

OHCHR REPORT 2012



UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

Foreword by the High Commissioner



In 2013, the Office of the High Commissioner for Human Rights (OHCHR) celebrates 20 years of existence. This is a moment for us to take stock of accomplishments and stake out a clear course for the future. I hope you will join us in celebrating this historic moment.

In 2012, we observed growing emphasis on human rights within the international discourse on peace and security and development. At the national level, progress was achieved through new laws and improved institutional frameworks in numerous countries. Throughout the world, a collective consciousness on human rights, in many ways spurred by the Arab Spring, continued to gain momentum.

But these positive developments were offset by a number of enduring challenges: violence and crises in many parts of the world; difficulties in incorporating human rights goals and methods into development efforts; and increasingly sharp financial constraints.

In the face of human rights crises, my Office speaks out regularly, to the Security Council and the media, in order to draw the international community's attention to the need to put an end to violations. For example, I recommended that the Security Council refer the case of Syria to the International Criminal Court.

Searching for lasting solutions to human rights challenges forms part of the human rights mechanisms' role. Our support in this regard continued, *inter alia*, through the report on treaty body strengthening; substantive input into the Rabat Plan of Action against incitement to discrimination, hostility or violence; servicing the second cycle of the Human Rights Council's Universal Periodic Review; and supporting Council-mandated activities, including two new intergovernmental working groups and three new special procedures mandates.

At the same time, we are present in close to 60 countries where we provide technical assistance to implement recommendations issued by the human rights mechanisms; training on human rights principles for the judiciary and law enforcement agents; and advice to civil society to help rights-holders exercise their rights.

To prevent the outbreak of human rights crises and create solid institutional foundations, human rights principles must form an integral part of social and economic development. At OHCHR, we are deeply engaged in integrating human rights goals and methods into policies and operations throughout the United Nations system. Last year, we helped facilitate the Declaration on the Rule of Law at National and International Levels and coordinated cooperation on discrimination and gender equality among UN entities.

For human rights mainstreaming to become the norm however, a human rights perspective must be fully incorporated into the UN's plans for the future. As a result of advocacy efforts by my Office, the Rio+20 Conference outcome document made wide reference to the link between human rights and environmental protection. Similarly, the new Post-2015 Development Agenda looks set to include development, sustainability, equality and human rights as the fundamental principles of the post-2015 framework.

These moves are encouraging, but we face funding constraints that fail to match the urgency and scale of the world's human rights needs, or the requests for assistance that we receive. Regular budget allocations are not keeping pace with the additional work that is mandated by the Human Rights Council. In 2012, total voluntary contributions to my Office reached US\$111.1 million, an insufficient amount to cover our expenditure. For 2012-2013, we have already cut our budget by US\$26.5 million. Unless voluntary contributions increase to US\$135 million, we will face a funding shortfall yet again in 2013.

In parallel, OHCHR is making efforts to increase efficiency through the implementation of results-based management. Every department and field office in OHCHR now plans and reports on the basis of a common set of results, details of which can be found in this report.

Following the OHCHR Management Plan 2012-2013, we are currently in mid-biennium and the focus of the OHCHR Report 2012 is thus mainly on progress towards the expected accomplishments. Nevertheless, numerous results are already illustrated in this report, as well as the usual detailed information on managerial outputs, finance and expenditure.

It has been 20 years since the Vienna Declaration and Plan of Action created the post of UN High Commissioner for Human Rights. Since then, the space for human rights has expanded greatly, but the means have not followed suit. Without additional resources, the great progress we have seen in human rights implementation may cease, and may even regress. I hope, then, that I can count on your support – financial, substantive and political – in making human rights a reality for all. Together, we have come a long way in 20 years; let us continue this important work together in the years ahead.



Navi Pillay
High Commissioner for Human Rights

May 2013

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About OHCHR

The Office of the High Commissioner for Human Rights is the leading UN entity on human rights. It has a unique mandate provided by the General Assembly to promote and protect all human rights for all people. The United Nations human rights programme aims to make the protection of human rights a reality in the lives of people everywhere. As the entity in charge of implementing the programme, the Office plays a crucial role in safeguarding the integrity of the three pillars of the United Nations - peace and security, human rights and development.

