

# Highlights of results

*This section highlights the results to which the Office of the High Commissioner for Human Rights (OHCHR) made a meaningful contribution in 2015. The results are organized according to OHCHR's thematic priorities which were established in the OHCHR Management Plan 2014-2017 (OMP). The Office's work is grounded in OHCHR's theory of change and the thematic expected accomplishments (see annex I) which define the intermediate results to which the Office intends to contribute in the pursuit of its long-term goal – all human rights for all. OHCHR's current planning cycle will end in 2017 and the majority of the expected accomplishments and targets set out in the OMP are therefore forecasted to be achieved by the end of that year.*

*Considerable progress has already been achieved. In 2015, an estimated 19 per cent of national expected accomplishments were fully or partially achieved and good progress was made on 35 per cent of those expected accomplishments. Annex II provides an overview of the extent to which the targets have been achieved as well as additional information on their revised values.*

*For a general overview of OHCHR's role in the developments listed below, please refer to the end of this chapter. For a more detailed description of OHCHR's specific role in these results, please refer to the chapters on OHCHR's field presences and headquarter divisions that can be found on the CD that is attached to this report or on the Office's website.*

## Strengthening international human rights mechanisms

*23 per cent of national expected accomplishments fully or partially achieved and good progress made on 62 per cent.*

### Ratification

In total, 51 new ratifications of or accessions to human rights treaties took place in 2015.

In the African region, the **Gambia** acceded to the Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD); **Niger** ratified the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED); **Somalia** ratified the Convention on the Rights of the Child (CRC); while **South Sudan** acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol (OP-CEDAW), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and its Optional Protocol (OP-CAT) and the CRC.

In the Pacific, the **Marshall Islands** ratified the Convention on the Rights of Persons with Disabilities (CRPD); the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC) was ratified by **Kiribati** and **Micronesia**; and **Fiji** committed to ratify CAT during its Universal Periodic Review (UPR), albeit with reservations.

In the Americas, **Argentina**, **Chile**, **El Salvador**, **Peru** and **Uruguay** ratified the Optional Protocol to the CRC on a communications procedure (OP-CRC-IC); and **Belize** ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) and OP-CAT.



The Somali President ratifies the Convention on the Rights of the Child in Mogadishu, January 2015.

## Member States engagement with human rights mechanisms

Member States continued to engage with international human rights mechanisms and comply with their findings and recommendations. In relation to the Human Rights Council (HRC), States were involved in at least 150 meetings during 2015, including the Council's regular and special sessions, interactive dialogues and panels. Furthermore, supported by the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries (LDCs) and Small Island Developing States (SIDS) in the work of the Human Rights Council, 21 LDCs and SIDS participated in regular HRC sessions over the year. Member States also continued to engage with the second UPR cycle and, in 2015, 42 Member States had their human rights records reviewed by the mechanism. Their participation in this process, as well as their increasing engagement with other human rights mechanisms, has contributed to the achievement of a number of the following highlighted results.

## Coordination mechanisms

Progress has been achieved in relation to the establishment or strengthening of national coordination bodies for reporting on and following up to recommendations issued by the human rights mechanisms. In preparation for its 2016 UPR, the **Solomon Islands** established a UPR National Working Committee, which has already undertaken three consultations with stakeholders regarding the implementation of the recommendations and the preparation of the national report.

National consultations to support the establishment of standing participatory mechanisms for reporting and coordination were carried out in the **Congo**, **Gabon** and **Sao Tomé and Príncipe**, which resulted in the development of road maps for the establishment or strengthening of such mechanisms. Moreover, in **Burundi**, a decree was adopted in April which named the members of the Permanent Committee that is responsible for the preparation of reports to the human rights treaty bodies.

### Treaty body strengthening process

In 2015, a treaty body capacity-building programme was established, pursuant to General Assembly resolution 68/268, which was aimed at promoting the ratification of human rights treaties and supporting States in their timely reporting to the treaty bodies. As of 31 December, 10 of the programme's team members were already placed in OHCHR's regional presences and work processes were running smoothly. They also became trained trainers on human rights and started to apply their substantive and managerial skills in the nearly 40 activities the team was engaged with during the year.

More specifically, State officials from close to 20 countries increased their knowledge on the human rights treaties and sharpened their treaty body reporting skills following activities held in Belgium (3 February), Chile (13 August), El Salvador (21-22 September and 16 November), Gabon (25-26 June and 2 October), the Gambia

(1-3 December), Kazakhstan (9-10 September and 29-30 October), Kyrgyzstan (2-3 September and 9-10 December), Lao PDR (12-24 November), Liberia (14-15 October), Mauritania (24-28 August and 16-20 November), Mauritius (9-11 December), Nauru (7-9 September), Panama (11 November), Rwanda (31 August to 3 September), Sao Tomé and Príncipe (25-26 August), Saudi Arabia (6-9 September), Senegal (22-24 November), Tajikistan (14-15 September and 2-4 November), the former Yugoslav Republic of Macedonia (24-25 January and 3-5 November), Tonga (21-24 April) and Vanuatu (13-14 August).

Furthermore, State officials from the English-speaking Caribbean, Belize, Canada and the United States, and from the Pacific became trained trainers on treaty body reporting and part of a network of State officials within their subregions following OHCHR

training-of-trainers events which took place in Samoa (19-23 October) and Barbados (7-11 December). The participating State officials committed to conducting trainings at the national level, within the subregion and across regions, to stimulate peer-to-peer learning and the exchange of good practices.

Technical assistance provided through the treaty body capacity-building programme resulted in a number of responses to lists of issues and the increased interest of a number of countries regarding the establishment of mechanisms for reporting and follow-up. In this regard, a practical guide on the mechanisms was finalized and will be launched in the first half of 2016. Other plans for 2016 include the development of a general treaty body reporting manual and a trainers guide, as well as two treaty-specific training manuals and trainers guides on the two International Covenants.

In **Bolivia**, the Ministry of Foreign Affairs, the General State Prosecutor and the Ministry of Justice signed an agreement for the creation of a coordinating body and for the development of a computerized system, both of which were launched in December, to support the follow-up to the recommendations accepted by the country.

**Kyrgyzstan** established two working groups under its Coordination Council on Human Rights. The working groups are tasked with drafting a national human rights action plan and developing a mechanism for the implementation of recommendations issued by the international human rights mechanisms, respectively. The Government of **Serbia** decided to establish an inter-institutional mechanism to implement and report on the recommendations issued by the human rights mechanisms.

Permanent committees for reporting to the human rights mechanisms were created in **Mauritania** and **Saudi Arabia**. A decree establishing a national coordination mechanism in **Tunisia** was published in the Official Gazette in November.

### National Human Rights Action Plans

Member States are progressively developing, adopting and implementing national human rights plans or programmes which set realistic activities and achievable targets, and enhance commitments to the establishment or strengthening of legal frameworks and national institutions for the promotion and protection of human rights.

**Malawi** developed its National Human Rights Action Plan for 2016-2020 through a process that was led by the Ministry of Justice and the Human Rights Commission. The Action Plan integrates the recommendations issued by the human rights mechanisms and establishes a National Human Rights Coordination Committee. In December, the Parliament of **Kenya** adopted the National Policy and Action Plan on Human Rights, which was developed through a highly participatory process. In **Nigeria**, the Interministerial Committee adopted a national action plan on the implementation of UPR recommendations and **Senegal** began drafting its own national action plan. In **Uganda**, a database was developed and implemented to monitor the progress achieved in the implementation of recommendations issued by the human rights mechanisms and support the existing National Human Rights Action Plan.

In January, the **Bolivian** Human Rights Council approved the National Human Rights Action Plan and the Plurinational Human Rights Policy for 2015-2020. In **Mexico**, through participatory processes, local human rights programmes were developed or strengthened in the states of Baja California, Coahuila, Jalisco, Oaxaca and Tamaulipas. Other states, such as Queretaro and San Luis Potosi, expressed their willingness to develop similar plans. The Government of **Ukraine** developed a draft national human rights action plan, which identifies key priorities, activities, benchmarks and indicators and is currently pending approval.

### SIMORE: a tool for monitoring human rights recommendations

OHCHR has been supporting the Government of Paraguay since 2011 in its efforts to better engage with the human rights mechanisms. As part of this process, the Government developed and launched a tool, named SIMORE, in June 2014. The tool is being used to record, organize and facilitate the follow-up to the recommendations issued by the human rights mechanisms.

Since its launch, SIMORE has become widely used by State authorities, universities, NGOs, the

media and international actors, such as the special procedures, the human rights treaty bodies, UN partners and the wider international community. The information contained in SIMORE has been fundamental to supporting the design of public policies, such as the National Action Plan on the Rights of Persons with Disabilities, advocating for the approval of new laws, complying with Paraguay's reporting obligations and improving the overall knowledge and awareness of the human rights mechanisms of the State and civil society.

The UN in Paraguay has welcomed the introduction of SIMORE and has highlighted it as a good practice which should be replicated elsewhere. In this context, OHCHR has promoted the bilateral cooperation of Paraguay with a number of countries from Africa, Central Asia and Latin America in order to facilitate technical cooperation and the sharing of the knowledge that Paraguay acquired during the development of SIMORE.

## Reporting

In 2015, the human rights treaty bodies considered a total of 173 State Party reports and received 147 others. Among these, it is worth noting that **Bangladesh** submitted its overdue initial report under the International Covenant on Civil and Political Rights (ICCPR); **Cambodia** submitted its initial report under the CRPD; **Honduras** submitted reports to the Human Rights Committee and CAT; **Lebanon** submitted reports to the Committee on the Elimination of Discrimination against Women (CEDAW), the Committee on the Elimination of Racial Discrimination (CERD) and the Committee on Economic, Social and Cultural Rights (CESCR); **Mauritania** prepared its initial reports to the Committee on Migrant Workers (CMW) and the CRPD; **Nauru** submitted its initial report to the CRC, its first report to a treaty body; **Nicaragua** submitted its initial report to the CRPD; **Tunisia** submitted its overdue third periodic report to CESCR; and **Vanuatu** submitted its common core document and its report to the CRPD.

## Engagement with the special procedures

In total, special procedures mandate-holders carried out 76 country visits to 53 States and territories. Moreover, six Member States extended a standing invitation in 2015, namely **Fiji, Kenya, Lesotho, Liberia, Malawi** and **Sri Lanka**.

Member States also reacted to findings and recommendations of the special procedures and the response rate to communications remained unchanged at 42 per cent. For example, the Special Rapporteur on torture's 2011 report on solitary confinement was cited in a unanimous decision of the **United Kingdom's** Supreme Court in 2015 (*Shahid v. Scotland*) that solitary confinement in the case was illegal. In another example, the Special Rapporteurs on the right to food and on extreme poverty sent a joint urgent appeal to the Government of **Guatemala** expressing concern that plans to reduce the minimum wage in four provinces would have a negative impact on the right to an adequate standard of living. In September, the Constitutional Court of Guatemala issued a decision declaring the proposed minimum wage to be unconstitutional. In addition, following a joint communication issued by several mandate-holders, the **Syrian** Government released Mazen Darwish, Director of the Damascus-based Syrian Centre for Media and Freedom of Expression.



