

# OHCHR in the field: Europe and Central Asia



Type of presence	Location
Stand-alone office	● Kosovo*
Regional offices	● Central Asia (Bishkek, Kyrgyz Republic) ● Europe (Brussels, Belgium)
Human rights advisers in UN Country Teams	● Republic of Moldova ● Russian Federation ● Serbia ● South Caucasus (based in Tbilisi, covering Armenia, Azerbaijan and Georgia) ● Tajikistan ● The former Yugoslav Republic of Macedonia ● Ukraine

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

The countries in the vast region of Europe and Central Asia (ECA) include candidates, potential candidates and members of the European Union (EU), the Organization for Security and Co-operation in Europe (OSCE), the Council of Europe (CoE) and the Commonwealth of Independent States. The region also includes some territories, which continue to present particular difficulties in terms of human rights protection in protracted conflicts.

Human rights challenges in Europe and Central Asia cover a wide range of issues, including the enjoyment of human rights in the context of the financial crisis and austerity measures, as well as challenges in implementing the rights of persons with disabilities, despite relevant commitments by governments in the region. The Office and the human rights mechanisms continue to focus their attention on: multiple forms of discrimination; the rights of migrants, in particular the situation of unaccompanied children; xenophobia and hate speech; the situation of Roma; the rights of older persons; gender inequality, violence against women and children and trafficking; violations of the right to privacy by surveillance programmes; right to health, with a focus on mental health; torture and ill-treatment; inadequate detention conditions; administration of justice and independence of the judiciary; freedom of the media; and the situation of human rights defenders.

Following up on the concluding observations and recommendations issued by international human rights mechanisms, including treaty bodies, special procedures and the Universal Periodic Review (UPR), as well as the implementation of human rights

projects on the ground, are also key to OHCHR's country-engagement work. OHCHR supported the office-wide approach of thematically clustering the recommendations from the human rights mechanisms and worked with national partners and United Nations Country Teams (UNCTs) to review these compendiums and establish priorities and benchmarks, with a view to ensuring their effective implementation, including through the development of national action plans.

In 2012-2013, OHCHR pursued its work in the context of protracted conflicts in Europe, including through participation in the Geneva International Discussions on the conflict in Georgia. The Office continued reporting on an annual basis to the Human Rights Council on the question of human rights in Cyprus, stressing that the persisting division of the island constitutes an obstacle to the full enjoyment in mutual confidence by the whole population of Cyprus of all human rights and fundamental freedoms. OHCHR also supported the engagement of the UN's Senior Expert on Human Rights, Thomas Hammarberg, in the Transnistrian region of the Republic of Moldova, with a view to strengthening human rights. This is in line with the High Commissioner's general mandate to protect all human rights for all, including by seeking access to and working with de facto authorities to ensure that there are no human rights protection gaps in areas under their effective control. The Office also supported the work of the Special Rapporteur on the situation of human rights in Belarus, whose mandate has been extended by the Human Rights Council resolution 23/15 of 24 June 2013.

In the course of the year, OHCHR contributed to the increased integration of human rights standards and principles into the UN system's development programmes through trainings for the UNCTs and briefings and technical support provided to the Resident Coordinators. OHCHR also provided inputs and briefings to the ICC-NHRI Sub-Committee on Accreditation of National Institutions for the Promotion and Protection of Human Rights. OHCHR increased the effectiveness of its support to the international human rights mechanisms through numerous trainings, consultations, information sessions and by organizing orientation/familiarization visits for various stakeholders (governments, national human rights institutions (NHRIs), civil society, lawyers, academia, students, UNCT members, etc.) from a number of countries in the ECA region.

In the reporting period, OHCHR also enhanced its cooperation with regional partner organizations, namely the Council of Europe and the OSCE. On 26 September 2013, the High Commissioner and

the Secretary General of the Council of Europe signed the Joint Declaration on the reinforcement of cooperation between the Council of Europe Secretariat and OHCHR. The High Commissioner and OHCHR staff held meetings and regular exchanges with OSCE that were targeted towards the Organization's further engagement with the UN, including the UPR process.

