

# Research and Right to Development Division

## Background

OHCHR provides guidance, advice and applied research, develops learning packages and shares expertise on a wide range of human rights themes with Member States, national human rights institutions (NHRIs), civil society organizations (CSOs), United Nations partners and international human rights bodies and mechanisms. The Research and Right to Development Division (RRDD) is largely responsible for supporting the High Commissioner's global leadership role in this regard by informing policy positions and advocacy on thematic issues through legal analysis and applied research.

Strongly anchored in the thematic strategies of the Office, RRDD endeavours to: integrate all human rights, including gender dimensions, into the UN system's activities in relation to development, humanitarian efforts, economic and social affairs, peace and security and rule of law programmes; ensure that the promotion and protection of the right to development is integrated into global partnerships for development; and increase knowledge and understanding of thematic human rights issues through research, analysis, the development of guidance, knowledge resources, methodological tools, capacity-strengthening activities and programmes. The Division also provides support to a number of human rights mechanisms, including: the Special Representative of the Secretary-General (SRSG) on business and human rights and since November 2011, the Working Group on the issue of human rights and transnational corporations; the Independent Expert on international solidarity; the Working Group on the right to development; the High-level Task Force on the implementation of the right to development; the Social Forum; the Expert Mechanism on the Rights of Indigenous Peoples and the follow-up mechanisms established by the Durban Declaration and Programme of Action (DDPA), i.e., the Ad Hoc Committee on the elaboration of complementary standards; the Intergovernmental Working Group on the Effective Implementation of the DDPA; and the Working Group of Experts on People of African Descent.

RRDD is headed by a Director who reports to the High Commissioner through the Deputy High Commissioner. The Division is organized into two Branches and eight Sections. The Development and Economic and Social Issues Branch consists of the Human Rights and Economic and Social Issues Section; the Millennium Development Goals Section; the Right to Development Section; and the Methodology, Education and Training Section. The Rule of Law, Equality and Non-discrimination Branch consists of the Rule of Law and Democracy Section; the Women's Human Rights and Gender Section; the Indigenous Peoples and Minorities Section; and the Anti-discrimination Section.

## Results

### National laws, policies and institutions (EA 1)

- ▶ In June, OHCHR organized a regional roundtable for Central Asia in Kyrgyzstan with the participation of representatives from Governments, non-governmental organizations (NGOs), experts, minorities and their consultative bodies and international organizations. The objective of the roundtable was to enhance the attention paid to minority rights in laws and policies related to decision-making and provide thematic guidance on the implementation of minority rights in Kyrgyzstan and other countries of the region. The participants adopted a concluding statement, reaffirming their commitment to advancing minority rights and minority participation. The roundtable led to increased involvement of OHCHR and its Regional Office in the drafting of a new governmental strategy on inter-ethnic and minority issues and contributed to the ongoing process of reforming minority consultative structures.
- ▶ OHCHR supported national efforts in a number of countries, including Bolivia, Cameroon, Chile, Colombia, Congo, Guatemala and Mexico, to ensure that normative frameworks concerning indigenous peoples are in line with the UN Declaration on the Rights of Indigenous Peoples and other relevant standards. For example, the inter-agency workshop held in Congo in



Human Rights Council panel discussion on human rights mainstreaming.

November, organized in collaboration with OHCHR's Regional Office in Yaoundé, brought together Government officials, indigenous representatives and the United Nations Country Team (UNCT) to elaborate on ways to implement the February 2011 national Law on the Promotion and Protection of the Rights of Indigenous Populations.

- ▶ A number of countries, including Benin, Bolivia, Burkina Faso, Costa Rica, Nigeria and Uruguay developed national action plans against racial discrimination with the technical expertise of, and assistance from, OHCHR.
- ▶ As a result of a regional workshop in the Russian Federation in September, OHCHR helped enhance the capacity of Governments, national institutions, specialized bodies and civil society to initiate, develop and implement policies and national action plans against racial discrimination, xenophobia and related intolerance. Following the workshop, two countries in the region approached the Office for technical assistance in developing national action plans.
- ▶ In order to support the work of NHRIs on indigenous peoples, OHCHR partnered with ILO, UNDP, UNICEF and WHO in Bolivia in October 2011 to consult 15 NHRIs in Latin America on their work in this area. Together with the outcomes of earlier consultations in other regions, the results of this meeting will be reflected in an OHCHR guide on indigenous peoples and NHRIs that is being developed in cooperation with the Asia Pacific Forum and the Australian National Human Rights Commission. The guide will be issued in 2012.
- ▶ OHCHR contributed to increased awareness about the importance of aligning national anti-discrimination legislation with the Convention on the Rights of Persons with Disabilities (CRPD), and assisted States Parties in reviewing national legislation and policies on discrimination against persons with disabilities. With technical assistance and advice from RRDD, the UNIPSIL Human Rights Section supported the Government of Sierra Leone, which ratified the CRPD in October 2010, in the process of elaborating the new Persons with Disabilities Act. The Act was formally enacted in March 2011 and constitutes an important step towards the elimination of discrimination against persons with disabilities and the facilitation of their full participation and inclusion in society.
- ▶ OHCHR provided technical assistance to requesting Governments, civil society and other national stakeholders seeking to integrate human rights standards and principles in the assessment, formulation and monitored implementation of national development plans, poverty reduction strategies and public budgets. OHCHR developed a training package on human rights in public policies and budget processes intended for an audience of development and human rights practitioners. The package was instrumental in raising awareness and building capacities to assess the degree to which national development policies and programmes contributed to the promotion and protection of human rights at the country level. On the basis of OHCHR's support, the National Secretariat of Planning and Development of Ecuador developed a national guide on the formulation of public sectoral policies. The guide established a human rights-based approach as a mandatory requirement for all sectors and departments of the Executive. OHCHR is supporting the Government's efforts to pilot this guide in the water and sanitation sector.
- ▶ The OHCHR Rule of Law Indicators Project was launched in two countries in 2011 (Haiti and Liberia) and provided national authorities with a new tool to assess achievements and remaining challenges with regard to performance, integrity, transparency and accountability of national criminal justice institutions, including, inter alia, in the equal treatment of members of vulnerable groups and upholding of fair trial standards. The next phase will address the shortcomings and deficits identified through the use of the indicators.
- ▶ At the regional meeting on HIV and the law for ministers of justice and judges in West and Central Africa, participants adopted a declaration

of commitment which included recommendations such as strengthening the role of ministries of justice by establishing clear targets on HIV-related legislation and human rights policies and programmes. The meeting was organized by OHCHR and co-sponsored by UNAIDS, UNDP and the African Association of Highest Francophone Jurisdictions.