The Special Rapporteur on violence against women interacts with displaced women in Abu Shouk camp for internally displaced persons, North Darfur, May 2015.

## Rights-holders engagement with human rights mechanisms

Civil society actors, national human rights institutions (NHRIs) and other stakeholders promoted human rights at the local and regional levels and directed the attention of the international community towards issues of concern, including through their engagement with the human rights mechanisms.

The participation of NGOs in the Human Rights Council improved in 2015 as evidenced by a 25 per cent increase in the number of NGOs that delivered statements during the Council's sessions and a 27 per cent increase in the number of side events they organized. They also submitted nearly 60 per cent more written statements than in 2014 and an increased number of alternative reports in anticipation of the second UPR cycle of their respective countries. For instance, the number of submissions from NGOs in **Myanmar** increased from 24 in 2011 to 47 in 2015; at least five submissions were made by civil society organizations (CSOs) in **Samoa** and in the **Solomon Islands**; four networks of civil society organizations submitted contributions in relation to the UPR of **Mauritania**; reports were submitted by the NHRI and an umbrella organization of 51 NGOs regarding the review of **Seychelles**; and approximately 20 reports were submitted individually and collectively by NGOs for the UPR of **Paraguay**.

During the twenty-seventh annual Meeting of Chairpersons of the Human Rights Treaty

Bodies, the Chairpersons of the 10 treaty bodies endorsed guidelines on preventing reprisals and enhancing protection of those individuals and groups who engage and cooperate with them. To date, the guidelines have been implemented by the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT), the Committee on Enforced Disappearances (CED), CERD, the Committee on the Rights of Persons with Disabilities (CRPD) and CAT. In addition, CESCR adopted its first “views” on an individual communication and the CRC received its first complaints under its communications procedure. Overall, registered individual communications increased from 170 in 2013 to 307 in 2015 while registered requests under the urgent action procedure of CED quadrupled from 50 in 2014 to 211 in 2015.

Civil society actors and NHRIs primarily engaged with the treaty bodies through the submission of alternative reports and inputs for the review of **Cambodia**, **El Salvador** and **Jamaica** by the Human Rights Committee; **Malawi** by CEDAW; **the former Yugoslav Republic of Macedonia** by four treaty bodies; **Timor-Leste** by CEDAW, CMW and CRC; and **Trinidad and Tobago** by CEDAW. In **Cameroon**, civil society networks were created to monitor the implementation of rights provided in specific conventions, such as the Convention on the Rights of the Child, CRPD and ICESCR.

In addition, civil society actors used the special procedures to raise the awareness of the international community regarding issues of concern. Organizations in **Kenya** submitted information to the Special Rapporteurs on the rights to freedom of peaceful assembly and of association, on the situation of human rights defenders and on the promotion and protection of the right to freedom of opinion and expression on alleged human rights violations. Two communications were subsequently submitted to the Government by these mandate-holders. In **Mexico**, following a number of substantive submissions and allegations sent to the special procedures by civil society actors, the Working Group on Arbitrary Detention issued four opinions, CED issued 166 urgent actions and 12 allegation letters were sent by other mandate-holders.

### [Progressive development of international and regional human rights law](#)

A number of mandate-holders contributed to the development of international human rights law and good practices through the preparation of reports and guidelines. In September, the Working

Group on Arbitrary Detention presented the United Nations Basic Principles and Guidelines on remedies and procedures on the right of anyone deprived of his or her liberty by arrest or detention to bring proceedings before court (A/HRC/30/37). The document was prepared to provide Member States with guidance on fulfilling their obligation to avoid the arbitrary deprivation of liberty. The Special Rapporteur on torture contributed to the revision of the Standard Minimum Rules for the treatment of prisoners, which were reflected in the final text that was adopted by the General Assembly in December. In relation to the treaty bodies, CEDAW adopted a general recommendation on women’s access to justice. The general recommendation highlights the obligations of States Parties to ensure that women have access to justice while also identifying a number of obstacles and restrictions that impede their realization of this right.

### [Enhanced coherence between human rights mechanisms](#)

During the twenty-seventh annual Meeting of Chairpersons of the Human Rights Treaty Bodies, held in Costa Rica, in June, a set of proposals were formulated to strengthen the cooperation between international and regional human rights mechanisms. At the meeting, the treaty body experts met with representatives of the Inter-American Court of Human Rights and Commissioners and the Secretariat of the Inter-American Commission on Human Rights. In addition, representatives of the African, Inter-American and UN human rights systems met in the Gambia, in November, during the fifty-seventh ordinary session of the African Commission on Human and Peoples’ Rights. Among other issues, the representatives shared experiences and good practices on the protection of the human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons.

Similarly, the special procedures strengthened their engagement with regional human rights mechanisms and undertook several joint activities. For example, in April, the Special Rapporteur on violence against women, its causes and consequences, undertook a joint working visit to the Caribbean with the Inter-American Commission on Human Rights’ Rapporteur on the rights of women. The Special Rapporteur on extrajudicial, summary or arbitrary executions provided assistance to the African Commission’s Working Group on the death penalty and extrajudicial, summary or arbitrary killings in Africa. This contributed to the drafting and adoption by the African Commission of a general comment on the right to life of the African Charter on Human and Peoples’ Rights.

## Human rights mechanisms and early warning

In 2015, the Human Rights Council continued to address chronic, emerging or ongoing human rights crises. Under resolution 28/30, the Council requested that the High Commissioner urgently dispatch a mission to investigate violations and abuses of international human rights law that have been committed in **Libya** since the beginning of 2014. Under resolution 29/13, the Council requested that OHCHR urgently undertake a mission to engage with the Government of **South Sudan** to monitor and report on the situation of human rights. Additionally, following the HRC's special session on 17 December, OHCHR was requested to urgently dispatch a mission to **Burundi** to undertake an investigation regarding

violations and abuses of human rights. During its twenty-third special session, the Council addressed the atrocities committed by the terrorist group Boko Haram and its effects on human rights in the affected States and requested that OHCHR submit a report on the violations and abuses of human rights and atrocities committed by the group. During its regular sessions, the Council took action on the human rights violations and abuses committed against Rohingya Muslims and other minorities in **Myanmar** and in relation to the volatile situations in **Sudan, Ukraine** and **Yemen**. In February, in light of the escalating global migration crises, the Council took the extraordinary decision to hold an enhanced interactive dialogue on the human rights of migrants without the adoption of a formal resolution in advance.

### Fellowship Programme for delegates of Least Developed Countries and Small Island Developing States

"After delivering the first statement of my country in the Council room, my peers congratulated me. This meant a lot. My country's voice was heard for the first time outside of our UPR. It was an amazing moment!" stated Jolina Tausinga. Ms. Tausinga is a delegate from the Solomon Islands who benefited from the 2015 Fellowship Programme of the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States (LDCs and SIDS) in the work of the Human Rights Council.

The aim of the Fellowship Programme is to give representatives of governments from LDCs and SIDS a better understanding of the work of the Human Rights Council through a three-month intensive programme at OHCHR headquarters in Geneva. Through this experience,

the Fellows gain knowledge and practical working experience with the Council, its mechanisms and subsidiary bodies. The Fellowship also enables each participant to network with other Geneva-based delegations, OHCHR, other UN departments and agencies and NGOs represented in Geneva.

"I was lucky to be selected as one of the six participants of the 2015 Fellowship Programme to work in Geneva for three months. My greatest achievement during my participation in this programme was to be able to come up with a paper that would help my country to participate more fully in the work of the Human Rights Council," said Frank Damas Mutagoma, delegate from Rwanda.

Another goal of the Fellowship Programme is to train

representatives of LDCs and SIDS so that they can go back to their respective countries, share their acquired practical knowledge and skills and contribute to the continued involvement of their governments and local organizations in the work of the Council. "Upon my return from Geneva and my participation in the Fellowship Programme, I held a consultation workshop with civil society organizations to inform them about their role in preparing alternative reports and participating in the sessions of the Council, in order to improve the dialogue between the Government and these organizations for our country's UPR. This resulted in one Liberian civil society organization attending the 30th regular session and presenting a statement on behalf of LGBTI persons in my country," said Kutaka Togbah, delegate from Liberia.



Indigenous community in Bolivia receiving technical assistance from OHCHR on the right to free, prior and informed consent.

## Enhancing equality and countering discrimination

*8 per cent of national expected accomplishments fully or partially achieved and good progress made on 42 per cent.*

### Compliance of national laws, policies and institutions

A number of legislative and institutional changes were implemented by Member States to tackle multiple forms of discrimination, including those based on race, gender, disability, ethnicity and sexual orientation.

#### National Action Plans against Racial Discrimination

In the context of the International Decade for People of African Descent, the first regional meeting for Latin America and the Caribbean was held in Brazil, in December. In his role as the Coordinator of the International Decade, the High Commissioner attended the meeting and advocated that tangible actions needed to be undertaken for the benefit of Afro-descendants. At the closing of the meeting, the government delegates adopted a declaration which recalled the Programme of Activities of the Decade and reaffirmed their commitment to the

full implementation of the Durban Declaration and Programme of Action at the national, regional and global levels.

**Mauritania's** draft national action plan on racial discrimination is currently before the Commissariat for Human Rights, Humanitarian Action and Relations with Civil Society for finalization. Once it has been passed, the draft will be submitted to the Council of Ministers for approval. In **Bolivia**, the National Action Plan against Racism and All Forms of Discrimination for 2016-2020 was formulated and presented to the National Committee against Racism and all concerned ministries for implementation.

#### Gender

In **Guinea-Bissau**, the National Assembly approved a declaration which outlined 16 gender mainstreaming actions, including one that established a minimum 40 per cent quota for women at all levels of the decision-making process. The Government of **Malawi** took steps to address discrimination against women and girls through a strengthened legal framework which included the adoption of the Marriage, Divorce and Family Relations Act, the Trafficking in Persons Act and the prohibition of child marriage. The Government of **Tunisia** amended the Law on Passports, thereby ending a long-standing discriminatory practice that prevented women from leaving Tunisia with their minor child without the authorization of the child's father.

## Disability

In **Nigeria**, although the Child Rights Act provides special measures for the care and protection of children with disabilities, it has not been implemented in most states of the North. In West **Darfur**, a State Disability Act was drafted, approved by Parliament and sent to the Governor's Cabinet, where it is currently awaiting final approval before its enactment. In **Paraguay**, a National Action Plan on the Rights of Persons with Disabilities was designed with the active participation of civil society and adopted, in November, by the National Commission for Persons with Disabilities.

## Ethnicity and other minorities

In **Iraq**, representatives of ethnic and religious minority communities agreed on a Declaration of Principles of the Rights of Minorities and a road map for legislative, institutional and policy reforms that are aimed at enhancing the protection of the members of those minority communities and ensuring their full and equal participation in the political, economic and social life of Iraq.

