cultural Rights* in 2013.

In Timor-Leste, while accountability was limited for serious crimes and past human rights violations, steps were taken towards its enhancement in 2012 through the completion of investigations undertaken by the Office of the Prosecutor of approximately 80 per cent of the incidents identified for investigation and prosecution by the 2006

Independent Special Commission of Inquiry. UNMIT provided support to the Office of the Prosecutor by partially funding two international prosecutor positions to address, investigate and prosecute cases identified by the Commission of Inquiry, as well as related cases. UNMIT also conducted trial monitoring.

OHCHR continued to support the transitional justice processes in Nepal, including by preparing a commentary on the Truth and Reconciliation Commission Ordinance (March 2013) and its compliance with international standards. Subsequently, in January 2014, the Supreme Court ruled to strike down elements of the Ordinance and requested its redrafting in line with national and international standards. Moreover, the reports of the High Commissioner to the Human Rights Council outlined the progress made in implementation of the recommendations of Sri Lanka's Lessons Learnt and Reconciliation Commission and suggested relevant transitional justice measures.

In Togo, the Truth, Justice and Reconciliation Commission (CVJR) completed its task in April 2012. Its final report contained an account of the activities undertaken by the CVJR, its findings and recommendations, including for a comprehensive reparations and reconciliation programme, which was endorsed by the President. In May 2013, the Government created the High Commission for Reconciliation and Strengthening of National Unity with the mandate to implement the CVJR's recommendations, including its reparations and reconciliation programme. OHCHR has assisted the transitional justice process since its inception with substantial technical advice, guidance and training. After the termination of the CVJR, OHCHR supported the Government and civil society networks in the dissemination of the CVJR's report. The Office also provided advice on the setting up of the follow-up mechanism tasked with implementation of the CVJR's recommendations and promoted a credible, independent body that functions in accordance with international human rights norms and good practices on transitional justice.

Brazil's Truth Commission was established and is conducting mandated investigations in an independent and autonomous manner. OHCHR contributed by providing technical support and advice. The Office also convened a workshop aimed at sharing best practices among truth commissions in the region. In Honduras, a Unit was created within the Ministry of Justice and Human Rights in charge of the implementation and follow-up to the recommendations of the report of the Truth and

Reconciliation Commission. OHCHR contributed to the advocacy activities of the Unit and also provided funds for the hiring of national personnel and international experts.

In Tunisia, the Law on transitional justice referring to truth, justice, reparations and guarantees of non-recurrence was adopted in December 2013. OHCHR provided advice during the drafting process and ensured civil society organizations had the opportunity to discuss and formulate a common advocacy strategy. Nevertheless, the Law mainly focuses on the establishment of a truth commission and fails to comprehensively address institutional reforms and criminal prosecutions. Furthermore, provisions on arbitration and vetting are problematic from a human rights perspective.

In Libya, the promulgation of the Law on Transitional Justice constituted a positive development. The United Nations Support Mission in Libya and OHCHR provided advice during the drafting process to encourage compliance of the Law with international human rights standards and good practices. The adopted text represents a significant improvement over the previous legislation on transitional justice. The current Law, however, does not provide for a participatory selection process of commissioners and remains silent on several issues, such as the inclusion of a fair balance of women and minorities. OHCHR will provide extensive technical support to increase its compliance with international norms and standards.

In Afghanistan, UNAMA continued providing support to the Afghan People's Dialogue on Peace. By the end of 2013, approximately 6,500 Afghans had been consulted across the country. The project is designed to promote a rights-based approach to enable all Afghans, including women, men, youth and minority groups, to express their views on prospects for peace, reconciliation, security, economic development, human rights, justice and the rule of law.

Representatives of transitional justice mechanisms and civil society in Côte d'Ivoire and Guinea increased their knowledge of international human rights standards and good practices, including participatory approaches. In Côte d'Ivoire, ONUCI and OHCHR assisted the Dialogue, Truth and Reconciliation Commission in the elaboration of an awareness-raising campaign and plan of action for the organization of national consultations. In Guinea, OHCHR carried out capacity-building activities for the Provisional National Reconciliation Commission.

In the Democratic Republic of the Congo (DRC), the database of profiles of military and police

commanders suspected of human rights violations is fully functional. By the end of 2012, 759 profiles were completed and as of 5 December 2013, 1,136 profiles were in the database. In 2013, the database was expanded to allow for more efficient access to the data and the search coverage of existing sources was improved. It is envisaged that the database will contribute to MONUSCO's and OHCHR's capacities to support the efforts of the Congolese authorities to bring perpetrators of human rights violations to justice and strengthen and reform DRC's security and judicial institutions.