- ▶ As a result of a series of trainings and regional launches of the OHCHR Commentary on the Recommended Principles and Guidelines on Human Rights and Human Trafficking, there has been an increased capacity of Government officials and civil society representatives from 44 countries in Central Africa, Central Asia, Europe and the Middle East to evaluate the impact of anti-trafficking policies and measures on human rights and adopt a human rights-based approach to address trafficking in persons. The need to adopt a human rights-based approach to combating trafficking was emphasized in the recommendations of a Regional Consultative Meeting in Qatar that was organized by OHCHR and the UN Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, in partnership with the Qatar Foundation for Combating Human Trafficking. The meeting represented a first step towards implementing the Arab Regional Initiative to build national capacities to combat human trafficking.
- ▶ The consultative draft constitution prepared by the Independent Federal Constitutional Commission of Somalia was informed by advice from OHCHR relating to the protection of human rights. Through a training-of-trainers exercise in Nairobi, OHCHR and UNDP provided capacity-building support to members of the Independent Federal Constitutional Commission of Somalia and civil society representatives so that they could conduct a human rights audit of the draft constitution in the latter part of 2011.

### **Ratification (EA 2)**

- ▶ In May 2011, Colombia was the 100th country to ratify the Convention on the Rights of Persons with Disabilities. As of 9 January 2012, 109 States and regional integration organizations are Parties to the Convention and 65 States have ratified its Optional Protocol. In 2011, numerous other States ratified the Convention, including Bahrain, Belize, Cape Verde, Cyprus, Indonesia, Luxembourg, Myanmar, Pakistan, Romania, the former Yugoslav Republic of Macedonia and Togo. OHCHR advocated for ratification in many of these countries through targeted action and the provision of critical legal advice.

### **Justice and accountability mechanisms (EA 3)**

- ▶ OHCHR deployed senior international experts to Kosovo, Nepal and Uganda to support national authorities in the development of legal frameworks and programmes to ensure more effective protection for victims and witnesses involved in judicial, quasi- and non-judicial proceedings and accountability for human rights violations. Reports on needs in these countries were shared with national authorities and included recommendations for the development of effective programmes in this area. OHCHR commented on the draft laws on witness protection in Nepal and Uganda which are to be submitted to their respective national assemblies for adoption. OHCHR also provided support for the preparation of a judicial colloquium on victims, witness protection and the administration of justice in Uganda through the creation of a network of institutions with closely linked mandates for the administration of justice, maintenance of law and order and human rights (the Justice, Law and Order Sectors).
- ▶ OHCHR organized a seminar on the national law on witness protection programmes in Argentina which helped foster national dialogue on the need to review and improve aspects of witness and victim protection programmes.
- ▶ OHCHR's support to transitional justice processes included assistance for the design and implementation of judicial accountability mechanisms, truth seeking processes, reparations programmes, national consultations and institutional reform in more than 20 countries. For instance, OHCHR provided technical and logistical support to the national authorities of the Democratic Republic of the Congo (DRC), contributing to the holding of several trials which resulted in convictions for human rights violations, including rape.
- ▶ OHCHR contributed to the functioning of the Truth, Justice and Reconciliation Commission of Togo by providing logistical, technical, and administrative support. OHCHR also contributed to transitional justice processes by providing advice on the Law on Victims and Restitution of Land in Colombia which was adopted by Parliament in May 2011.
- ▶ OHCHR facilitated effective cooperation with the Special Representative of the Secretary-General in Burundi and other relevant UN agencies and played a key role in ensuring that expert advice was provided to national authorities in Burundi so that transitional justice mechanisms could be established in compliance with relevant international human rights standards.

- ▶ OHCHR completed field research on gender and reparations in Uganda and presented its findings to the Government, donors and civil society, resulting in increased awareness among national stakeholders on international human rights obligations and ensuring reparations for victims of sexual violence.
- ▶ An induction workshop on transitional justice for the Dialogue, Truth and Reconciliation Commission of Côte d'Ivoire was organized by OHCHR to increase awareness among Commissioners of international standards and good practices.
- ▶ OHCHR participated in two major conferences related to Tunisian democratic transition and transitional justice which increased awareness among national stakeholders of relevant international human rights standards and good practices.

#### **Access to justice and basic services (EA 4)**

- ▶ OHCHR launched the report of the High-level Panel on Remedies and Reparations for Victims of Sexual Violence in the DRC. The report reflected the perception of victims regarding available remedies and reparations and proposed measures to strengthen relevant reparation programmes and initiatives. The findings of the report led OHCHR to initiate and implement a joint project with UN Women to promote access to reparations for victims of sexual violence in the DRC. Over 150 survivors in Bukavu and Shabunda, together with local organizations and Government representatives, shaped pilot initiatives that will be implemented in 2012.

#### **Participation (EA 5)**

- ▶ In April 2011, OHCHR launched the seventh phase (2011-2012) of the Assisting Communities Together (ACT) Project, a joint OHCHR and UNDP initiative which distributes small grants (up to US\$7,000) to CSOs in order to undertake human rights education and training activities. The project has been implemented in 13 countries (Cameroon, Cape Verde, Central African Republic, Ecuador, Iraq, Kosovo, Republic of Moldova, Senegal, the former Yugoslav Republic of Macedonia, Togo, Uganda and Uruguay) and focuses on activities that combat discrimination. In total, OHCHR has supported 28 projects since September 2011, three of which had already been fully implemented by the end of the year. For example, *Acción Coordinadora y Reivindicadora del Impedido del Uruguay* provided 41 teacher trainees from several pedagogical institutes with theoretical and practical knowledge on the rights of persons with disabilities, accessibility issues,

the CRPD and existing national legislation. The project culminated with an outdoor public awareness day in the city of Maldonado, involving civil society, public schools and local authorities.