The Government of **Serbia** issued the final draft of the new National Roma Inclusion Strategy 2016-2025, in November, which includes a strong focus on human rights. In addition, the **European**

**Commission** published a draft guidance note on combating segregation in education and housing in the use of European Structural and Investment Funds. This contributed to the implementation of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in the 28 member states of the EU.

## Sexual orientation

The human rights action plan of **Ukraine** provides for amendments to the Criminal Code which would punish hate crimes, including those that are committed as a result of the sexual orientation or gender identity of the victim. Furthermore, the Parliament adopted amendments to the country's labour legislation which now expressly identifies sexual orientation and gender identity as prohibited grounds of discrimination in employment relations.

## Participation

With the assistance of the Maya Programme in **Guatemala**, indigenous organizations and communities continued to make use of litigation processes to ensure their enjoyment of the rights to health and intellectual property and to seek justice in cases related to sexual and gender-based violence (SGBV). The indigenous organizations also initiated a series of legal actions in relation to five cases dealing with land rights.

### A choice made at school changes your life forever



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Leonid at his new school in Lozova, Republic of Moldova.

In 2015, a significant and positive change took place in the lives of some Romani children from the Republic of Moldova. Before OHCHR's involvement, these children studied in segregated classes. That was the case for Leonid who decided to leave the Roma-

segregated school in the village of Stejareni more than a year ago so that he could attend the general high school in Lozova where he aspired to get a better quality education.

During a conversation, Leonid says that he feels much better in his new school where he is studying with children of other nationalities. "I am not isolated anymore. I have my own opinion which is listened to and respected by everyone," said Leonid. "Here we have up-to-date conditions and I would advise all Romani children not to be afraid of changes, because they are for the better. The changes I have passed through made me powerful and added bright colours to my life!"

OHCHR has been advocating for inclusive education in the Republic of Moldova since 2014. These efforts included collaborating with local actors, undertaking study visits and organizing practical workshops and technical meetings with authorities, Roma community mediators and school administrators. As a result, the school in Otaci is now fully desegregated and two Roma community mediators are facilitating the integration of Roma children into the mainstream educational environment. Heads of the Educational Departments in Calarasi and Straseni have recently made commitments to desegregate their schools.



In **Paraguay**, indigenous women participated in a number of regional meetings regarding their rights to participation, prior consultation and land. The Social Action Secretariat subsequently developed a protocol for the participation of indigenous peoples in decision-making processes.

The 2015 edition of the OHCHR Fellowship for people of African descent took place from 5 March to 23 October and included 11 fellows from Brazil, Canada, Colombia, Germany, Ireland, Paraguay, Peru, the Republic of Moldova and the United States of America. Through the programme, participants gain insights, knowledge and skills which enable them to contribute to and participate in national efforts to enhance equality and counter discrimination. Through the OHCHR Indigenous Fellowship Programme, 31 indigenous representatives, including 18 women, increased their capacity to effectively engage with the international human rights mechanisms in order to better advocate for their rights.

### Engagement by the international community

OHCHR has been closely following developments related to the migration crisis in Europe and within this context, the High Commissioner has repeatedly voiced his concerns about the human rights of migrants and refugees. In addition, OHCHR issued a number of press releases in relation to countries

where the treatment of migrants gave rise to serious concerns. Moreover, the Special Rapporteur on the human rights of migrants released a follow-up report on the management of the external borders of the **European Union** and its impact on the human rights of migrants. The report had a significant international impact and influenced the debates regarding the development and implementation of effective solutions to deal with the unprecedented number of migrants and asylum-seekers arriving to the European Union. Since the release of the report, the Special Rapporteur's recommendations have been instrumental in influencing the European Agenda on Migration. At the global level, the 2030 Agenda for Sustainable Development recognized the need to ensure safe, orderly and regular migration with full respect for human rights and the humane treatment of migrants, regardless of their legal status.

In relation to the rights of persons with albinism, the Human Rights Council adopted resolution A/HRC/RES/28/6 on 26 March to establish the mandate of the Independent Expert on the enjoyment of human rights of persons with albinism. In accordance with Human Rights Council resolution 26/10, OHCHR prepared a background paper on the initiatives that have been taken to raise awareness and promote the protection of the rights of persons with albinism. It also organized a number of events to mark the celebration of the first International Albinism Day on 13 June.



High-level meeting on “Strengthening Cooperation on Migration and Refugee Movements in the Perspective of the New Development Agenda”, New York, September 2015.

## Protecting and promoting the human rights of all migrants: OHCHR's work on migration

In 2015, the world's attention was focused on the often desperate and deadly journeys of migrants and asylum-seekers. This helped to shed light on the urgency of ensuring respect for human rights at all stages of these journeys. With a view to placing the dignity of migrants at the centre of the response to migration movements, OHCHR stepped up its advocacy and work on protecting the human rights of all migrants, with a particular focus on the most marginalized and at risk of human rights violations.

Over the course of the year, the High Commissioner regularly highlighted the precarious situation of migrants fleeing persecution and conflict, as well as poverty, discrimination, denial of access to the right to education, health and decent work and the consequences of climate change. He made a number of statements and consistently called on States to adopt a comprehensive, rights-based and systemic response to the global migration crisis that: better addresses the multiple drivers of these precarious movements; expands access to safe channels for regular migration; and confronts migration policies that are formulated on the basis of xenophobia and a lack of evidence. The Special Rapporteur on the human rights of migrants also advocated for their rights by, for instance, issuing a follow-up to his regional study on the management of the external borders of the European Union and its impact on the human rights of migrants.

Another feature of migration in 2015 was the "mixed movements" that are made up of people fleeing conflict, individual persecution, abject poverty, discrimination and other sources of despair, and are often facilitated by a range of actors in the informal economy, including smugglers. Seeking to bring greater clarity to this concept and to the situation of migrants in transit, OHCHR held an expert meeting, in June, on human rights and migrant smuggling,

bringing together experts from UN agencies, academia, civil society and governments. The outcomes of the consultation, in addition to contributions from other stakeholders, informed the preparation of a study on the situation of migrants in transit that was requested by the Human Rights Council (A/HRC/31/35). The Council held an interactive dialogue on the human rights of migrants, in June, during which close to 60 States and other stakeholders intervened, including to underline the important mandate of the Council in this regard and the imperative need to address migration as a human rights issue.

The Office launched a number of publications and other tools to elaborate on the legal framework of protection for migrants and to help States to fulfil their obligations. OHCHR's Recommended Principles and Guidelines on Human Rights at International Borders set out recommendations to ensure that border governance measures are conducted in accordance with international human rights law and other relevant standards. A study on the economic, social and cultural rights of migrants in an irregular situation was launched at the 28th session of the Human Rights Council and offers a rich resource to understand the scope and content of the human rights of migrants in an irregular situation, while also detailing the legal and practical barriers that are in place. In collaboration with ILO and the Inter-Parliamentary Union, the Office launched the book, *Migration, human rights and governance: a handbook for parliamentarians*, which aimed to build the capacity of parliamentarians to promote and protect the rights of migrants.

The Office conducted various capacity-building activities that focused on building the capacity of OHCHR staff members, as well as other stakeholders, to develop their work on migration as a human rights issue. A training package, entitled

*Migration: Towards a Human Rights-Based Approach*, has been developed and a pilot training programme was held with OHCHR staff from the field and headquarters. In Tunisia, OHCHR collaborated with IOM and ILO to conduct a training session on a human rights-based approach to migration for 20 officials in ministries that deal directly with this issue. OHCHR also delivered joint trainings with UNHCR to the personnel of the EU Naval Force that has been set up to detect and monitor smuggling networks in the Mediterranean. In addition, OHCHR released a short documentary film in September, in collaboration with Oscar-nominated director Ashvin Kumar, which follows the true stories of three women and highlights the situation of undocumented women migrant domestic workers. The film has been screened in Geneva, New York, Bangkok, Mumbai, London and New Delhi. Moreover, OHCHR has organized a series of events around the world to celebrate the 25th anniversary of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

The 2030 Agenda for Sustainable Development recognized that international migration is a multidimensional reality that requires coherent and comprehensive responses. Within this framework, the Office advocated for migrants to be included in the call to "leave no one behind." To this end, OHCHR called for the systematic disaggregation of indicators to measure progress in the effective protection and fulfilment of the human rights of all migrants, as well as for the improvement of data collection on the number of migrants who are killed, injured or become victims of crime while attempting to cross borders. A national consultation that was held in May, and co-organized by OHCHR and the Government of Mexico, revealed that it is feasible to produce disaggregated data for migrants, including migrants in an irregular situation.



The High Commissioner addresses the press in Burundi at the end of his three-day visit to the country, April 2015.

## Combating impunity and strengthening accountability and the rule of law

*15 per cent of national expected accomplishments fully or partially achieved and good progress made on 46 per cent.*

### Compliance of national laws, policies and institutions

#### Administration of justice

The recruitment of 53 magistrates in **Burundi** was carried out in compliance with international standards. The magistrates were subsequently deployed to various courts and tribunals in Bujumbura and other provinces. Nevertheless, little progress was achieved in the improvement of the judicial sector and the administration of justice in light of the fact that many detainees remained behind bars, in poor conditions and without legally prescribed pre-trial detention periods. Similarly, the administration of justice in **the Central African Republic** remained largely dysfunctional as judicial authorities were confronted with a critical lack of institutional capacity to function effectively and due to the limited availability of judicial institutions outside Bangui. Similarly, judicial and law enforcement actors in **South Sudan** have

limited capacity to administer justice in accordance with international human rights standards. In the 65 trials monitored by OHCHR, human rights standards were rarely complied with, including due process and fair trial guarantees.

On a more positive note, seven key draft laws were adopted in **Kyrgyzstan** regarding the administration of justice, including the Criminal Code, the Code on Misdemeanours, the Criminal Procedure Code, the Criminal Executive Code, the Civil Procedure Code and legislation on enforcement proceedings. While the Criminal Procedure Code contains a number of progressive provisions in compliance with international human rights standards, a number of shortcomings were identified, for instance, an excessive use of pre-trial detention.

In **Guatemala**, the Constitutional Court handed down important decisions based on international human rights standards, particularly in relation to the right to prior consultation and consent and in an emblematic case of sexual violence against women. In **Mexico**, the Supreme Court decided that the ruling on *arraigo* (preventive custody) at the state level is unconstitutional, thereby implying its practical derogation in every state that still legislates its regulation. Moreover, a constitutional amendment was adopted which will enable the Federal Congress to enact general laws on torture and enforced disappearances, in line with a recommendation issued by the international human rights mechanisms.

## Torture and ill-treatment

In February, the United Nations Assistance Mission in **Afghanistan** published its third report on the treatment of conflict-related detainees. The report was based on visits that were undertaken to 128 detention facilities and interviews that were conducted with 790 detainees during a 23-month period between February 2013 and December 2014. Although the percentage of interviewed detainees who allegedly experienced torture or ill-treatment was 14 per cent lower than in the previous observation period, a continuing and pervasive lack of accountability for the use of torture was noted. In addition, the report only identified one prosecution of two National Directorate of Security officials for torture during the observation period. The Government reacted positively to the report and published a National Plan on the Elimination of Torture, which includes a number of legislative, preventive and capacity-building measures designed to promote accountability and ensure a more effective implementation of Afghanistan's obligations to eliminate torture under international and domestic law. Implementation of the National Plan has nevertheless been slow and torture remains prevalent in detention facilities, as noted during interviews conducted with 150 detainees. The interviews demonstrated that 36 per cent of interviewed detainees experienced torture or ill-treatment at the time of their arrest and 41 per cent experienced torture during interrogation or detention.