OHCHR provides assistance, such as technical expertise and capacity development, to support the implementation of international human rights standards on the ground. It also assists governments which have the responsibility for the protection of human rights to fulfil their obligations, supports individuals to claim their rights and speaks out objectively on human rights violations.

OHCHR is part of the United Nations Secretariat and has its headquarters in Geneva and an office in New York. OHCHR's staff is based in nearly 60 countries in regional and country offices, United Nations peace missions or political offices and United Nations Country Teams (UNCTs).

Method

The Office's work encompasses three broad areas: human rights standard-setting, monitoring and supporting implementation. Substantive and technical support is provided to the various UN human rights bodies as they undertake their standard-setting and monitoring duties. Knowledge and awareness of all human rights, whether civil, cultural, economic, political or social rights, are deepened and capacity of rights-holders and duty-bearers strengthened through applied thematic research and analysis, methodology, development and training. International human rights experts are also deployed to field offices and other missions, including in circumstances of crisis, to work with countries seeking to meet their human rights obligations.

Mandate of the United Nations High Commissioner for Human Rights

General Assembly resolution 48/141 charges the High Commissioner for Human Rights with "principal responsibility" for human rights in the United Nations with the mandate to:

- Promote and protect all human rights for all
- Recommend to bodies of the United Nations system the improved promotion and protection of all human rights
- Promote and protect the right to development
- Provide technical assistance for human rights activities
- Coordinate United Nations human rights education and public information programmes
- Work actively to remove obstacles to the realization of human rights
- Work actively to prevent the continuation of human rights violations
- Engage in dialogue with Governments with the aim of securing respect for all human rights
- Enhance international cooperation
- Coordinate human rights promotion and protection activities throughout the United Nations system
- Rationalize, adapt, strengthen and streamline the UN human rights machinery

The work of the Office is based on the OHCHR Management Plan (OMP). The current OMP covers the period 2012-2013 and sets out 11 global expected accomplishments (EAs). Results obtained as progress towards these accomplishments are summarized in the thematic chapters of the report's printed version and listed under the corresponding field presence or division in the CD version. The OMP for 2012-2013 also identified eight global management outputs (GMOs) to improve efficiency within the Office. Achievements in this area are explained in the Management chapter at page 96.

Supporting the bodies and mechanisms

The Human Rights Council, comprising representatives of 47 Member States of the United Nations elected by the General Assembly for fixed terms, is given substantive and technical support by the Office in its work, including its regular and special sessions, organizational meetings and meetings of its subsidiary bodies. Stakeholder meetings, special events, discussions and expert panels are also organized and supported by OHCHR.

OHCHR supports the Council's Universal Periodic Review (UPR). The first cycle of UPR was completed at the 19th session of the Human Rights Council with 100 per cent participation and reporting by all Member States. The second cycle began in 2012. By the end of the year, 28 States had submitted information and participated in the Working Group sessions. The Office develops UPR training modules and briefs States and other stakeholders on the UPR mechanism to support the preparation of reports.

The Office also supports the independent human rights experts (special procedures) mandated to report and advise on human rights from a thematic or country-specific perspective. At the end of 2012, there were 48 special procedures; 36 dedicated to thematic issues and 12 to country situations. Among these 48 mandates, six are working groups composed of five members each. The Office provides thematic, fact-finding, policy, legal and methodological expertise; research and analysis; and assists with logistical and administrative matters. With the support of OHCHR, special procedures undertake country visits; act on individual cases and concerns of a broader, structural nature by sending communications to States and others; conduct thematic studies and convene expert consultations; contribute to the development of international human rights standards; engage in advocacy; raise public awareness; and provide advice for technical cooperation. The special procedures report annually to the Human Rights Council and the majority of the mandates also reports to the General Assembly.

The Office provides support to 10 human rights treaty bodies, which are committees of independent experts that consider countries' progress in implementing the obligations of the international human rights treaties they have ratified. Most of these committees also consider individual complaints of violations of treaty provisions. The results of their deliberations contribute to the body of jurisprudence on international human rights law.