- ▶ The first three-week fellowship programme for people of African descent took place in Geneva. A total of 10 Fellows were trained on international human rights standards and mechanisms and gained a greater awareness about human rights issues to help advance human rights in their communities.
- ▶ OHCHR contributed to developing a common understanding of international standards on the right to adequate housing and the prohibition of forced evictions and facilitated dialogue between various actors through its work with State authorities and CSOs in Georgia, Kyrgyzstan and Tajikistan. In Kyrgyzstan, OHCHR advised on the drafting of the housing code which is currently under review by Parliament. If adopted in its current form, the code could serve as a useful model for the region. OHCHR also supported the work of the Office of the Ombudsman in Serbia in monitoring the implementation of national Roma action plans aimed at improving the situation of Roma in the areas of housing, health, employment and education.
- ▶ At the annual session of the Forum on Minority Issues in November, OHCHR organized a side event on empowering minority women to claim their rights. The side event helped to identify good practices from different regions and demonstrated how minorities can effectively advocate for the implementation of their rights.
- ▶ In March 2011, OHCHR and the EQUITAS-International Centre for Human Rights Education published a handbook entitled "Evaluating Human Rights Training Activities - A Handbook for Human Rights Educators." The handbook provides practical guidance to assess and maximize the impact of human rights training activities. The Spanish edition was published in December and the Arabic and French versions are being completed. In addition, a self-assessment guide was finalized for Governments concerning human rights education in the school system.

#### **State engagement with human rights mechanisms (EA 6)**

- ▶ The methodology on human rights indicators developed by OHCHR is increasingly recognized as an important practical tool for enhancing the systematic implementation of, and follow-up to, recommendations from treaty bodies, special procedures and the Universal Periodic Review



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OHCHR's Director of the Research and Right to Development Division speaks to the 11th High-level Alliance against Trafficking in Persons conference, Vienna, June 2011.

(UPR). An increasing number of Government agencies, national and regional human rights institutions follow the OHCHR methodology for human rights indicators to implement and mainstream human rights. In this context, OHCHR supported work on the development of indicators for civil, cultural, economic, political and social rights in Bolivia, Ecuador, Kenya, Mexico, Nepal, Serbia and the United Kingdom related to follow up to recommendations from human rights mechanisms, national human rights action plans, development plans and/or the strengthening of capacity for human rights implementation.

#### **Civil society engagement with human rights mechanisms (EA 7)**

- ▶ The OHCHR fellowship programme provided in-depth training on human rights mechanisms to nine minority representatives (Arabic and English) and 25 indigenous Fellows (English, French, Spanish and Russian). The training gave the Fellows an opportunity to contribute to the Forum on Minority Issues and the Expert Mechanism on the Rights of Indigenous Peoples. OHCHR also inaugurated the senior fellowship programme which gives experienced minority and indigenous representatives practical experience in the work of OHCHR. Through participation in the drafting of alternative reports to treaty bodies and participation in various regional and international fora, the programmes empowered participants to undertake human rights projects at the country level. For example, a former indigenous Fellow from Northern Kenya set up Samburu Women for Education and Environment Development Organization

(SWEEDO), which sponsors the primary and secondary education of girls rescued from planned early marriages and possible female genital mutilation. In addition, trained Fellows submitted reports about their follow-up to and lobbying for the adoption of UPR recommendations by the Governments of their countries.

- ▶ OHCHR and Minority Rights Group International (MRG) organized human rights training for minority rights advocates in the framework of the implementation of the Global Minority Rights Advocacy programme, which included an extensive online training component on the international human rights system. OHCHR contributed to a training workshop organized by MRG and the UNDP Bratislava Regional Centre for Europe and the Commonwealth of Independent States to strengthen the capacity of civil society to promote and protect minority rights.

#### **International and regional laws and institutions (EA 8)**

- ▶ In June 2011, the Human Rights Council unanimously endorsed the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework presented by the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises. OHCHR provided active support to the mandate of the Special Representative in preparation of the Guiding Principles which serve as the authoritative global reference point on this issue. Among other languages, the document was translated into Khmer and launched at a public event organized by OHCHR-Cambodia that convened a range of stakeholders, including representatives of Governments, business, civil society and UN partners.

#### **Responsiveness of the international community (EA 10)**

- ▶ In May 2011, OHCHR, UNFPA, UNICEF, UN Women and WHO issued an inter-agency statement on preventing gender-biased sex selection. This statement defines gender-biased sex selection and offers specific recommendations to a variety of stakeholders on addressing gender-biased sex selection. OHCHR coordinated the inter-agency launch of the statement in June 2011 which received wide media coverage.
- ▶ OHCHR helped to organize a number of plenary and high-level panels before the Human Rights

Council (HRC) on issues such as tolerance and peace and best practices against racism which contributed to drawing the attention of the international community to key human rights challenges.

- ▶ In June, OHCHR helped organize the annual full-day discussion on women's rights at the HRC which focused on prevention of violence against women and conflict-related violence against women. Participants included, inter alia, Michelle Bachelet, Executive Director of UN Women; Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict; Rashida Manjoo, the Special Rapporteur on violence against women; representatives of the Committee on the Elimination of Discrimination against Women (CEDAW) and civil society. The discussion enabled the analysis of synergies between the Security Council and the HRC and its respective mechanisms to address conflict-related violence against women.
- ▶ Two panel discussions were organized by OHCHR at the HRC's 16th session which resulted in heightened awareness of human rights considerations in the context of terrorism and led to the development of proposals for measures, such as a compilation of good practices to strengthen the human rights of victims. The first panel focused on the issue of human rights in the context of terrorist hostage-taking, with an

emphasis on the responsibility of States to promote and protect human rights, strengthening international cooperation to prevent and combat terrorism, and protection of the rights of victims of terrorism. The second panel discussion addressed the issue of the human rights of victims of terrorism and offered an opportunity to exchange information on relevant efforts undertaken at the international, regional and national levels and share good practices with a view to increasing the capacity of States to protect the rights of victims of terrorism and their families.