In **Ukraine**, the National Preventive Mechanism (NPM) began to undertake regular visits to places of detention to investigate cases of alleged ill-treatment. Additionally, over 300 victims of torture received legal aid and psychological support from an NGO that is supported by OHCHR.

The Parliament of **Mauritania** adopted a Law on the Prevention of Torture which included fundamental judicial guarantees of persons deprived of their liberty in compliance with CAT.

## Death penalty

Some progress was made on the implementation of measures to abolish or institute a moratorium on the death penalty. Five States, namely **Fiji**, **Madagascar**, **Mongolia**, **Republic of the Congo** and **Suriname**, have abolished the death penalty. In the **United States of America**, there has been a steady decline

in the number of executions over the last six years; from 52 executions in 2009 to 28 in 2015. Moreover, in May, the Congress of Nebraska decided to abolish the death penalty. In a decision adopted in August, the Connecticut Supreme Court held that the death penalty violates the state Constitution.

Furthermore, the Supreme Court of **Bangladesh** ruled that the mandatory nature of the death penalty in section 6 (2) of the Women and Children Repression Prevention Act 1995 was unconstitutional; **China** and **Viet Nam** reduced the number of crimes that are punishable by death; **the Central African Republic** adopted a law establishing a special court for international crimes that excluded the death penalty as punishment; the Governments of **Burkina Faso**, **Comoros** and **Republic of Korea** submitted draft bills to their respective legislative bodies for the abolition of the death penalty; and the **Togo** Parliament adopted a bill approving the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights.

On the contrary, no progress was achieved in relation to **Iraq** as the Government rejected any recommendation to implement a moratorium on the death penalty. In addition, given the legislative and political divisions permeating **Libya**, no action was taken to amend the Penal Code to reduce the scope of the application of the death penalty.

## Training of the judiciary and security forces

OHCHR's educational and training activities have contributed to the functioning of the judiciary and law enforcement agencies in various countries in full conformity with applicable standards contained in international human rights instruments.

In **Liberia**, a mechanism has become operational that consists of trained human rights instructors at the police academy. The mechanism is designed to enhance the human rights training of police officers. Initiatives have also been undertaken to institutionalize human rights training in the Bureau of Immigration and Nationalization and the armed forces of Liberia. In **Uganda**, the Human Rights Commission facilitated five training workshops to sensitize 237 participants from law enforcement agencies and local authorities about general human rights issues, with a particular focus on torture and public freedoms. Senior law enforcement officers were trained on human rights standards that are applicable to investigations being conducted in the context of counter-terrorism operations.



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Training session on human rights concepts and principles for the armed forces of the Central African Republic, February 2015.

In **Bolivia**, a human rights-based approach (HRBA) was integrated into the design of the curricula, training programmes and materials for the training of judicial operators, prosecutors, judges, public defenders and police officers. In **Mexico**, ReformaDH, a human rights training programme that was developed by OHCHR in collaboration with the National Supreme Court of Justice and Mexico City's Human Rights Commission, is now mandatory and being widely used by various judicial schools in the country. Training-of-trainers programmes on human rights for judicial operators were also institutionalized in the Public Prosecutor's Academies of **Costa Rica**, **El Salvador** and **Panama**.

The training of prison staff in **Cambodia** is being delivered by teams of trainers from the Directorate-General of Prisons of the Ministry of Interior and the police academy. Progress is being made regarding the formalization of teams of trainers and the review of the training curriculum to ensure its compliance with human rights standards. Furthermore, in response to a request from the Ministry of Justice, OHCHR will develop a training module on international law that will be integrated into the obligatory judicial education programme in Cambodia.

In **Timor-Leste**, the curriculum on police training began to integrate human rights standards and issues and a human rights manual for police was drafted and launched by the NHRI. Together with UNDP,

#### Training for young lawyers on international and national human rights standards

In cooperation with the Lawyers' Training Centre and the Bar Association of Kyrgyzstan, the Regional Office for Central Asia conducted eight training sessions in order to increase the professional capacity of over 80 young legal counsellors and litigators from multi-ethnic districts and cities across Kyrgyzstan. The trainings included topics such as the effective protection of human rights, advocacy skills and conflict resolution skills. With their improved knowledge and increased skills, the participants are now better able to represent and protect the human rights of citizens at local and international levels. "The knowledge and skills acquired by young lawyers definitely helped them greatly in their future work. Such trainings are necessary and are in demand by all counsellors and litigators. The result is qualified and competent professionals working for the protection of the rights and freedoms of citizens of the Kyrgyz Republic," said Gulniza Kojomova, Chairperson of the Bar Association. The lawyers who participated in the training agreed to be included in a database which civil society organizations can consult when looking for legal support. Some of the participants have already worked on various projects in southern Kyrgyzstan, including trial monitoring, protection of the right to adequate housing and protection of the rights of children and vulnerable populations.

OHCHR facilitated training-of-trainers sessions for police officers on how to use the manual. By the end of the year, 258 new recruits and 85 in-service police officers had increased their knowledge about human rights standards in relation to detention, the use of force and the specific considerations to be observed when dealing with women, children and persons with disabilities.

In **Georgia**, a training module for the High School of Justice on the role of judges in the prohibition of torture was developed. In addition, more than 1,440 prison officers have increased their knowledge of human rights standards in relation to prison as a result of a training programme delivered at the National School for Prisons and Rehabilitation in **Tunisia**.

## Protection systems and accountability mechanisms

### Transitional justice and accountability

Some progress was achieved in the strengthening or creation of transitional justice and accountability mechanisms. In **the Central African Republic**, a task force of representatives of national authorities and the UN was created to work on

the establishment of the Commission of Truth. At its first meeting, a road map was developed for the establishment of the Commission. The Truth, Justice and Reconciliation Commission of **Mali**, established in January, became operational with the appointment of its President in August and its 14 Commissioners, in August and October, respectively. In **Nepal**, the Supreme Court decided to strike down amnesty clauses that were included in the laws establishing the Truth and Reconciliation Commission and the Commission on the Investigation of Disappeared Persons, although the laws have yet to be amended by the Government. In **the Democratic Republic of the Congo**, the Parliament adopted legislation to implement the Rome Statute. The Law adds definitions of international crimes to the Penal Code, abolishes immunity for officials, provides that amnesty cannot be granted for international crimes and contains provisions to strengthen cooperation with the International Criminal Court.

In September, the President of **Liberia** issued the fourth progress report on the status of the implementation of the recommendations issued by the Truth and Reconciliation Commission. The report noted that 64 per cent of the recommendations have been implemented or are in the process of being implemented. In addition, the Truth and Dignity



Participants of the Bangui National Forum, at the end of which a peace and national reconciliation pact was adopted, May 2015.

Commission of **Tunisia** opened four regional offices and to date, the offices have already filed approximately 17,000 claims and recorded more than 1,000 statements. Following the third phase of the **Afghan** People's Dialogue, civil society activists developed provincial road maps for peace. The road maps were used by 32 provincial civil society committees that were established across the country to advocate with authorities.

In other situations, obstacles were encountered for the effective operation of truth and reconciliation commissions. In **Burundi**, although the members of the Truth and Reconciliation Commission had been appointed in 2014, the absence of a law on the protection of victims and witnesses prevented it from implementing any substantive activities. The political and security crisis in **Libya**, on the other hand, hampered any progress in relation to transitional justice efforts. Without a legitimate parliament, members of the Reconciliation Commission could not be appointed. Similarly, no advancements were made in setting up accountability and transitional justice mechanisms in **Yemen** due to the instability and violence in the country.

The special session of the Court of Appeal of N'Djamena, in **Chad**, condemned 20 former agents of the Directorate for Documentation and Security, the political police of former President Hissène Habré, to sentences ranging from five years of forced labour to life sentences. Nine of the other accused were acquitted, including four for lack of evidence. A redress mechanism for victims has yet to be established. With regard to reconciliation mechanisms, the community of Bojaya in **Colombia** organized a public act of recognition of responsibility and a request for pardon by the FARC Secretariat, in December, following a year-long process during which the community raised numerous concerns with the FARC and the Government.

## National preventive mechanisms

The Parliament of **Mauritania** adopted the Law on the Establishment of a National Preventive Mechanism (NPM). In **Kyrgyzstan**, prison authorities and law enforcement agencies granted the NPM with full access to places of detention for the first time, while the NPM in **Ukraine** undertook regular visits to places of detention throughout the year. On the contrary, the two NPMs in **Cambodia**, namely the Interministerial NPM Committee and its operational arm, the NPM Secretariat, are not compliant with OP-CAT requirements. Nevertheless, as a result of its ratification of the OP-CAT, the Government is in the process of introducing changes to the current structure and is drafting a new Royal Decree on the NPM.

## Engagement by the international community

In September, the Report of the OHCHR Investigation on **Sri Lanka** was presented to the Human Rights Council amid widespread international interest. A positive political environment, following the elections of January and August, led to the adoption of a consensus resolution in the Council that was co-sponsored by Sri Lanka. The resolution outlines a range of commitments to pursue accountability and reconciliation.

As a follow-up to the report of the Commission of Inquiry on human rights in **the Democratic People's Republic of Korea**, and at the request of the Human Rights Council, OHCHR opened a new field-based structure in Seoul, Republic of Korea, in June, to undertake further documentation, advocacy and technical assistance. Furthermore, a special discussion was organized during the Human Rights Council, in September, to hear the voices of victims, civil society and other experts.



## OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (SEOUL)

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The High Commissioner speaks with the Minister of Foreign Affairs of the Republic of Korea at the opening of the OHCHR field-based structure to strengthen monitoring and documentation of the situation of human rights in the Democratic People's Republic of Korea, June 2015.

### Integrating human rights in development and in the economic sphere

*21 per cent of national expected accomplishments fully or partially achieved and good progress made on 61 per cent.*

#### Compliance of national laws, policies and institutions

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In **Guatemala**, the Ministry of Labour approved a protocol for the investigation of violations related to labour laws, particularly regarding forced labour in farming areas. The protocol was developed by the Ministry applying a human rights-based approach.

The land titling programmes in **Cambodia** are advancing steadily. The Government estimates that since mid-2015, land titles had been registered for 55 per cent of the country's approximately seven million parcels of land. Nonetheless, following the monitoring of 70 land disputes in rural and urban areas and 10 planned evictions impacting over 300 families, the titling process has reportedly had adverse impacts on indigenous peoples and other communities. On the other hand, some international companies that are operating in the country have interacted with indigenous groups and local communities to discuss consensual solutions to

existing land disputes. As a result of consultations and sustained dialogue held with the communities, a transparent complaint mechanism was established and several compensation agreements are now under discussion.