Access to justice and basic services (EA 4)

Increased access to justice for individuals and groups facing discrimination

In Kazakhstan, legislation was adopted in July 2013 on free legal aid. While only partially complying with recommendations from the UN Special Rapporteur on the independence of the judiciary, as well as the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, the legislation represents an important step in ensuring the availability of legal aid for vulnerable persons in Kazakhstan. During the drafting process, OHCHR provided expert advice on the draft, raised awareness about relevant international standards in a series of round-tables and facilitated discussion among parliamentarians and lawyers on key provisions. These activities were also undertaken in coordination and partnership with the Soros Foundation, the European Union, the Kazakhstan Bar Association and the Legal Policy Research Centre, a national think tank.

In Azerbaijan, a draft law on legal aid was developed and finalized by a working group comprised of legal scholars, members of the Bar Association, independent legal experts and representatives of international organizations and civil society members. The draft law will be discussed by a parliamentary committee in 2014. Throughout the drafting process, OHCHR provided advice and guidance to members of the working group, focusing in particular on the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems. OHCHR inputs resulted in the inclusion in the draft law of international human rights standards on the right to a fair trial, including the right to equality of arms and access to legal assistance.

In Papua New Guinea, OHCHR continued to raise awareness about and refer cases to the national human rights mechanism at the national courts, a fast-track procedure for dealing with

human rights cases that was initiated in July 2011. The mechanism makes it easier to commence proceedings in the courts, recognizes that human rights cases need to be given special priority and enables judges and court officials to systematically handle human rights issues, thereby improving access to justice. The mechanism was successfully used to prosecute a number of key human rights cases, including cases of killings and torture by the police and conditions of detention. In addition, OHCHR undertook research and consultations that formed the basis of a report on sorcery-related killings of women. The report contains recommendations on improving access to justice mechanisms for victims of sorcery-related violence and addressing impunity for perpetrators.

In Uganda, as a result of monitoring activities, OHCHR identified the shortage of judges, prosecutors and poor communication between courts, police and witnesses as major obstacles to efficiency of the local justice system and access to justice. Following advocacy undertaken by OHCHR, the chief magistrate's court increased its rate of case disposal and consequently achieved a decrease in the case backlog.

Participation (EA 5)

In Cambodia, NGOs, community-based organizations and trade unions increased their understanding of the Law on Peaceful Demonstrations and its implementation guide as well as international standards on the rights to freedom of expression and assembly. OHCHR contributed to this through the provision of trainings on the Law in five provinces for a total of 163 participants. In addition, OHCHR conducted a one-day training session in Phnom Penh on monitoring the right to peaceful assembly for 170 staff members of organizations in the Cambodian Human Rights Action Committee.

Responsiveness of the international community and the United Nations system (EA 10)

Increased responsiveness of international entities, including the International Criminal Court, international tribunals, the Human Rights Council and United Nations human rights mechanisms to combat impunity in critical human rights situations

The High Commissioner contributed to increasing the prominence of human rights and the accountability aspects of crises through her interventions at the

Security Council on the situations in the Central African Republic, Libya, Mali, the State of Palestine, Sudan and South Sudan and Syria. In her address to the open debate of the Security Council on women, peace and security in October 2013, the High Commissioner emphasized that the re-establishment of the rule of law and transitional justice processes are crucial to ensuring accountability and delivering justice, truth and reparations for violations suffered by women. In her address to the Counter-Terrorism Committee of the Security Council, also in October 2013, the High Commissioner urged the Committee to contribute towards ensuring that States' counter-terrorism practices comply with their obligations under international human rights law, including as a question of effective prevention. In her statement to the open debate of the Security Council on the protection of civilians in armed conflict, the High Commissioner reiterated the need for States to respect their obligations under international human rights and humanitarian law and to hold accountable those who violate these obligations.

In 2012, OHCHR, in cooperation with other relevant entities, contributed to ensuring that the *Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels* (A/RES/67/1), adopted by the General Assembly on 24 September 2012, included a reaffirmation of the commitments of Member States to human rights and the rule of law. Member States also made important individual pledges on issues ranging from: the independence of the judiciary; ensuring equal access to justice, including for the most vulnerable; transitional justice; as well as other measures for combating impunity and ensuring accountability.

Throughout 2012-2013, the High Commissioner continued to advocate globally through public statements and speeches on the need to investigate human rights violations, ensure the accountability of those found responsible and provide reparations to victims.

The High Commissioner also engaged with Member States during sessions of the Human Rights Council, while on mission in numerous countries and during high-level bilateral meetings in Geneva and New York, to advance the responsiveness of the international community on accountability situations.