- ▶ OHCHR submitted a compilation of good practices to the HRC which highlighted effective interventions that had applied a human rights-based approach to eliminate preventable maternal mortality and morbidity. The HRC adopted a resolution requesting the High Commissioner to develop technical guidance on the application of a human rights-based approach to the reduction of preventable maternal mortality and morbidity which will be submitted to the Council at its 21st session in September 2012.
- ▶ OHCHR contributed to the Secretary-General's report on the rule of law and transitional justice in conflict and post-conflict societies (S/2011/634) which drew the attention of the Security Council to the importance of making explicit reference to accountability, combating impunity and the



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provision of remedies for victims. Recommended actions included, inter alia: continuing to foster accountability for gross violations of human rights and serious violations of international humanitarian law; rejecting any endorsement of amnesties for genocide, war crimes, crimes against humanity or gross violations of human rights and supporting the implementation of transitional justice and rule of law provisions in peace agreements; encouraging increased attention be paid to ensuring the rights of victims to remedies and reparations, in particular the victims of conflict-related sexual and gender-based violence (SGBV); and providing for transitional justice measures when establishing new mandates.

- ▶ OHCHR promoted strong partnerships with human rights and development actors in the context of achieving the Millennium Development Goals (MDGs) by 2015 and beyond, including States, special procedures, academia and international CSOs. To strengthen such partnerships, OHCHR facilitated and supported various forums and expert consultations to promote coherent and coordinated advocacy on human rights, including quantitative assessment methods for human rights, the MDGs and economic, social and cultural rights.
- ▶ The informal summary conclusions of a global roundtable on alternatives to the detention of migrants, refugees, asylum-seekers and stateless persons have already been used as an advocacy tool by OHCHR and other actors, including the Special Rapporteur on migrants and the Committee on the Protection of All Migrant Workers and Members of their Families. The roundtable was organized by OHCHR and UNHCR in May 2011 and brought together representatives from States, international organizations, human rights mechanisms, regional human rights bodies, NHRIs and national and international NGOs.
- ▶ Approximately 40 representatives of States and CSOs attended a side event at the 18th session of the HRC on “Sharing best practices on ratifying the second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2), aiming at the abolition of the death penalty.” With the support of OHCHR, the event was organized by the Government of Belgium and the World Coalition against the Death Penalty and discussed national processes to abolish the death penalty in various countries, in particular in Mongolia and Tunisia where the respective Parliaments recently adopted bills

aiming to abolish the death penalty and ratify the ICCPR-OP2.

- ▶ OHCHR added four new translations of the Universal Declaration of Human Rights to the website in 2011, bringing to 382 the total number of translations available online.
- ▶ In January 2011, OHCHR provided logistical and substantive support to the HRC Open-ended Working Group on the draft United Nations Declaration on Human Rights Education and Training, which produced a draft text that was adopted by the HRC in March 2011 (resolution 16/1) and by the General Assembly in December 2011 (resolution 66/137).

### **Human rights mainstreaming within the United Nations (EA 11)**

- ▶ In the lead up to 2015, OHCHR is actively participating in UN meetings to ensure that a human rights perspective is reflected in the work of inter-agency mechanisms dealing with the MDGs, including the UN’s Integrated Implementation Framework, the MDGs Acceleration Framework and the integrated advocacy strategy on the MDGs. Notably, OHCHR is participating in the recently established UN System Task Team on the Post-2015 Development Agenda.
- ▶ The Busan HLF4 Declaration of the Fourth High-level Forum on Aid Effectiveness (Republic of Korea) included important references and forward-looking actions on human rights, decent work, gender equality, environmental sustainability, disability and the role of civil society in promoting a human rights-based approach. In 2011, OHCHR provided substantive support to the work of the United Nations Development Group (UNDG) to promote global awareness and concrete actions on human rights, including in relation to the work of the UNDG Task Team on Aid Effectiveness in the lead up to the High-level Forum.
- ▶ OHCHR proposed drafting suggestions reflecting international human rights standards to a UNODC project that was mandated by ECOSOC to develop principles and guidelines regarding access to legal aid. As a result, the Intergovernmental Working Group adopted draft principles and guidelines in conformity with international human rights law that will be considered by the United Nations Commission on Crime Prevention and Criminal Justice. The draft principles and guidelines provide extensive guidance to States on how to fulfil their obligations regarding legal aid in the criminal context.