Developing human rights guidance, offering advice and strengthening capacity

The Office maps emerging trends in human rights and draws lessons learned from human rights work carried out at headquarters and in the field. On the basis of these, the Office produces guidance and capacity strengthening tools such as methodologies and training materials which translate international human rights law into approaches and procedures to be used by the UN and other actors. Providing advice, support and outreach to multiple stakeholders, including Member States, individuals, civil society and national and regional human rights institutions, are integral parts of the Office's approach to implementing the High Commissioner's mandate.

Mainstreaming of human rights

Under its mainstreaming mandate, the Office works to ensure the integration of a human rights-based approach into development, humanitarian, peace and security, governance and rule of law programmes of the United Nations system. At a practical level, it advances human rights mainstreaming through participation in UN inter-agency bodies and efforts as well as the High Commissioner's participation in the UN System Chief Executives Board. The Office advocates for policy coherence according to an approach based on respect for all human rights with particular attention to victims, or potential victims, of human rights violations.

Working in countries

By the end of 2012, OHCHR was operating or supporting 59 field presences. In-country presence is essential to identify, highlight and develop responses to human rights challenges in close collaboration with Governments and the broader United Nations system. Responses can involve training police, soldiers and judges; helping to draft national laws that are in line with international human rights standards; or supporting States with their obligation to implement the recommendations of the human rights mechanisms, including the UPR. In many countries and regions, the Office also cooperates with human rights, academic and research institutions and civil society, including charities, advocacy groups and other non-governmental organizations, to strengthen their capacity and effectiveness. Staff are also deployed to rapidly developing humanitarian or other crises and to support fact-finding missions or commissions of inquiry into serious human rights abuses.

Staff

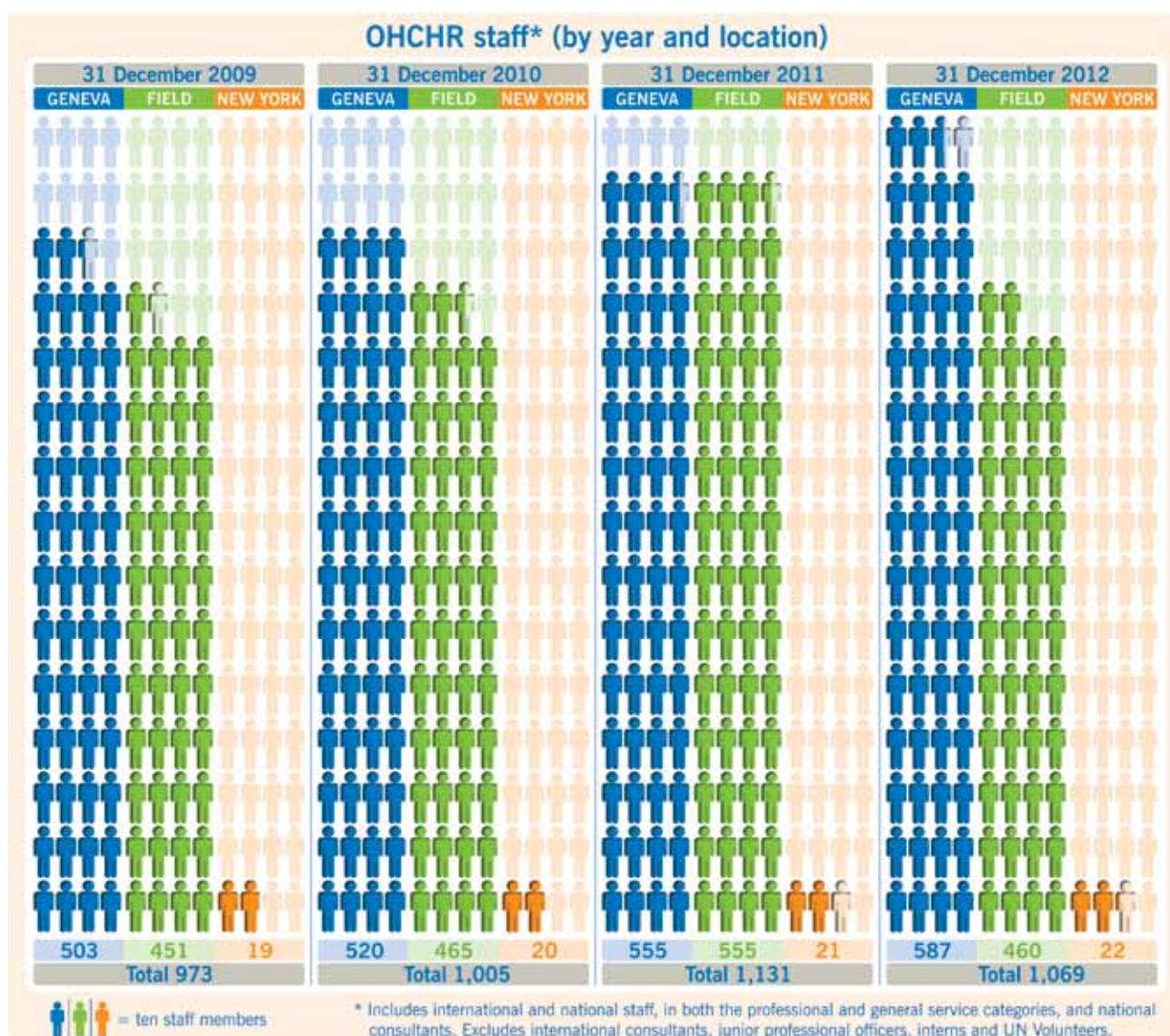
As of 31 December 2012, the Office employed 1,069 staff, of whom 460 (43 per cent) were based in the field (including 18 human rights advisers based in UN Country Teams (UNCT)), 587 (55 per cent) in Geneva and 22 (2 per cent) in New York. It also supported close to 820 human rights officers serving in 15 UN peace missions or political offices.