In terms of development programmes, the National Development Plan of **Madagascar** is human rights-oriented and includes commitments to guarantee women's rights. The National Planning Authority and the **Uganda** Human Rights Commission developed and adopted human rights indicators to monitor and evaluate the Government's compliance with its human rights commitments included in the National Development Plan II and local development plans. On the issue of the development of indicators, the Government of **Bolivia** established 407 indicators in relation to nine priority rights (food, education, health, housing, labour, the right of women to a life free of violence, water and sanitation and the rights to a life free of trafficking, access to justice and a fair trial).

In **Cameroon**, a number of companies stand out as pioneers in implementing human rights and business standards. For instance, a company working on the production of natural rubber has engaged in dialogue with local communities of indigenous peoples, created a human rights monitoring committee, adopted an internal policy on social responsibility and contributed to the resettlement of the communities affected by the creation of new rubber farms in the south of the country. In addition, the **Malawi** National Action





OHCHR staff members meet with land occupants and opponents in Turbo, Colombia, in the context of a land restitution process to discuss legal protection measures available under the Land Restitution Law, September 2015.

Plan on Human Rights has incorporated standards on business in accordance with the UN Guiding Principles on Business and Human Rights. In **Colombia**, the National Action Plan on Business and Human Rights was issued in December and four businesses received assistance on the integration of human rights into their operations. National action plans on business and human rights, based on the UN Guiding Principles, were also launched in **Lithuania, Norway and Sweden**.

## Participation

Rights-holders have enhanced their capacity to meaningfully participate in processes that affect them regarding their economic and social rights. Four indigenous communities in **Cambodia**, for example, prepared and submitted legal claims related to their land disputes. In May, a higher court accepted and recognized the validity of an indigenous communal land title for the first time. In **Colombia**, Afro-

### Right to health in Riosucio

Rosa Ramirez is a 36-year-old Afro-Colombian woman who lives in Riosucio, a municipality in the Chocó department of Colombia where the majority of the population is indigenous and Afro-descendant. Health care and access to health services is limited in Riosucio and the infant mortality rate is 41.38 per 100,000 live births (under five years of age). In 2014, OHCHR documented the deaths of 10 indigenous children from preventable and treatable causes. In addition, OHCHR elaborated an assessment of the health conditions in Riosucio, which unveiled the seriousness of the municipality's health situation.

Rosa, a committed member of her community, was touched

by this situation and began a training programme for inter-ethnic community health promoters that is run by the Bajo Atrato Inter-ethnic Health Promoters Committee. Rosa has been providing health care in rural communities and in the municipal capital, where she has been able to help prevent disease and save lives. Rosa recalled a situation, in January, when she was urgently called to an indigenous community where three children had just died. She was able to take 14 others to a health centre in the municipal capital for immediate medical assistance and as a result, none of them died. In addition, Rosa and other local leaders and institutions established the Riosucio Health Round Table in late 2014

in order to respond to violations to their rights to health and water. The Round Table received guidance from OHCHR on developing their internal regulations, coordinating their actions and carrying out advocacy. Due to the Round Table's advocacy, the Ministry of Health and the Secretary of Health of Chocó made a pledge, in February, to work on a comprehensive health plan that includes the improvement of existing health centres in rural communities, the deployment of health personnel and the implementation of air brigades for remote communities. To date, the health centre has been renovated, the health services have improved and the air brigades have begun to operate.

## Human rights and the 2030 Agenda for Sustainable Development

In September, world leaders adopted the 2030 Agenda for Sustainable Development. In its ongoing engagement during three years of intergovernmental negotiations and global consultations, OHCHR supported Member States, UN system partners and other key stakeholders to ensure that the Agenda is firmly grounded in human rights standards. The 2030 Agenda:

- Mirrors the human rights framework and covers issues related to economic, social and cultural rights, as well as civil and political rights and the right to development;
- Must be implemented in a manner consistent with obligations under international law, including human rights law;
- Promises to “leave no one behind,” giving priority to the hardest to reach and commits to reducing inequalities and eliminating discrimination, backed by a recognition of many marginalized groups and a call for the disaggregation of data;
- Is universally applicable for all countries and all people;
- Recognizes the indivisible nature of the Sustainable Development



A view of the General Assembly Hall during the United Nations summit for the adoption of the 2030 Agenda for Sustainable Development, September 2015.

Goals (SDGs) and that the Agenda is not an “à la carte menu,” but must be implemented in an integrated manner;

- Contains a clear commitment that national benchmarks for achieving the SDGs must be inspired by the global targets while recognizing that there is no one-size fits all;
- Recognizes that peace and security, development and human rights are interrelated and mutually re-enforcing; and
- Calls for inclusiveness and

participation, noting that all sectors of society will need to contribute to deliver on the Agenda.

In the 2030 Agenda, Member States have committed to securing freedom from fear and freedom from want for all people, without discrimination. To this end, OHCHR is working closely with partners within and beyond the UN system to support the implementation of the 2030 Agenda for the full realization of human rights.

Colombian communities of Cocomopoca undertook a protection strategy to limit the impact of armed conflict and development projects (such as mining and oil extraction) on their collective and individual rights. As a result, the Ministry of the Interior issued a resolution ordering the protection of their land rights. Furthermore, the Nasa indigenous community of Cerro Tijeras (Cauca) and Community Councils of the Raposo, Mayorquín and Anchicayá basin rivers (Buenaventura) elaborated a protocol for prior consultation.

### Engagement by the international community

In September, after three years of intergovernmental negotiations and one of the most consultative processes in the history of the UN, Member States adopted and launched the 2030 Agenda for

Sustainable Development, which is strongly grounded in international human rights standards. OHCHR played an active role in the development of data and statistics to ensure that the indicators and data sources can be used to help measure freedom from fear and freedom from want. While the final list of indicators is not yet available, it is expected that many of those recommended by OHCHR will be included among the measurement tools of the 2030 Agenda. Furthermore, efforts of the Special Rapporteur on the human right to safe drinking water and sanitation, the UN agencies and other stakeholders led to the adoption of a stand-alone goal and detailed targets on water, sanitation and hygiene. Similarly, advocacy by the Special Rapporteur on the rights of persons with disabilities and organizations of persons with disabilities resulted in the inclusion of several references to this group of persons in the 2030 Agenda.

## Human rights integrated into UN policies and programmes

OHCHR led efforts to mainstream human rights in the work of the UN at the global and country levels. Through the United Nations Development Group Human Rights Working Group (UNDG-HRWG), the Office coordinated the development of a new Guidance Note on Human Rights for Resident Coordinators and United Nations Country Teams (UNCTs), which the UNDG adopted in June. Furthermore, policy guidance and technical tools were developed to support the implementation of the 2030 Agenda, including the Mainstreaming, Acceleration and Policy Support initiative and an Interim Reference Guide to UNCTs entitled, *Mainstreaming the 2030 Agenda for Sustainable Development*.

At the field level, the capacity of UNCTs to apply a HRBA and prioritize human rights issues was enhanced through OHCHR's involvement in UN planning processes, including for the United Nations Development Assistance Framework (UNDAF). This was the case in Asia with the UNDAF roll-out in **Bangladesh, Lao PDR, Mongolia, Thailand** and **Viet Nam**. The draft UNDAF for **Bangladesh** is strongly founded on a HRBA and the 2015-2019 UNDAF for **Timor-Leste**, signed in September, is human rights-based and geared towards inclusive, sustainable and equitable development. Furthermore, three of its outcomes are specifically focused on disadvantaged groups.

In Africa, recommendations issued by the human rights mechanisms were incorporated into the UNDAFs of **Benin** and **the Gambia**. The Sustainable

Development Partnership Framework of **Zambia**, signed in November, highlights the principles of inclusion and non-discrimination, prioritizes vulnerable, marginalized and discriminated groups and includes references to the human rights mechanisms.

In Europe and Central Asia, OHCHR provided inputs for the finalization of UNDAF documents in **Armenia, Azerbaijan, Belarus, Georgia, Kosovo<sup>1</sup>, Tajikistan, Turkey** and **Uzbekistan**, as well as road maps for the UNDAF roll-outs in **Albania** and **Montenegro**. **Serbia's** draft 2016-2020 UNDAF includes a sub-pillar that is dedicated to the implementation of recommendations issued by the human rights mechanisms. It also includes activities related to stigmatized groups and gender equality. Moreover, the UN Partnership for Sustainable Development in **Georgia**, signed at the end of the year, includes relevant recommendations issued by the human rights mechanisms.

The 2015-2017 UNDAF of **Jordan** includes references to human rights indicators and the draft Common Country Assessment (CCA) for the **State of Palestine<sup>2</sup>** positions human rights at the centre of UN programming.

In **Haiti**, the Integrated Strategic Framework includes human rights standards and principles and the UNDAFs for **Brazil, Ecuador, Honduras** and **Uruguay**, were developed in accordance with a HRBA. Moreover, the Common Multi-Country Assessment of six English-speaking Caribbean countries was finalized and significantly integrates gender- and human rights-based approaches into its situation analysis.

<sup>1</sup> Reference to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.

<sup>2</sup> Reference to the State of Palestine should be understood in compliance with United Nations General Assembly resolution 67/19.

## Widening the democratic space

*20 per cent of national expected accomplishments fully or partially achieved and good progress made on 55 per cent.*

### Compliance of national laws, policies and institutions

#### National human rights institutions

Strong NHRIs are key elements of effective national human rights protection systems. These systems work to ensure the compliance of national laws and practices with international human rights standards and monitor and address human rights concerns at the national level. OHCHR supported the establishment or strengthening of 71 NHRIs in 2015 by working with relevant stakeholders, providing substantial and secretariat support to the International Coordinating Committee for National Human Rights Institutions and advising NHRIs in their interaction with the human rights mechanisms.

An Ombudsman Office, in line with the Paris Principles, was established in **Cape Verde**. Draft laws on NHRIs that are in compliance with the Paris Principles were reviewed and finalized in **Burkina Faso** and **Benin**. In **Chad**, a committee comprising the Ministry of Justice and Human Rights, the Bar Society, the University of N'Djamena and civil society actors, was established to develop a draft law on the National Human Rights Commission. The draft law was submitted to the Government for adoption, in December.

The National Human Rights Commission of **Côte d'Ivoire** adopted its five-year strategic action plan and presented its first annual report on the human rights situation in the country. Likewise, the NHRIs in **Liberia** and **Niger** presented their first annual reports, in October and November, respectively, which highlighted the human rights situations in their countries. The Human Rights Commission of **Zimbabwe** issued its first human rights baseline study and increased its capacity to monitor places of detention.

A law establishing an independent NHRI in **the Central African Republic**, in accordance with the Paris Principles, was drafted in 2010 and submitted to the National Assembly in 2012. The volatile security situation in the country, however, prevented the discussion on and approval of the draft.



© UN Photo/Omar Abdissalam  
Civil society representatives and human rights defenders attend a workshop to validate the Action Plan for the implementation of the Human Rights Road Map of Somalia (2015-2016), May 2015.