- ▶ Together with other UN entities, OHCHR actively participated with suggested language and background papers in the development of guidance for the operationalization of Security Council resolutions 1888 and 1960 on conflict-related sexual violence to ensure compliance with human rights standards. Guidance notes now exist on the Monitoring Analysis and Reporting Arrangements (MARA), the Analytical and Conceptual Framing of Conflict-Related Sexual Violence and the terms of reference for Women Protection Advisers (WPAs). Consultations were undertaken with relevant components of peace missions, particularly human rights components in several countries, such as Côte d'Ivoire, the DRC and South Sudan, to identify support needed to implement the mandate on conflict-related sexual violence and steps planned or taken to strengthen their capacity.
- ▶ The United Nations Indigenous Peoples' Partnership (UNIPP), a joint initiative of OHCHR, ILO, UNDP, UNFPA and UNICEF, became fully operational in 2011. The objective of the initiative is to ensure the full realization of the UN Declaration on the Rights of Indigenous Peoples through the mobilization of financial cooperation and technical assistance. The Policy Board, which includes representatives of the five UN agencies and indigenous experts, is co-chaired by OHCHR. The Board approved six country programmes (Bolivia, Cameroon, Central African Republic, Congo, Nepal and Nicaragua) and one regional programme (South-East Asia) that will be implemented in 2012 in partnership with indigenous peoples. The programmes seek to advance the rights of indigenous peoples in their countries.
- ▶ OHCHR convened a regional consultation in Nepal in December 2011 for UNCTs in South Asia on addressing caste-based discrimination. The consultation identified good practices and opportunities for engagement by UNCTs in this area.
- ▶ Awareness of minority rights standards was enhanced through various publications, including a new booklet on the content of the Declaration on Minorities, which captures the essence of each provision of the Declaration and contains photographs of minorities around the world. OHCHR also produced a new tool on minority issues for UN staff and others entitled "Minority Rights: International Standards and Guidance for Implementation." It provides guidance on standards and mechanisms pertaining to the protection of minorities as well as a checklist for developing programmes and projects on minorities, including to combat multiple forms of discrimination faced by minority women.
- ▶ In June 2011, United Nations entities (DESA, ILO, OHCHR, UNDP, UNICEF, and WHO) established the UN Partnership to Promote the Rights of Persons with Disabilities (UNPRPD) to uphold the rights of persons with disabilities in all aspects of society and development. A Multi-Donor Trust Fund was launched by the participating organizations in December 2011 to strengthen the capacity of national stakeholders, particularly Governments and organizations of persons with disabilities, for the effective implementation of the Convention on the Rights of Persons with Disabilities.
- ▶ OHCHR continued to play a leading role in strengthening system-wide efforts to integrate human rights in UN operational activities for development and chaired and coordinated the work of the undg Human Rights Mainstreaming Mechanism (undg-HRM). During its initial phase in 2011, the undg-HRM undertook a UNCT survey on human rights mainstreaming to which 99 UNCTs responded and provided critical insights into challenges, opportunities and needs at the country level. Respondents also demonstrated a high level of commitment to responding to increasing needs from national partners, including in the context of implementing UPR recommendations. The undg-HRM also undertook a mapping of mainstreaming policies and collected over 400 tools which have been made available on the HRBA Portal ([www.hrbaportal.org](http://www.hrbaportal.org)), which was re-launched on 10 December on Human Rights Day. An inter-agency training package on a human rights-based approach to development (HRBA) was updated, and a training-of-trainers workshop was organized to expand the pool of HRBA trainers. In October, the High Commissioner and the undg Chair jointly launched the Human Rights Mainstreaming Multi-Donor Trust Fund (MDTF) in New York to solicit support for the full implementation of the undg-HRM priorities and enable the UN system to respond coherently and effectively to requests from Member States for capacity-building and technical assistance.
- ▶ OHCHR continued to support UNCTs on the application of a HRBA in the preparation of the United Nations Development Assistance Framework (UNDAF) and common country programming processes, including by delivering HRBA training workshops in partnership with the UN System Staff College (UNSSC) to UNDAF-rollout countries, including Belize, Djibouti, Equatorial Guinea, Jordan, Lesotho and

Togo. OHCHR also contributed to several trainings and induction programmes organized by the UN Development Operations Coordination Office and UNSSC that were targeted at resident coordinators and UNCT leadership. As a result, 170 resident coordinators and Heads of UN agencies were trained in 2011 on human rights leadership and coordination.

- ▶ The High-level Task Force on the Global Food Security Crisis (HLTF) advocacy consistently integrated references to the realization of the right to food and adoption of a human rights-based approach as a part of strategies to achieve world food and nutrition security. Through the HLTF, OHCHR actively participated in the development of UN- and International Financial Institution-wide common advocacy messages and positions.
- ▶ The United Nations Human Settlement Programme (UN-HABITAT) included human rights as a cross-cutting issue during its organizational restructuring. OHCHR increased its institutional collaboration with UN-HABITAT and its UN Housing Rights Programme. This collaboration resulted in the development and publication of an eviction impact assessment methodology which helps translate relevant international human rights standards into practical tools. OHCHR also contributed to the decision by UN-HABITAT to mainstream human rights into its overall programming.
- ▶ The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, were developed under the auspices of the Committee on World Food Security (CFS). OHCHR provided substantial technical assistance throughout the negotiations, ensuring consistency of the guidelines with existing international human rights law. As a result, the draft guidelines (as of March 2012 when negotiations were completed) are largely in conformity with existing international human rights standards and are pending formal adoption by the CFS in May 2012.
- ▶ Through its active participation in the Global Migration Group (GMG), OHCHR has sought to promote and mainstream a human rights-based approach to migration within the UN. As a member of the GMG Troika in the first half of 2011, OHCHR organized a roundtable on combating xenophobia and discrimination against migrants in the context of a GMG Practitioners' Symposium on "Migration and Youth: Harnessing Opportunities for Development." OHCHR provided substantive human rights input to a GMG Principals' Statement on "The Impact of Climate Change on Migration" drafted by the Chair-in-Office of UNESCO in November 2011.
- ▶ A joint UN statement was issued to provide clear examples on the application of a human rights-based approach, as well as gender- and age-sensitive recommendations, in relation to the EU Directive on preventing and combating trafficking in human beings and protecting its victims. OHCHR-Brussels actively participated in the elaboration and adoption of the EU Directive in cooperation with the UNCT (OHCHR, ILO, UNHCR, UNICEF, UNODC and UN Women) and the support of the Adviser on Trafficking. A commentary on implementing the Directive has been developed and submitted to the EU in order to assist EU countries with interpreting the Directives in accordance with a human rights-based approach.
- ▶ The DPKO/OHCHR/DPA/DFS Policy on Human Rights in UN Peace Operations and Political Missions (September 2011) represents a key achievement in advancing human rights integration in peace mission settings. The document contains all relevant policies and good practices, spells out human rights responsibilities of mission components, such as the military, police and senior mission leaders and provides further relevant operational guidance.
- ▶ The DPKO/DFS Framework for Drafting Comprehensive Protection of Civilians (POC) Strategies in UN Peacekeeping Operations (2011) guides missions in the development of sound strategies and contingency planning to prevent and respond to crises and human rights violations. OHCHR provided substantive inputs to the framework, as it did for the DPKO/DFS Early Peacebuilding Strategy and in relation to draft guidance on Child Protection, Corrections and Police.
- ▶ The DPKO Training Course for Military Experts on Mission has been made available to peacekeeping training centres in a draft format. This specialized training course is an important tool to further the integration of human rights into the work of military components. The Office provided text, advice and support for the development of the course. OHCHR also updated materials, coordinated and delivered human rights training in courses organized by DPKO for 70 current and potential UN senior mission leaders.
- ▶ OHCHR was involved in the design and development of the UN Due Diligence Policy which was endorsed by the Secretary-General in July 2011. The policy prohibits UN actors from providing support to non-UN security forces when there is a real risk that recipient entities may commit grave violations and requires that they intercede when recipient entities commit

grave violations. OHCHR supported the initial stages of the policy implementation, including by conducting two field missions in Côte d'Ivoire and Haiti (December 2011) and providing appropriate support to human rights field presences. In cooperation with DPKO, OHCHR designed the framework for the preliminary review process that will take place in March 2012.