Structure

In addition to its headquarters in Geneva, the organization has an office at UN Headquarters in New York and, as of 31 December 2012, 13 regional offices or centres and 13 country or stand-alone offices (see map on pages 12-13). The Office also

supports the human rights components of UN peace missions or political offices and deploys human rights advisers to work with UNCTs.

The Geneva headquarters has four substantive divisions: (1) the Research and Right to Development Division, which develops policy and provides guidance, tools, advice and capacity strengthening support on thematic human rights issues; (2) the Human Rights Treaties Division, which supports the treaty bodies; (3) the Field Operations and Technical Cooperation Division, responsible for overseeing and implementing the Office's work in the field; and (4) the Human Rights Council and Special Procedures Division, which provides substantive and technical support to the Human Rights Council, UPR mechanism and the special procedures. Core management, planning, coordination and outreach functions are handled by dedicated sections which report directly to the Deputy High Commissioner. For the current organizational chart, please refer to page 180.





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United Nations at Geneva.

How OHCHR is funded

OHCHR is partially funded from the United Nations regular budget, which provided 37.5 per cent of the resources expended to implement the Office's programme of work in 2012, and partially through voluntary contributions from donors, the majority of which are Member States. The amount of regular budget funding allocated for use by OHCHR has gradually increased since 2005 when leaders attending the World Summit committed to doubling the resources available for the Office over five years. Thus far, for the 2012-2013 biennium, an amount of US\$168.5 million has been allocated to OHCHR, compared with US\$151.6 million in 2010-2011, US\$120.6 million in 2008-2009, US\$83.4 million in 2006-2007 and US\$67.6 million in 2004-2005.

The level of voluntary funding for OHCHR's work increased substantially over the last decade, almost tripling from US\$41.2 million in 2002 to a peak of close to US\$120 million in 2008. In 2009, contributions dropped slightly to US\$118.1 million while a sharper decrease was witnessed in 2010 with the level going down to US\$109.4 million. Although a slight recovery took place in 2011, when the Office received US\$111.1 million, the level of voluntary funding saw no growth in 2012, stagnating at US\$111.1 million.

The amount of voluntary contributions provided without earmarking grew steadily since 2002 and reached a maximum of 56 per cent of total contributions received in 2009, while it dropped slightly to 54 per cent in 2010 and to 51 per cent in 2011. In 2012, 53 per cent of the voluntary contributions provided to OHCHR were unearmarked. Please refer to pages 116-128 for more information on funding and trends and challenges, and pages 155-173 for the profiles of all donors in 2012.