Although nine Commissioners were sworn in on 23 July in **the Democratic Republic of the Congo**, the National Human Rights Commission is operating with limited financial and physical resources.

The Ombudsman's Institution in **Colombia** adopted a new operating structure to improve its performance in monitoring and promoting human rights. In **Guatemala**, the NHRI increased its capacity to investigate and report on human rights violations and issued a thematic report on the impact of public policies on the right to food.

In 2015, the Sub-Committee on Accreditation of the International Coordinating Committee of National Human Rights Institutions recommended that the **Afghanistan** Independent Human Rights Commission maintain its 'A' status. The **Myanmar** National Human Rights Commission, although not yet in full compliance with the Paris Principles, made progress in terms of its institutional development. In 2015, the Commission issued 16 statements, accepted over 4,000 complaints and initiated a number of investigations, even though their outcome was not consistently disclosed.

**Fiji** re-established its Human Rights and Anti-Discrimination Commission and, in May, appointed new Commissioners. In **Samoa**, the Office of the Ombudsman carried out monitoring visits to prisons, launched its first human rights report and prepared a report in relation to Samoa's second UPR cycle. The institution is functioning in accordance with the Paris Principles and is finalizing its application for accreditation to the International Coordinating Committee of National Human Rights Institutions. The NHRI in **Timor-Leste** maintained its 'A' status



Staff members of OHCHR and the Guatemalan National Human Rights Institution jointly monitoring the peaceful protests against corruption and impunity in Guatemala, April 2015.

and consistently brought alleged human rights violations to the attention of the authorities. In 2015, it issued a report expressing concern about human rights violations being committed by security forces.

The **Iraqi** High Commission for Human Rights carried out consultations with a wide range of civil society actors and other stakeholders concerning human rights issues of importance. It also increased its capacity to carry out effective monitoring and advocacy. In addition, the Parliament of **Kuwait** adopted a law on the establishment of a NHRI, in July. In **Oman**, the NHRI law is being revised to ensure its compliance with the Paris Principles. Although the Law on the National Independent Human Rights Institution was adopted by the Government of **Yemen**, its ratification by Parliament is pending.

### Freedom of expression, assembly and association

In 2015, a number of laws were approved or reviewed which may limit the ability of civil society actors to associate and express their views. While the Law on Maintaining Public Order was promulgated in **Guinea** and improves the country's legal framework governing the right to peaceful assembly, it is not in full compliance with international standards. In **Tanzania**, the Media Services Act and

the draft act on access to information may result in restrictions to the right to freedom of expression. The Government of **Cambodia** adopted a Law on Associations and NGOs, which includes mandatory registration and onerous reporting requirements that are tied to criminal sanctions and de-registration if they are not fulfilled. In June, the Parliament of **Kuwait** passed the Cybercrime Law, which curtails freedom of expression. Similarly, a new draft law has been submitted to the Parliament of **Tunisia** for discussion regarding the right of access to information. The draft raises concerns because it adds more restrictions to the right to information.

In terms of positive developments, a national draft policy on public participation was developed in **Kenya**, which incorporates human rights standards. Likewise, the draft amendment of the Public Order Law that was recently submitted to the **Guatemalan** Congress incorporates human rights standards. In **Kyrgyzstan**, proposed legislation did not enter into force that would have increased State control over civil society actors, particularly a law granting broad powers to State authorities to interfere in the internal affairs of NGOs. In **Mexico**, the General Law on Transparency and Access to Public Information was voted on by the Federal Congress and published in May. Among other provisions, the Law calls for the creation of a National System of Transparency to coordinate and harmonize criteria in all activities related to access to public information.

## Protection systems and accountability mechanisms

In 2015, the Attorney General's Office in **Colombia** issued two resolutions. The first resolution created the Special Task Force to investigate cybercrimes

and threats against members of unions, human rights defenders, journalists and officials of the judicial branch or the Public Ministry and their families and the second resolution aimed at tackling impunity in cases of violence against human rights defenders. The Attorney General's Office conducted preliminary

### Defending the right to land of indigenous peoples in Cambodia

"Without OHCHR's support to make things happen in order for us to be recognized as a legal entity, I can't imagine how my community would have been able to secure our land rights or preserve our tradition and culture. We managed to claim more than 700 hectares of our ancestral land back from the company, which would have been impossible without their support." This is how Chhoet Chhorn, representative of nearly 200 families from the Por indigenous community in Battambang province, Cambodia, expressed himself when rejoicing at the good news in November.

Like the other indigenous peoples in Cambodia, Chhoet Chhorn and his community share a very special relationship with the land. Their livelihood and culture – their very existence as a people – depend on it. But few have been able to deal with the dizzying pace of encroachment by commercial plantations, tourist resorts, development projects and legal and illegal logging in a country with one of the highest rates of land grabbing and deforestation in the world. In Cambodia, a progressive Land Law, dating back to 2001, provides indigenous groups with the possibility of securing collective ownership of their communities' land, in line with their culture and traditions. For this right to become a reality, however, indigenous peoples need to navigate through a laborious application process, involving different ministries and local departments, that could not be more alien to their centuries-old way of life. There are approximately 179,000 persons belonging to 24 different indigenous

peoples who are living in Cambodia's 15 provinces. In 2011, 10 years after the Land Law had been enacted, only three Bunong indigenous communities from the north-eastern province of Mondulakiri, representing approximately 330 families, had managed to secure communal title to their ancestral land.

In response, OHCHR launched a special initiative in 2011 to assist a number of indigenous communities that were affected by problematic land concessions and other private businesses. Working in close cooperation with the International Labour Organization, the German Cooperation Agency and a range of civil society partners, OHCHR provided financial, legal and logistical support to seven Bunong villages in Mondulakiri province, three Suoy communities in Kampong Speu province and Chhoet Chhorn's Por community in Battambang. After providing legal training on the process to the communities, local NGOs and local authorities, OHCHR assisted the indigenous communities to file applications that would eventually make them eligible to secure the certificate of collective ownership of their communal land. Most of the communities supported by OHCHR have now successfully completed two of the four stages of the application process.

For Chhoet Chhorn's group, the process has not been without its hurdles. After being officially recognized as a Por indigenous group by the Ministry of Rural Development in September 2013 and then formally registered as a

legal entity with the Ministry of Interior later the same year, they succeeded in obtaining an interim protective measure for their ancestral lands in 2014. Local officials from the Ministry of Land Management then gave them the go-ahead to register the communal land title in 2015; a process that is almost complete. Yet for this to happen, they were told a detailed mapping exercise had to be carried out. This exercise took several months to finalize. OHCHR monitored and facilitated progress for the 200 Por families during the process. When the Battambang provincial authorities eventually approved the maps of Chhoet Chhorn's community land in November 2015, the 720 hectares that the indigenous community had farmed based on their customary rotational basis, before they were appropriated, were returned to the families. This result is more than what the group initially hoped for.

Accompanying the indigenous groups every step of the way as they struggled to obtain the formal communal land title enabled OHCHR to identify bottlenecks and make practical recommendations to the Government at the policy level. It also provided the Office with an opportunity to explain the United Nations Declaration on the Rights of Indigenous Peoples and the United Nations Guiding Principles on Business and Human Rights to local authorities, private companies and the communities. It is hoped that the path will now be smoother for other indigenous peoples in Cambodia who will be embarking on the same process in the future.

inquiries with regard to 10 specific cases of attacks against human rights defenders in Barranquilla, Cali, Cúcuta, Medellín, Neiva and Pasto. In addition, the Ministry of the Interior issued a resolution establishing a protocol to enhance its programme on the protection and promotion of human rights.

In **Mexico**, the National Protection Mechanism for journalists and human rights defenders has begun to carry out security analysis and

offer protection measures that are in line with international standards; while, in **Guatemala**, an interinstitutional mechanism for the protection of human rights defenders provided protection measures to 20 defenders. Additionally, a Working Group on human rights defenders was established at the Ministry of Justice in **Thailand** and the criteria to identify at-risk human rights defenders and appropriate protection measures are being developed.

### Monitoring women's rights during the elections in Burkina Faso

The first democratic elections in Burkina Faso in the past two decades saw a strong participation of the population, which included an important mobilization of women (approximately 47 per cent), who could exercise their right to vote without any major impediment. Exercising their right to participate in the elections in accordance with the international human rights treaties ratified by Burkina Faso enables women to play a major role in the public and political life of their country. According to Clementine Ouedraogo, founding member of the Coalition of Burkinabe Women's Rights, "It is important that the women mobilize to vote because their choices will have consequences in their lives and those of their children."

As part of efforts to promote the increased participation of women in political life, OHCHR's Regional Gender Adviser worked with Oxfam and the Coalition of Burkinabe Women's Rights on the implementation of a project to improve women's capacity to participate in public life and monitor their rights during the 2015 parliamentary and presidential elections. At least 30 members of the Women's Coalition were equipped with knowledge and tools to ensure their effective participation as voters, observers and candidates of the presidential and legislative elections.



OHCHR staff member interviews the founder of the Coalition of Burkinabe Women's Rights.

"In a context where the majority of the population is illiterate, training the Coalition members on techniques to monitor women's rights and gender during the elections allowed them to better involve and engage the population in the elections. Political education is fundamental to facilitating the understanding of women for a more enlightened vote," says Clementine Ouedraogo.

In addition, the Regional Gender Adviser coordinated a team of 30 monitors to observe gender aspects and women's rights on polling day, which took place on 29 November. Though the elections took place peacefully, the monitoring team recorded

some concerns that were primarily related to limited access to polling stations for the elderly and disabled women, a lack of knowledge on the use of voting materials and incidents regarding influence on the votes of women in certain rural settings, including the withdrawal of voting cards. Nevertheless, the monitoring contributed to ensuring that the votes of everyone, including women, were effectively taken into account. "I wanted to take part as a human rights monitor to contribute to building people's confidence and consolidating democracy in Burkina Faso," said Alizeta Ouedraogo, an electoral human rights monitor from the Coalition Burkinabe of Women's Rights.

## Participation

With OHCHR's support, a platform of women was created to generate discussions and advocate with national authorities about measures for the consolidation of peace in **Guinea**. In **Yemen**, a network of 24 lawyers was established to provide legal aid to individuals and groups whose rights had been violated.

In **Kyrgyzstan**, the Presidential Administration established four working groups to develop concrete measures to promote the increased participation of minorities in public affairs. Moreover, the Training Centre of the National Commission on State Language developed materials to teach the Kyrgyz language to civil servants, in particular those from ethnic minority communities who do not speak the language and are at risk of losing their jobs for that reason. Approximately 300 civil servants are now taking the language classes.

The Legal Office of the Prime Minister and civil society organizations in **Kosovo**<sup>3</sup> worked together to draft the regulations on verifying the status of conflict-related survivors of SGBV and the related administrative instructions. This helped to ensure that the regulations are in compliance with international human rights standards and principles of equality and non-discrimination. In addition, regional coordination mechanisms composed of representatives from municipalities, education, health care institutions, the police and civil society organizations were established in four municipalities to deal with cases of gender-based violence.