- ▶ Guidance materials prepared by partners, including OCHA's revised Inter-Agency Standing Committee (IASC) Handbook for Resident Coordinators and Humanitarian Coordinators on Emergency Preparedness and Response and UNHCR's Rapid Protection Assessment Toolkit, integrated human rights considerations that were suggested by OHCHR. The Office also contributed to the design and review of trainings and training materials, including: an OCHA-organized series of regional workshops on using international legal frameworks in humanitarian advocacy; an OCHA-organized workshop on working with partners in humanitarian contexts; the Global Protection Cluster training on protection coordination; and trainings on protection in natural disasters.
- ▶ At the 10th annual session of the Inter-Agency Network on Women and Gender Equality (IANWGE), a task force was established on women's access to justice within the context of the IANWGE and the Rule of Law Coordination and Resource Group's (ROLCRG) process on gender and access to justice. The objective was to enhance coordination among UN entities and strengthen coherence on this issue. OHCHR co-chaired a joint OHCHR-UN Women international expert panel on "Securing Justice for Women in Post Conflict States," which fed into the creation of the Task Force and drafted its terms of reference. OHCHR is co-leading the Task Force.
- ▶ OHCHR worked with the Project Appraisal Committee (PAC) of the UN Trust Fund to End Violence against Women to encourage applications related to the implementation of the recommendations of the CEDAW Committee and the Special Rapporteur on violence against women. As a result, there is now a specific reference to these mechanisms in the Call for Proposals, which was issued in November 2011.
- ▶ OHCHR provided substantial support to the Bureau of the Open-ended Working Group on Ageing for the purpose of strengthening the protection of the human rights of older persons and ensured a strong human rights agenda in the Working Group's two sessions. (April and August 2011). The mandate of the Open-ended Working Group's mandate is to consider the existing

international framework of the human rights of older persons and identify possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures.

- ▶ OHCHR continued its advocacy efforts to encourage the adoption of a human rights-based approach to the elimination of maternal mortality and morbidity within the UN system. For instance, the Deputy High Commissioner brought a human rights perspective to a high-level panel discussion on maternal mortality that was moderated by the Executive Director of UN Women and held during the 55th session of the Commission on the Status of Women.

## Global Management Outputs

### Sharing OHCHR's strategic direction (GMO 1)

- ▶ The RRDD led the work on thematic notes during the preparations of the 2012-2013 OMP and took the lead in the revision of four of the six strategies for the coming biennium. Similarly, the RRDD played an important role during the first OHCHR office-wide planning week in October 2011 in focusing the planning around the revised thematic strategies. Its subsequent eight Section-level 2011 workplans and subprogrammes were based on the thematic strategies.

### Leading human rights mainstreaming (GMO 3)

- ▶ OHCHR provided the inputs to the work of the United Nations Development Group (UNDG) in 2011 and ensured the integration of human rights in the following major outputs of various UNDG mechanisms: UNDG Human Rights Mainstreaming Mechanism (UNCT survey, mapping of policies and tools, updating of HRBA training packages, re-launching of HRBA Portal); UNDAF Programming Network (Review of UNDAFs on five programming principles, study on UNCTs engaging in national policy dialogues, 2011-2012 workplan of UNDAF Programming Network); UNDG Working Group on Resident Coordinator system issues (2011 Induction Programme for new Resident Coordinators); UNDG Task Team on aid effectiveness (UNDG advocacy message for the fourth High-level Conference on Aid Effectiveness); and the UNDG-MDG Task Force (UN system integrated MDG advocacy strategy). The inter-agency review of recent UNDAFs, undertaken by the UNDAF Programming Network, determined that the human rights-based approach was the best well-integrated programming principle in the reviewed UNDAFs when compared with other

principles (gender equality, capacity development, results-based management and environmental sustainability).

- ▶ The distinct features of the conceptual and methodological framework for human rights indicators developed by OHCHR provide concrete guidance to support human rights mainstreaming. A growing number of initiatives and efforts at the national and international levels draw on this framework to develop indicators to improve human rights implementation and measurement at the country level. In response to a growing demand for indicators in human rights mainstreaming efforts, global policy agendas and monitoring systems and in the context of UN programmes such as the Istanbul Programme of Action for Least Developed Countries (LDCs), OHCHR initiated the compilation of world maps for available indicators.
- ▶ OHCHR adopted an OHCHR Gender Equality Policy and has been chosen to serve as one of the pilots to test the UN System-Wide Action Plan on Gender Equality and the Empowerment of Women coordinated by UN Women.

#### Servicing human rights mechanisms (GMO 4)

- ▶ Efforts were stepped up to ensure a more timely submission of documentation to the human rights mechanisms. At the HRC's 16th session in March 2011, the timely submission rate was over 80 per cent.
- ▶ Over 40 reports mandated by HRC resolutions were prepared and submitted by the Division during 2011. For example, in accordance with HRC resolution 16/28, OHCHR actively engaged

in the General Assembly High-level Meeting on AIDS by providing a human rights-based perspective. OHCHR gathered and submitted to the HRC a compilation of effective practices in adopting a human rights-based approach to eliminating preventable maternal mortality and morbidity. Following a request from the HRC, OHCHR also drafted a report on the situation of migrants and asylum-seekers fleeing recent events in North Africa (A/HRC/18/54). RRDD increasingly assisted the HRC in preparing interactive debates and panels. As an example, the Division assisted in the preparation of the third HRC interactive debate on the rights of persons with disabilities in March 2011 and organized the first HRC panel on indigenous peoples' rights in July 2011.

