

SOUTH AND WEST ASIA

Countries of engagement

Afghanistan, Bangladesh, Bhutan, India, Islamic Republic of Iran, the Maldives, Nepal, Pakistan and Sri Lanka.

Engagement with the human rights mechanisms

See overview table on page 216

A region marked by social and cultural diversity, South and West Asia is also identified by its economic potential and growth. The region is valued for its supply of low cost goods, services and skilled labour to the global economy but at the same time, it is notorious for the payment of low wages, appalling working conditions and trafficking of labour. This changing economic landscape has had a corresponding impact on the social and geographic fabric of the region. Rural families are moving to cities and urbanization is creating mega cities with an increasing number of slums, poor sanitation and massive pollutions. Large infrastructure and development projects have led to increased forced evictions and displacement. India and Nepal are two of the highest ranking countries for child malnutrition in the world. In the Maldives, migrants represent almost one quarter of the population, creating major social challenges.

Significantly, all nine members of the South Asian Association for Regional Cooperation have civilian democratic systems of governance, however in some, key institutions remain fragile, democratic cultures remain weak and the military retains a powerful role. The status of ratification of international human rights instruments shows a good commitment among South Asian countries to the universally recognized human rights norms and standards. This is however nuanced by the introduction of reservations and interpretative declarations and delays in reporting to treaty bodies. The absence of adequate and effective national protection systems to ensure accountability is a common issue across South Asian States where torture, ill-treatment, corruption and impunity remain major concerns. Although six countries in the region have established national institutions, only half of them maintain "A" status and there is no regional human rights mechanism. In addition, manifestations of socially and politically entrenched discrimination on the basis of ethnicity, religion, gender, caste and sexual preference have rendered certain groups vulnerable and disempowered. Women are assuming new economic and social roles but continue to face deeply rooted discrimination and violence.

Afghanistan, India and Pakistan are marked by protracted internal conflicts, while the post-conflict peace processes in Nepal and Sri Lanka have yet to deliver justice for countless victims. Bangladesh has embarked on its own national accountability process which has become highly politicized and flawed. Severe restrictions to democratic space remain in place in the Islamic Republic of Iran, although new dynamics are apparent under the latest administration. In 2008, the Maldives emerged from over 30 years of autocracy with nascent and weak democratic institutions and processes which were threatened by a political crisis in 2012.

In 2014, a human rights adviser (HRA) will be deployed to the UNCT in Bangladesh under the United Nations Development Group-Human Rights Mainstreaming Mechanism (UNDG-HRM). The February 2012 crisis in Maldives suggested that it was premature to withdraw the HRA during a time of transition. A new HRA was deployed accordingly under the UNDG-HRM. The UNCT and OHCHR are seeking to have the presence of the HRA extended in 2014.

Thematic priorities

- ▶ Strengthening the effectiveness of international human rights mechanisms with a focus on: submissions of reports by States Parties and submission of information by civil society actors to treaty bodies and the Universal Periodic Review (UPR); and increased number of special procedures visits.
- ▶ Integrating human rights in development and in the economic sphere with a focus on: business and human rights; land, water and sanitation and housing rights; and integration of a human rights-based approach in United Nations work.
- ▶ Enhancing equality and countering discrimination with a focus on: women; racial and religious discrimination; minorities; and caste-based discrimination.
- ▶ Widening the democratic space with a focus on: national human rights institutions.
- ▶ Combating impunity and strengthening accountability and the rule of law with a focus on: human rights in the administration of justice; transitional justice; torture; deprivation of liberty and death penalty.
- ▶ Early warning and protection of human rights in situations of conflict, violence and insecurity with a focus on: human rights in humanitarian action and Human Rights Due Diligence Policy.

OHCHR expected contribution

ALL HUMAN RIGHTS FOR ALL IN SOUTH AND WEST ASIA	
RIGHTS-HOLDERS	DUTY-BEARERS
	<p>[EA1] ▶ NHRI established and functioning in accordance with Paris Principles in the Maldives and Pakistan.</p> <p>▶ Increased use by governments, businesses and the legal community of international standards related to housing and land rights, including the UN Basic Principles and Guidelines on Development-based Evictions and Displacement, as well as the UN Guiding Principles on Business and Human Rights.</p> <p>▶ Reformed systems to ensure the independence and accountability of the judiciary and establishment of a reliable mechanism to mediate disputes between the judiciary, the executive and the Parliament in the Maldives.</p> <p>▶ Abolition of the death penalty and/or pending abolition, increased compliance with relevant international human rights norms and standards.</p>
	<p>[EA3] ▶ Transitional justice mechanisms established and operating in accordance with international human rights standards and good practices.</p> <p>▶ Increased public opposition to torture and ill-treatment.</p>
	<p>[EA4] ▶ Improved legislation, policies and practices concerning discrimination in general, and in particular relating to caste-based discrimination and discrimination against women.</p> <p>▶ Increased networking and exchange of best practices among existing NHRIs and specialized commissions on issues of non-discrimination and equality.</p>
<p>[EA7] ▶ Enhanced systematic engagement by civil society with international human rights mechanisms.</p> <p>▶ Submission by UNCTs and at least two NHRIs of independent UPR reports.</p>	<p>[EA6] ▶ Implementation of UPR recommendations by government institutions of three countries.</p> <p>▶ Submission of overdue reports to treaty bodies by two countries.</p> <p>▶ Increased number of visits by special procedures.</p>
	<p>[EA11] ▶ Increased use of the UNCTs of a human rights-based approach to programming.</p> <p>▶ Implementation of the Guidance Note of the Secretary-General on Racial Discrimination and Protection of Minorities and the UN Indigenous Peoples' Partnership Initiative by UNCTs.</p> <p>▶ United Nations increasingly raises human rights concerns with governments in the context of humanitarian situations induced by natural disasters.</p> <p>▶ Increased integration of human rights standards and principles, including the Human Rights Due Diligence Policy on UN support to non-UN security forces, into the UN's security policies and programmes.</p>

By 2017, OHCHR expects to have contributed to the achievement of the results outlined on the table above, in support of national efforts in the different thematic priority areas (colour scheme). OHCHR will pursue these behavioural, institutional and legislative changes in cooperation with relevant partners, using the different strategic tools at its disposal – monitoring and reporting, capacity-building and advisory services, advocacy and awareness-raising (see chapter one) – on the basis of an assessment of the specific context. It is expected that if achieved, these results will contribute to improving the duty-bearers' compliance with their international human rights obligations and to the rights-holders' ability to claim their rights and thereby to the enjoyment of all rights for all in the region.