The large voter turnout in **Myanmar's** November elections is a positive indicator of the meaningful participation of civil society organizations in the political sphere, despite the obstacles they faced in the exercise of political rights and fundamental freedoms and the inadequate political representation of women.

As a result of OHCHR's 2015 edition of the Indigenous Fellowship Programme (available in English, French, Spanish and Russian), 31 indigenous representatives, including 18 women, increased their capacity to effectively use international human rights mechanisms to better advocate for their rights. In addition, five fellows were given the opportunity to further their knowledge by contributing to OHCHR activities in Geneva, Cambodia, Colombia and Tanzania. The 2015 Minority Fellowship training programme helped to develop the capacity of 12 minority representatives, including seven women. Many fellows subsequently organized national-level training and capacity-building activities when they returned home.

### OHCHR's work on Syria in 2015

In 2015, OHCHR's work on the Syrian Arab Republic involved monitoring and reporting, providing human rights and legal advice to partners, capacity-building and advocacy activities. As it had no access to Syria, OHCHR deployed human rights officers to Beirut, Gaziantep and Amman to engage with the humanitarian leadership on Syria, and to document and report on the human rights situation in the country. The information gathered was reflected in the Secretary-General's monthly reporting to the Security Council and used as a key source for OHCHR's advocacy. In Geneva, OHCHR also liaised regularly with the International Commission of Inquiry and the Office of the Special Envoy to share information on its findings and provide human rights input into the political process. Finally, support was also provided to civil society actors in order to increase their understanding of thematic issues and to enhance their capacity to monitor and report on human rights violations.

<sup>3</sup> Reference to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.



## Early warning and protection of human rights in situations of conflict, violence and insecurity

*23 per cent of national expected accomplishments fully or partially achieved and good progress made on 67 per cent.*

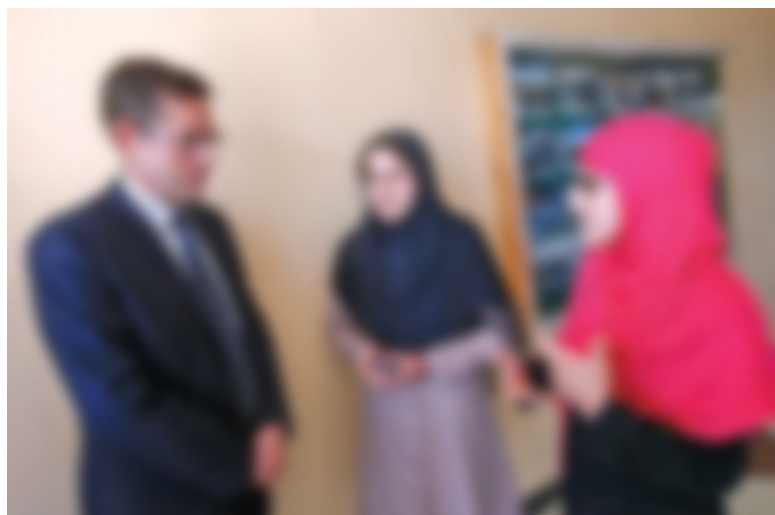
### Compliance of national laws, policies and institutions

#### Gender-based violence and trafficking

In **Afghanistan**, the Ministry of Women's Affairs published its third report on the implementation of the Law on the Elimination of Violence against Women and documented 5,720 registered cases between March 2014 and March 2015. Moreover, in June, the President launched the country's first National Action Plan on the Security Council's resolution on women, peace and security. The Action Plan outlines the Government's pledges for strategic interventions in order to increase the role of women in the areas of participation, protection, prevention, relief and recovery. A number of legislative additions and amendments concerning women were also enacted, such as the Regulation on Prohibition of Women Harassment and the electoral legislation that increased the quota for women in Provincial Councils and District Councils to 25 per cent.

During her visit to **Malaysia** from 23 to 28 February, the Special Rapporteur on trafficking in persons, especially women and children, reviewed the country's legislative, policy and institutional framework to combat trafficking and made a number of recommendations. Following her visit, the Government took steps to address the issue of trafficking, including by revising its anti-trafficking law as it relates to freedom of movement of victims of trafficking in shelters, improving opportunities for employment and regularizing the migration status of victims who fulfil certain criteria and securing compensation and the payment of delayed salaries to victims.

The President of **Nigeria** signed the Law on Violence against Persons, which prohibits harmful traditional practices and various forms of violence against women. In **South Sudan**, the Ministry of Gender, Child and Social Welfare drafted a five-year National Gender Policy Strategic Plan, which is aimed at promoting a robust policy and legal



framework to eliminate SGBV and institutionalize appropriate response and protection mechanisms. The plan has not been implemented.

In the Americas, OHCHR's Model Protocol for the investigation of gender-related killings of women became part of the curricula of the Public Ministry's Training School in **Panama**. It was also endorsed by the Attorney General's Office of La Pampa province in **Argentina** to be used in the investigation of gender-related killings of women. In **Guatemala**, a toolkit for the integration of a gender perspective in judgements related to cases of femicide and other forms of violence against women started to be used by the judiciary. In addition, the monitoring and evaluation framework of the National Strategic Action Plan on Ending Gender-Based Violence in **Jamaica**, not yet approved by the President, includes human rights indicators and relevant concluding observations issued by the human rights treaty bodies and UPR recommendations.

#### Security sector

The national police and the army of **Colombia** established prevention mechanisms, such as regional human rights round tables, which monitor and evaluate disciplinary, administrative and criminal investigations in cases of human rights violations. The national police also developed strategies to include human rights standards in citizen security policies, in particular prevention and protection strategies for human rights defenders, social organizations, indigenous peoples, Afro-descendants, LGBTI persons, journalists, land claimants and union members. At the regional level, the national police

in Bajo Cauca and the Attorney General's Office strengthened their strategy on the investigation of cases of the sexual exploitation of children. These actions contributed to the rescue of six children who were being sexually exploited in the rural area of El Bagre and helped to advance the investigation and prosecution of a network of child trafficking and sexual exploitation in the region.

In **Yemen**, the Ministry of the Interior reviewed four draft laws on security to harmonize them with international human rights standards, in particular the Human Rights Due Diligence Policy (HRDDP). The draft laws were submitted to the Parliament for endorsement.

## Protection systems and accountability mechanisms

Protection mechanisms and strategies were implemented by a number of Member States to better protect the rights of their populations and bring those responsible for human rights violations to justice. The National Human Rights Commission of **Nigeria** deployed approximately 300 monitors to the North East and North Central zones as part of a mechanism for the systematic monitoring of and reporting on the human rights situation in areas affected by insecurity. In **Darfur**, the Ministry of Justice appointed new prosecutors in all five regions which contributed to an increase in

### Supporting victims of ill-treatment in Ukraine

One morning, several months ago, Anna called the OHCHR Human Rights Monitoring Mission in Ukraine (HRMMU) and said that she wanted to speak to someone from the UN Office in Donetsk. A local NGO representing the mothers and wives of men involved in armed groups in eastern Ukraine had given her HRMMU's contact details.

When Anna arrived at the UN Office in Donetsk, she told the story of her son, Nikolai. He had been involved in protests in a southern Ukrainian city in early 2014 and became caught up in the wave of demonstrations. Soon after, he became involved with an anti-government group that had ties to some of the armed group battalions in Donetsk.

After Nikolai was arrested by Ukrainian law enforcement, he was detained incommunicado in a "basement" for several weeks, subjected to beatings and electrocution and denied medical care. After being charged with involvement in separatist activities, he and his co-defendants were transferred to a pre-trial detention facility, from which he was able to call his mother. A few months passed before he began telling her about what he had lived through.

As the investigation into Nikolai and his co-defendants continued, they were periodically taken back to the "basement" where they were tortured and forced to sign confessions. Eventually, they were taken to court for an arraignment and asked if they plead guilty or not guilty. Upon pleading not guilty, Nikolai was taken back to the "basement" and threatened with further physical violence if he did not change his plea.

Anna had come to HRMMU as a last resort. She had implored Nikolai's lawyer to challenge the admissibility of evidence extracted under duress. She had travelled to Donetsk to appeal to the de facto authorities to request that Nikolai be included in a prisoner exchange. She had almost given up before approaching the HRMMU for advice.

Realizing the urgency of the case and the vulnerability of Nikolai, the HRMMU team in Donetsk took immediate action. Anna was asked by HRMMU to put the Office in contact with the relatives of Nikolai's co-defendants. They were interviewed and information was collected that five other men were being subjected to the same form of ill-treatment. With the assistance of HRMMU in Kyiv, the relatives were

put in contact with the Ukrainian Helsinki Human Rights Committee to see if interim measures could be requested under Article 39 of the European Convention for Human Rights. HRMMU recommended that Anna and the relatives of the other co-defendants make written submissions to the general prosecutor and the Ombudsperson's Office to investigate their treatment and conditions of detention. The HRMMU also submitted a written intervention to the Ukrainian authorities outlining the allegations and making reference to Ukraine's obligations under the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

Three weeks later, the local NGO representative who had referred Anna to HRMMU came to the Office in Donetsk. She said that Nikolai and his co-defendants had stopped being ill-treated and that their cells had been cleaned up. The advocacy efforts of HRMMU, which included partnering with civil society, providing advice to victims on engaging with the domestic legal system and existing human rights mechanisms and making high-level interventions, yielded concrete results in improving the conditions of detention and treatment of detainees.



OHCHR staff member on a monitoring mission to Ibb, Yemen, December 2015.

the number of cases brought before the courts.

In **the Democratic Republic of the Congo**, the UN supported eight Joint Investigation Teams and 10 mobile court hearings for grave human rights violations in the provinces of Equateur, Maniema, North Kivu, Orientale and South Kivu. The human rights violations that were investigated and tried by the mobile courts included war crimes and crimes against humanity, such as murder, sexual violence and torture. In **Mexico**, the President signed a bill on the prevention and punishment of crimes relating to missing persons. If the bill is approved by Congress, a national search system and registry of missing and disappeared persons will be created.

In **Afghanistan**, the number of civilian deaths and injuries that occurred between January and November as a result of the conflict increased by more than four per cent when compared to the same period in 2014. As a result, 2015 is now the year with the highest recorded number of civilian casualties that have been documented since 2009. The tracking of civilian casualties by the Office has had a measurable impact on the policies of most parties to the conflict. For example, the President of Afghanistan directed the National Security Council to ensure that all security agencies take preventive measures to reduce civilian

#### Hotline in Burundi as an early warning mechanism

In Burundi, OHCHR set up a hotline to enable rights-holders to denounce alleged human rights violations. From May to September, nearly 1,000 phone calls were received, primarily from people in Bujumbura who called regarding cases of alleged extrajudicial killings, arbitrary arrests and violations of the freedoms of expression and movement. The hotline also enabled operators to provide callers with advice and referrals and to gather information on cases that required further investigation by OHCHR.

casualties. Similarly, the Ministry of Defence prepared a policy on civilian casualty mitigation which has been submitted to the acting Minister of Defence for approval. Nevertheless, the Afghan National Security Forces still lack a permanent structure which would allow for the systematic investigation of allegations of civilian casualties and the implementation of follow-up actions.