- ▶ Pursuant to HRC resolution 15/19 of 30 September 2010 on the draft guiding principles on extreme poverty and human rights, OHCHR organized consultations on the report of the Special Rapporteur on extreme poverty, including a seminar in June 2011. The consultations benefited from submissions by Member States and other relevant stakeholders on how to improve the current draft. On the basis of these submissions and the outputs of the seminar, the High Commissioner prepared an analytical compilation report that will be presented at the HRC's 19th session in March 2012. The report will constitute the main basis for the work of the Special Rapporteur on the draft guiding principles on extreme poverty and human rights. A final draft of the revised guiding principles will be submitted to the Council at its 21st session in



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The High Commissioner together with the UNDP Administrator at the launch of the United Nations Development Group's Human Rights Mainstreaming Mechanism (UNDG-HRM) Multi-Donor Trust Fund, October 2011.

September 2012. It is expected that this revised version will allow the Council to take a decision on the way forward with the objective of securing the adoption of the guiding principles by the end of 2012.

- ▶ RRDD was solicited throughout the year for methodological and thematic support in rapid response work related to the Arab Spring. Methodological and thematic support was provided throughout the year, including to the assessment mission in Tunisia and the several commissions of inquiry and fact-finding missions deployed to Libya and Syria. In addition, lessons learned exercises were carried out to enhance effective responses.

### Supporting field operations (GMO 5)

- ▶ The Division continued to contribute to increased effectiveness in the field by providing key inputs, thematic expertise and advice to OHCHR field and headquarters staff in relation to a wide variety of issues. As reflected in the above-noted results, these issues ranged from economic, social and cultural rights to non-discrimination, including women's rights and gender integration into transitional justice and witness protection initiatives, human rights monitoring and investigation and human rights education programmes. Additional consultations between RRDD and FOTCD and the field led to enhanced quality and targeted support. For example, an information note on the implementation of Security Council resolutions on women, peace and security was produced to increase awareness among OHCHR field

presences regarding the potential impact of these resolutions on OHCHR's work in the field and highlight good practices to promote their implementation. In addition, two training sessions on legal system-monitoring were conducted for field presences in Liberia and Iraq, providing participants with skills to facilitate their work at the national level, such as when supporting national authorities to comply with international human rights standards in relation to detention, including pre-trial detention, and the right to a fair trial. Moreover, support was provided on human rights monitoring methodology and training to field presences in Afghanistan, the Middle East and North Africa region, Serbia and Thailand. Finally, comments were provided on a toolkit for human rights defenders produced by OHCHR-Nepal.

- ▶ The Human Rights Case Database (HRDB) was progressively rolled out to three human rights field presences and 57 staff members were trained on its use; bringing to 11 the number of field presences equipped with this tool. The database contributes to standardizing the way in which information pertaining to human rights violations is gathered and recorded within OHCHR. The documentation of cases of human rights violations was improved with the release of a new version of the database, a comprehensive user's manual (English and French) and the provision of regular support to users. A glossary of human rights and international humanitarian law violations is under development.
- ▶ RRDD provided extensive human rights education and training support to field presences, including by: commenting on a draft Plan of Action for Human Rights Education at the request of the Paraguay OHCHR Adviser; providing expert advice at the request of the Europe Regional Office on the development of human rights training materials for border guards by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX); and assisting the UN Training and Documentation Centre in Doha on the development of its overall strategy and specific activities.
- ▶ OHCHR produced and disseminated 1,000 copies of a kit for OHCHR field offices containing materials on how to address discrimination against people of African descent.
- ▶ Regional and national capacity-building activities on business and human rights were carried out for OHCHR staff and other stakeholders in three field locations, i.e., Cambodia, Guatemala and Uganda. Approximately 50 OHCHR field staff participated in workshops to enhance OHCHR's

capacity to address business-related human rights issues in the field and support the effective dissemination and implementation of the United Nations Guiding Principles on Business and Human Rights.

### Skills and competencies (GMO 6)

- ▶ In 2011, staff training was organized to develop substantive human rights knowledge and skills; one of the three pillars of OHCHR's Learning Strategy approved in 2011. Nearly 20 training courses/workshops and related activities were held for approximately 400 staff on a variety of functions (human rights training, human rights monitoring and investigations, human rights-based approaches to development, integration of human rights in humanitarian action, gender integration) as well as thematic issues related to the priorities of the Office, in areas such as economic, social and cultural rights, disability, business and human rights, human rights-based budgeting and knowledge management. Close to 50 staff members received training in gender integration during the year. A training course for OHCHR staff on Strategies and Skills to Monitor and Protect Economic, Social and Cultural Rights was delivered in 2011 to build on the pilot modules developed and verified in 2010. The course combined substantive OHCHR monitoring methodologies, knowledge and information on economic, social and cultural rights and participatory training methodologies. The course enhanced the capacity of OHCHR staff to monitor violations of economic, social and cultural rights and strengthen the basis for OHCHR to protect and promote all human rights.
- ▶ Approximately 113 staff members attended courses related to human rights monitoring and investigations that were organized in Kyrgyzstan and Uganda, among other locations. In the area of human rights training methodology, 18 staff from headquarters and the field attended a five-day training course on designing, managing and delivering human rights training and five colleagues attended a two-day workshop on how to effectively evaluate human rights training activities. In October, OHCHR organized the second Geneva-based training on human rights and humanitarian action. Participants included 25 colleagues from field presences, headquarters and the New York Office.

- ▶ In addition, 57 staff were trained on how to use the Human Rights Case Database and 49 staff attended two-day workshops on the knowledge management toolkit "Share, learn, innovate!" that were organized in collaboration with the International Training Centre (ITC) of the ILO.<sup>6</sup> Other capacity-building trainings included the training of OHCHR gender facilitators (from Geneva) in collaboration with UN ITC/ILO (Turin) on gender integration methodologies. Similar training was delivered to Heads of field presences and gender focal points for the Central African subregion.

### Challenges and lessons learned

OHCHR continued to actively contribute to the promotion and protection of human rights worldwide, often in partnership with other UN entities. Given the growing demands for support

arising from recent developments, particularly in North Africa and the Middle East, more efforts, resources and further programmes are needed to ensure that OHCHR can meet the challenges of this crucial time for human rights. In light of recent debates at the intergovernmental level, OHCHR must also continue to visibly and effectively advocate for the inclusion of commitments to combat impunity and the promotion and protection of human rights in peace mediations, negotiations and agreements.