How OHCHR spends its budget

Total expenditure, both under the regular budget and using voluntary, or "extrabudgetary" contributions, rose in 2012 to US\$224.7 million (compared to US\$212.3 million in 2011). This followed several years of increased spending as the Office sought to implement its plans for an expanded, fully operational human rights programme that is more active at the country level. Excluding expenditures associated with the three grant-making humanitarian funds administered by the Office, 52 per cent of the total expenditure in 2012 was devoted to fieldwork, principally capacity-strengthening projects and human rights

monitoring, which was predominantly financed through voluntary contributions. Approximately 12.3 per cent was spent on thematic research and human rights mainstreaming, 9.9 per cent on supporting the human rights treaty bodies and 12 per cent on support to the Human Rights Council and its special procedures. The remainder

was devoted to programme support (4.3 per cent) and executive direction and management, resource mobilization and outreach activities (9.5 per cent). Further information on the financial accounts for the year-end to 31 December and the breakdown of expenditures and allocation of voluntary contributions can be found at pages 129-145.

History of the UN Human Rights Programme

The UN human rights programme has grown considerably since its modest beginnings some 60 years ago. Organizationally, it started in the 1940s with a small Division in the UN Secretariat in New York. The Division later moved to Geneva and was upgraded to the Centre for Human Rights in the 1980s. At the World Conference on Human Rights in 1993, Member States decided to establish a more robust human rights institution and later that year, the General Assembly adopted a resolution establishing the post of United Nations High Commissioner for Human Rights.

This resolution led to the transformation of the Centre for Human Rights into the Office of the High Commissioner for Human Rights and vested it with a wide-ranging mandate and primary responsibility for human rights in the United Nations system. Twelve years later, at the 2005 UN World Summit, Heads of State from around the world committed themselves to an expansion of the UN human rights programme that recognized the central role and importance of ensuring a human rights approach in all aspects of the UN's work. This also linked the

three pillars of the Organization's role, namely peace and security, development and human rights. The growth in UN human rights activities reflects the increasing strength of the international human rights movement since the General Assembly adopted the Universal Declaration of Human Rights on 10 December 1948. Drafted as "a common standard of achievement for all peoples and nations," the Declaration sets out basic civil, political, economic, social and cultural rights that all human beings should enjoy. Over time, this unprecedented affirmation of human rights has become widely accepted as the standard to which all Governments should adhere. International Human Rights Day is now observed on 10 December around the world. The Declaration, together with the International Covenant on Civil and Political Rights and its two optional protocols, as well as the International Covenant on Economic, Social and Cultural Rights, form the "International Bill of Human Rights."

As international human rights law developed, a number of UN human rights bodies were established to

respond to evolving human rights challenges. These bodies, which rely on the High Commissioner's Office for substantive and logistical support, are either Charter-based (political bodies with mandates originating in the UN Charter that are composed of States' representatives) or treaty-based (committees established by international human rights treaties that are mandated to monitor States Parties' compliance with their treaty obligations and composed of independent experts). The United Nations Commission on Human Rights, which was established in 1946 and reported to the Economic and Social Council, was the key United Nations intergovernmental body responsible for human rights until it was replaced by the Human Rights Council in 2006. In addition to assuming the mandates and responsibilities previously entrusted to the Commission, the Council reports and recommends to the General Assembly on ways to further develop international human rights law. Two years after its first session, the Council operationalized the most recent international human rights mechanism, the Universal Periodic Review.

Global map of field presences



- Headquarters
- Regional Offices/Centres
- Country/Stand-alone offices
- Human rights components of peace missions
- Human rights advisers in United Nations Country Teams

- Reference to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo
- The Country Office in Tunisia is also the temporary location of the Regional Office for North Africa

- The United Nations Integrated Mission in Timor-Leste closed on 31 December 2012. The deployment of a HRA is planned for 2013
- Reference to Palestine should be understood in compliance with United Nations General Assembly resolution 67/19
- The Great Lakes field presence was closed in 2012



Countries covered from Regional Offices:

Africa

- East Africa - from Addis Ababa
- Southern Africa - from Pretoria
- Central Africa - from Yaoundé: Sub-regional centre on human rights and democracy
- West Africa - from Dakar

Americas

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

Asia-Pacific

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

Europe and Central Asia

- Europe - from Brussels
- Central Asia - from Bishkek

Middle East and North Africa

- Middle East - from Beirut