Based on its monitoring work, OHCHR prepared and presented four public reports on the human rights situation in **Ukraine**. The reports contained recommendations regarding the human rights challenges being faced in the east and Crimea and in relation to issues of accountability, administration of justice, respect for fundamental freedoms, the rights of women and minorities and economic and social rights. Following discussions with the Office on mechanisms to protect civilians, the State Emergency Service made an announcement in February that over 7,000 civilians would be evacuated from endangered locations in the Donetsk and Luhansk regions.

### Engagement by the international community

In 2015, OHCHR strived to ensure that human rights were mainstreamed in the international community's response to humanitarian challenges and situations of conflict. Investigations carried out pursuant to resolutions of the Human Rights Council on Iraq and Libya resulted in a better understanding and awareness of the human rights concerns at stake in relation to both crises. In the case of **Libya**, the monitoring of the Office fed numerous public statements and reports by the High Commissioner, including a report on the situation of human rights in Libya, and reports by the Secretary-General. The Office's documentation of the human rights situation in **Mali** resulted in three reports outlining key recommendations on protection measures. In **Yemen**, 33 reports that were prepared on the human rights situation in the country provided essential evidence for statements and briefings by the High Commissioner and for advocacy messages issued by the Office of the Special Assistant to the Secretary-General and the Humanitarian Coordinator.

In **Ukraine**, as co-lead of the Protection Cluster, the Office advocated with the Emergency Directors of the Inter-Agency Standing Committee for: increased engagement with Mine Action; greater freedom of movement to and from the conflict area; and the need to ensure that the concerns of vulnerable groups living outside the protection areas would be fully taken into account during planning for the humanitarian response. Consequently, messages

issued by the Emergency Directors largely reflected the human rights concerns advocated by the Protection Cluster. Human rights concerns were also integrated in the Recovery and Peacebuilding Assessment that was conducted by the Government of Ukraine, the EU, the UN and the World Bank and in the UN Humanitarian Needs Overview and Response Plan.

OHCHR continued documenting cases of alleged human rights violations across the **State of Palestine**<sup>4</sup>, including in relation to gender-based violence, the right to life, the right to not be arbitrarily detained, the freedoms of assembly and of expression, the freedom of movement and the right to adequate housing and health. The Office's reports on the human rights situation in the Occupied Palestinian Territory formed the basis for relevant discussions in the Human Rights Council and the General Assembly. In the context of the escalation of violence in October, the Office's regular briefings helped to inform advocacy efforts undertaken by senior UN officials in the field, New York and Geneva to de-escalate the situation and to ensure that key human rights considerations remained at the top of the agenda.

The Security Council continued requesting inputs from OHCHR on a number of conflict situations. The High Commissioner and the Assistant Secretary-General for Human Rights briefed the Security Council at formal meetings and informal consultations on Burundi, Myanmar, Ukraine and Yemen. The Office also engaged with the Security Council on draft

<sup>4</sup> Reference to the State of Palestine should be understood in compliance with United Nations General Assembly resolution 67/19.

resolutions, particularly regarding the renewal of mandates of peace or political operations, to ensure the full integration of human rights.

## Human rights integrated into UN policies and programmes

Implementation of the Human Rights Up Front Action Plan continued in 2015. At UN Headquarters in New York, OHCHR participated in various inter-agency task forces and interdepartmental meetings to ensure the integration of a human rights perspective in the consideration of countries in conflict or in political transition and in the development of system-wide strategies for engagement. An inter-agency task force, led by the Office, developed a proposal for the establishment of a common UN information management system on violations. The proposal was presented to the Deputy Secretary-General in November and offers suggestions to improve the manner in which early warning information is managed to promote UN preventative action and early response. In coordination with the Department of Political Affairs (DPA), OHCHR developed the concept of "light teams" as an innovative mechanism to get capacity on the ground to respond to emerging or actual crisis situations. The first light teams were deployed to **Burkina Faso, Lesotho and Nigeria**. Furthermore, in responding to unrest in **the former Yugoslav Republic of Macedonia**, a joint OHCHR-DPA mission was deployed, in May, to undertake a first-hand assessment of the situation in the country and formulate recommendations for follow-up by the Government, the UN system and the international community.



Monitoring of a protest by Palestinians against the closure of a road in Kafr Qaddum, State of Palestine, April 2015.

In the context of the Inter-Agency Review Group on the Human Rights Due Diligence Policy, OHCHR issued a guidance note on the Policy, which contributed to the increased consistency and coherence of its worldwide application. At the field level, the Special Representative of the Secretary-General signed the Standard Operating Procedure (SOP), in April, for the implementation of the HRDDP in **the Central African Republic**. OHCHR then took the lead in the implementation of the Policy at the peace mission level, including by developing an operational mechanism for the establishment of risk assessments; conducting a mapping of ongoing and foreseen UN support to non-UN security forces in the Central African Republic; initiating a preliminary risk assessment of the country's security and defence forces; and developing an information management system. A similar SOP was adopted by the United Nations Multidimensional Integrated Stabilization Mission in **Mali**. The United Nations Stabilization Mission in **Haiti** was the first UN peacekeeping mission to implement the SOP and human rights guidelines for its uniformed personnel.

Through its engagement with the humanitarian community, OHCHR ensured that protection and respect for human rights was at the centre of the UN response to both natural and man-made crises. For instance, following the April earthquake in **Nepal**, an OHCHR staff member was deployed to support the UN and other humanitarian actors in mainstreaming human rights and protection concerns in the context of the response. Through its co-leadership of the Pacific Humanitarian Protection Cluster, the Office ensured surge capacity for several weeks when Tropical Cyclone Pam hit **Vanuatu** in March. As the Protection Cluster lead in the **State of Palestine**<sup>5</sup>, OHCHR ensured that: accountability for violations was a key issue for the humanitarian community; protection was mainstreamed in the analysis and responses of other Clusters; and the 2016 Humanitarian Response Plan emphasized accountability and recognized the need for increased respect for international law. The Humanitarian Needs Overviews and Plans in **Colombia, Mauritania, Nigeria** and **Yemen** also included references to the centrality of protection in humanitarian actions and human rights concerns. Finally, in **Guinea**, the Office participated in the working groups of the UN Mission for Ebola Emergency Response and worked with survivors of the Ebola Virus Disease with regard to stigmatization.

<sup>5</sup> Reference to the State of Palestine should be understood in compliance with United Nations General Assembly resolution 67/19.



Protection assessment carried out by OHCHR staff members in communities affected by Tropical Cyclone Winston in Fiji, February 2015.

## OHCHR's role

OHCHR contributed to the results outlined above through a wide variety of means, including extensive advocacy with government partners and CSOs, the provision of technical cooperation and advisory services to regional and national partners and through monitoring and reporting activities. More specifically, it encouraged Member States to comply with international standards; provided advice on the drafting of laws and policies; submitted legal briefs to the judiciary; and undertook research on thematic issues of concern, such as human rights indicators, migration and the rights of minorities. Moreover, it provided technical assistance to indigenous and Afro-descendant communities with regard to claiming and obtaining their rights and to civil society actors to support their increased participation in public affairs. In the course of its work, OHCHR helped to develop the capacity of relevant stakeholders through trainings and workshops.

The Office actively promoted human rights in intergovernmental and inter-agency deliberations and processes, such as the 2030 Agenda for Sustainable Development and humanitarian planning, including through advocacy, research, consultations and expert meetings.

In particular, OHCHR's work consists of the following:

### Supporting standard setting

OHCHR provides the various human rights mechanisms and bodies with substantive and technical assistance as they undertake their standard-setting functions. Specifically, the Office contributes to the normative work of the Human Rights Council, its Advisory Committee and the special procedures. The Office also supports the progressive

development of international law by undertaking legal research and providing secretariat assistance to the human rights treaty bodies for the development of general comments/general observations and jurisprudence related to individual complaints.

### **Monitoring and reporting**

Through its human rights monitoring work, OHCHR collects, documents, analyzes and applies information to address human rights concerns. OHCHR's monitoring serves as an early warning tool which helps national authorities and other relevant actors to take steps to prevent or mitigate human rights violations. OHCHR gathers information about incidents by observing events (elections, trials, demonstrations, etc.), visiting sites, including places of detention, indigenous communities and refugee camps, and meeting with government authorities and relevant stakeholders in order to obtain information and pursue remedies and other immediate follow-up. The Office collects and analyzes information on the basis of the international human rights standards, reports on its findings and supports corrective action.

### **Technical cooperation and advisory services**

This type of cooperation takes the form of human rights needs assessments, expert advisory services, awareness-raising activities, training workshops and seminars, facilitated consultations, fellowships and grants and the publication of advocacy and awareness materials as well as other forms of information and documentation. Through its technical cooperation activities, OHCHR aims to translate international human rights law and principles into practical methods, approaches, procedures and tools to be applied by international and national actors in their human rights work. Technical assistance is provided to facilitate the implementation of and follow-up to UPR recommendations; ensure the preparation of reports to human rights mechanisms in accordance with relevant reporting guidelines; develop and implement training programmes and materials; develop national human rights action plans; review legislation and policies; and implement human rights indicators.

In its technical cooperation projects, OHCHR seeks to engage and collaborate with all relevant stakeholders at the national level, including civil society, national institutions and representatives of parliaments and the courts.

### **Advocacy and awareness-raising**

OHCHR speaks out objectively in the face of human rights violations around the world. The Office provides a forum for identifying, highlighting and developing responses to human rights challenges and contributes to increased awareness and understanding of human rights issues through research, education, public information and advocacy activities.

This involves the identification of emerging trends in human rights; speaking out on behalf of victims; developing and implementing appropriate responses to violations; documenting and sharing good practices and preparing learning tools; reaching out to multiple stakeholders; implementing awareness-raising campaigns on thematic issues or on the occasion of special dates and anniversaries; and facilitating the integration of a human rights perspective into the work of the United Nations as a whole. OHCHR fulfils its advocacy role by maintaining a continuous dialogue with Member States and relevant stakeholders. Moreover, the High Commissioner's leading role on human rights remains visible and relevant as a result of regular public statements, speeches, opinion articles, country visits, high-level meetings and other key outreach activities.

OHCHR has used traditional media, the web and social media platforms to extend its global outreach, connect with a wide range of stakeholders at the national, regional and international levels and increase their awareness about human rights issues.

### **Building partnerships**

OHCHR works in close partnership with numerous stakeholders at the global, regional, national and local levels, both within and outside the United Nations system. Many of these partnerships are of a strategic or operational nature and involve collaboration and the pooling of resources with relevant stakeholders that have a shared interest in addressing specific human rights needs. Partners include Member States, NHRIs, CSOs at the international, national and local levels, the private sector, foundations, regional and international organizations, UN Secretariat departments and UN agencies, funds and programmes. In addition, the Office cooperates with the international human rights machinery to find effective ways to work together in order to address global human rights issues.