National demands for the UN's support for human rights mainstreaming efforts have increased in both qualitative and quantitative terms in recent years. This presents both opportunities as well as challenges in terms of OHCHR's capacity and resources to respond. As the UN development system increasingly focuses on supporting national ownership and priorities, human rights mainstreaming efforts need to broaden outreach to national partners in order to increase their awareness and help demystify human rights concepts. Further methodological innovation is called for as mainstreaming moves upstream and into more operational budgetary and national and sectoral planning frameworks. OHCHR, both independently and through the UNDG, has a vital role to play in supporting the UN's leaders on the ground, including through the planned updating of human

<sup>6</sup> The Knowledge Management (KM) toolkit "Share, learn, innovate!" was published and made available online. The toolkit presents 21 methods and 11 technologies to enhance knowledge sharing in OHCHR. The techniques presented are a combination of tools and technologies already in use at OHCHR and innovative tools still in the testing phase. Methods and technologies are presented in a simple and practical manner to promote their use in the broad spectrum of OHCHR activities, from advocacy to planning, training, supporting networks and the involvement of stakeholders. The toolkit was launched in November 2011. In addition to two workshops, dissemination of the toolkit has taken place through a coffee briefing, presentations in induction trainings delivered by the Staff Development Unit and a presentation to the Human Rights Treaties Division.



Hearing of the International Court of Justice on the 2008 conflict between Georgia and the Russian, April 2011.

rights guidance to Resident Coordinators and a strategy to enhance the deployment of human rights advisers to their offices.

OHCHR continued to advocate for the active participation of indigenous peoples in decision-making. The principle of participation was put into practice when the UN Indigenous Peoples' Partnership (UNIPP) was established. The Policy Board of UNIPP, the main decision-making body of the initiative, includes participating agencies and indigenous experts that are selected on the basis of nominations made by a UN mechanism devoted to indigenous issues. The indigenous experts are full members of the Board, one of whom is a co-chair. Their inclusion has been crucial in building the strategic direction of the initiative and their regional and subject-specific expertise has been instrumental in the development and selection of programmes that can yield concrete results. It also sends a message that the UNIPP is a partnership between UN agencies, indigenous peoples and others concerned; a model that needs to be replicated at the regional and country levels and in the global decision-making processes.

Over the years, OHCHR has incrementally developed comprehensive expertise in the area of transitional justice. It has provided assistance to more than 20

countries in the form of conceptual and analytical human rights support, advice and assistance in the design and implementation of transitional justice processes, as well as capacity-building and partnerships with national and international actors. This expertise is now recognized by States and UN partners. During the Arab Spring, OHCHR's expertise was predominantly sought by civil society and UN partners, particularly UNDP. The Human Rights Council also recognized the need to highlight the human rights aspects of transition through the recent establishment of a Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. In addition, the Council addressed requests for assistance to OHCHR, for instance in relation to the Dialogue, Truth and Reconciliation Commission in Côte d'Ivoire.

OHCHR co-chairs the Review Group on the UN Human Rights Due Diligence Policy (HRDDP) with DPKO and has been supporting its implementation since the second half of 2011. The HRDDP sets out principles and measures to mainstream human rights in support provided by United Nations entities to non-UN security forces globally to ensure that such support is consistent with the Organization's obligations under international law to respect, promote and encourage respect for international humanitarian, human rights and refugee law. The

Policy constitutes a significant step forward in advancing human rights mainstreaming in the security sector. While the underlying norms and principles are the very foundation of the United Nations, it is the first time that a detailed framework and requirements for implementation have been set out.

In the DRC, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) has conditioned support to military operations of the Congolese army on its demonstrated respect for human rights since 2009. In this context, the HRDDP implementation framework has been consolidated with the essential support of the Human Rights Component. The first months of the implementation of the HRDDP highlighted the need to combine normative and operational advice based on a thorough understanding of methodologies and approaches to security sector support by various UN entities. Interaction with UN partners, both at headquarters and in countries such as Côte d'Ivoire, Guinea and Haiti, has shown a growing understanding of how implementation of the Policy can contribute to greater effectiveness and sustainability of UN security support programmes and the broader objectives of peace and stability, in addition to preventing serious violations of human rights. Nevertheless, it is also clear that there is a need for substantial adjustments in the way that many entities engage with national Government counterparts. It is also increasingly evident that successful implementation at the national level requires strong cohesion within the UN system, transparency and an open dialogue with national authorities and partnerships with other actors, such as civil society and relevant donors.

### Celebrating the role of women in the Arab Spring

Over the last year, millions of women in the Arab world played a vital role during the uprisings and took to the streets to demand change. They seized the moment of the Arab Spring and voiced their hopes for democracy and participation in society and politics. For many women, the demonstrations represented their first chance to take part in public life. The awarding of the 2011 Nobel Peace Prize to three women, Liberia's President Ellen Sirleaf Johnson; Leymah Gbowee, a Liberian activist; and the Yemeni activist Tawakkul Karman, emphasized the important role that women can play in peace processes. Transitional justice processes in the Arab region offer unique opportunities to address violations of women's human rights and encourage the transformation of traditional and societal norms that promote a subordinate position of women.

The active participation of women in public protests in many parts of the world reflects their strong desire to effect societal change, including through respect for the rule of law and human rights. The gains obtained through change and transformation cannot be consolidated if half of the population does not fully participate in public and political life without fear of violence. Women are entitled to contribute to societal change and transformation, free from threats of violence.

### High-level meeting to commemorate the 10th anniversary of the adoption of the Durban Declaration and Programme of Action

The High-level Meeting to commemorate the 10th anniversary of the adoption of the Durban Declaration and Programme of Action took place on 22 September 2011 during the 66th session of the General Assembly. A political declaration entitled "United against racism, racial discrimination, xenophobia and related intolerance," aimed at mobilizing political will, was adopted by consensus. Through this new document, States acknowledged that countless human beings continue to be victims of racism, racial discrimination, xenophobia and related intolerance and called on the UN system, international and regional organizations and all stakeholders to intensify their efforts to eliminate these scourges.