OHCHR also supported the establishment of and provided advice to commissions of inquiry and fact-finding missions, which led to increased coherence in approaches and methodology, as

well as consistency in the application of the international legal framework. Commissions of inquiry established by national and international bodies made critical contributions by providing independent, factual accounts of events to inform international action and establishing accountability for serious human rights violations. For instance, OHCHR supported the Commission of Inquiry on the Syrian Arab Republic to investigate allegations of serious violations of human rights and international humanitarian law in Syria through the provision of advice on investigation methodology and tools for recording, analysing and archiving information. OHCHR also supported the Commission of Inquiry on Democratic People's Republic of Korea, developing its terms of reference, programme of work and methodology.

OHCHR carried out fact-finding missions in the Central Republic of Africa (July 2013) and Mali (March 2013) to map gross human rights violations. On this basis, OHCHR presented reports to the Human Rights Council, including recommendations.

OHCHR continued to assist Member States, in line with the comprehensive approach set out in the Global Counter-Terrorism Strategy, in their efforts to adopt and implement counter-terrorism policies and strategies that are compliant with their international human rights obligations. In April 2013, for example, OHCHR and the Geneva Academy on International Humanitarian Law and Human Rights jointly organized an expert-level meeting at Wilton Park, entitled *Drone Strikes Under International Law*. These discussions, which benefited from the views of experts from military, weapons technology, human rights, humanitarian, security and legal fields, addressed human rights concerns related to drone strikes and contributed to the clarification of applicable international law and standards.

OHCHR has worked to enhance the coherence and effectiveness of the UN in supporting the rule of law and human rights-compliant counter-terrorism policies as an active member of the Counter-Terrorism Implementation Task Force, in particular as Chair of its Working Group on Protecting Human Rights while Countering Terrorism. In October 2012, the Working Group launched a project on human rights training and capacity-building for law enforcement officials involved in counter-terrorism-related activities aimed at assisting Member States in their efforts to ensure that law enforcement policies and activities are consistent with their obligations under international human rights. Together with the CTITF Office, in 2012 and 2013, OHCHR organized needs assessment

workshops in Amman (Jordan) and Ouagadougou (Burkina Faso) for Member States in the Middle East, North Africa and the Sahel region and West Africa. Member States, including Burkina Faso, Egypt, Mali, Nigeria, Tunisia and Yemen subsequently expressed interest in receiving training under the project. Training modules were developed and the roster of experts was established.

Challenges and lessons learned

Assisting States to strengthen the rule of law and combat impunity is a challenging task, particularly because sustainable progress requires long-term efforts. Institutional transformation is a slow process, even for fast-transforming countries. Thus, OHCHR's work in this area requires the commitment of sustained efforts and resources.

During 2012-2013, OHCHR actively contributed to the ongoing efforts of the UN and the wider international community to strengthen the rule of law and combat impunity. While some progress was made at the international level, including through the development of new standards and renewed political commitments, sustained efforts to ensure appropriate responses to critical human rights situations and impunity-related issues must continue.

Strategic efforts to address challenges must also be made at the national level. Bearing in mind global trends, it is expected that demands for support to strengthen the rule of law and accountability and combat impunity will continue to increase. OHCHR's capacity to effectively respond to such requests will need to be expanded.

Further sustained efforts are needed to create the conditions for national justice systems to protect human rights and ensure access to justice for all, including members of the most vulnerable groups and those most subject to discrimination. While progress has been made to assist States in ensuring accountability for violations of human rights and international humanitarian law, additional efforts are required to secure the commitments of States to counter impunity and strengthen national capacities to investigate and prosecute international crimes. OHCHR will also need to continue its advocacy and strengthen its capacity to assist States in developing



Participants of the OHCHR workshop on transitional justice mechanisms organized in Guinea, December 2013.

and implementing comprehensive transitional justice strategies, including through an increased focus on the implementation of recommendations resulting from transitional justice processes.

In this context, engagement with local, national, regional and international actors remains key to maximizing OHCHR's impact in combating impunity and strengthening accountability, the rule of law and democratic society. In addition, adequate resources are required in order to respond to requests for technical assistance and the provision of expert legal advice, including in relation to the drafting and amendment of relevant legislation.

OHCHR must enhance its capacity to assist States in: supporting judicial institution-building and reform efforts; guaranteeing legal and judicial protection of economic, social and cultural rights; developing counter-terrorism strategies that are compliant with international obligations, including due process and fair trial guarantees; addressing human rights challenges posed by new technologies; enhancing protection of the rights of persons deprived of their liberty; and reducing the scope of application of the death penalty through ongoing advocacy and technical assistance.

In light of the scope of the above-mentioned challenges, a coordinated, coherent and responsive approach to combating impunity and strengthening the rule of law and accountability is needed throughout the world and will remain crucial to the success and impact of the Office's rule of law activities.