In 2013, OHCHR supported the visits of the High Commissioner to the Netherlands (16-17 May); Belgium (21 May); Spain (13-15 June); Serbia and Kosovo (16-20 June); Austria (26-28 June); Slovenia (3 September); Poland (13-14 October); the UK and Ireland (5-8 November); France (13 November) and Germany (6 December). OHCHR also supported the Assistant Secretary-General for Human Rights during his visit to Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan (18-29 May); and the Deputy High Commissioner's visit to Brussels (25-27 November).

## Stand-alone Office

### Kosovo<sup>7</sup>

Year established	1998
Staff as of 31 December 2013	8
Expenditure in 2013	US\$733,424

## Results

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

- *National EA: Increased compliance of the Ombudsperson Institution with the Paris Principles.*

In 2013, the Ombudsperson Institution opened two new regional offices, increased its staff and enhanced its capacities in handling cases and promoting human rights in close collaboration with civil society organizations. OHCHR supported the Institution through: capacity-building activities, technical support and joint initiatives that were mainly focused on strengthening cooperation between the Ombudsperson Institution and human rights defenders and civil society organizations; strengthening its capacity to deal with cases

<sup>7</sup> All references to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.

related to the Constitutional Court; and by providing comments to the draft amendment to the law on the Ombudsperson Institution.

### Transitional justice and accountability mechanisms (EA 3)

- ▶ *National EA: Effective functioning of the National Mechanism to Prevent Torture, as per the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT).*

A task force that functions as Kosovo's National Preventive Mechanism (NPM), which is comprised of the Ombudsperson Institution and two NGOs, has been active since 2011 and is in charge of visiting all places of detention. Partly through the support of OHCHR, the task force has increased its capacity in performing its duties, leading to improved protection of detainees and the provision of recommendations to the police and correctional services to increase their compliance with human rights standards that are applicable to persons deprived of their liberty. Among the various activities carried out to support the taskforce, OHCHR facilitated annual roundtables with its staff and representatives of the correctional services to address gaps in meeting human rights standards.

- ▶ *National EA: Steps taken to establish a transitional justice mechanism relating to serious human rights violations committed during the wars in the former Yugoslavia.*

In June 2012, Kosovo authorities established an Interministerial Working Group on Dealing with the Past and Reconciliation and on 25 March 2013, the President appointed her legal adviser as her personal envoy to the Coalition for Reconciliation Commission (RECOM), a regional network of NGOs that works to promote reconciliation following the conflict in the former Yugoslavia. While Kosovo authorities have demonstrated their commitment to consider the RECOM initiative, they have yet to endorse its statutes. During the reporting period, OHCHR provided comments to the draft decision to establish the Interministerial Working Group and to the Working Group's rules of procedure and work plan. The Office also provided support for the selection of civil society representatives that will serve as members of the Working Group. Moreover, the Office drafted a three-year project, together with UNDP, to support the work of the Interministerial Working Group on Dealing with the Past and Reconciliation, which is anticipated to begin in 2014. Finally, OHCHR supported the drafting process of the Action Plan for the implementation of Security Council resolution 1325, which was finalized at the end of 2013.



A woman casting her ballot during elections in four northern Kosovo municipalities, November 2013.

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

- ▶ *National EA: Increased effectiveness by government institutions, such as the Legal Aid Commission and line ministries, in implementing the Anti-Discrimination Law and related legislation.*

After nine years of inadequate implementation of the Anti-Discrimination Law, Kosovo authorities decided to propose an amendment to include the establishment of an implementing mechanism. OHCHR has consistently advocated for the amendment of this Law, notably through comments provided on the Action Plan on the Implementation of the Anti-Discrimination Law 2012-2015; a series of workshops for key Assembly Committees in collaboration with civil society organizations; and continuous advocacy initiatives undertaken in partnership with the OSCE and the Council of Europe. In close cooperation with the Council of Europe and the European Office in Kosovo, OHCHR provided technical advice during the drafting of the amendment. During this process, it became clear that the Law on the Ombudsperson Institution and the Gender Equality Law also required a thorough review, taking into account the interrelationship between these three laws. The Executive must finalize the revision of the laws before they are submitted to the Assembly.

### Participation (EA 5)

- ▶ *National EA: Increased number of claims by rights-holders and their representatives with regards to the right to non-discrimination.* During the biennium under review, OHCHR provided technical assistance and funding to more than five NGOs, enabling them to advocate for legislative change and monitor

the implementation of the Anti-Discrimination Law. In addition, OHCHR helped to enhance the capacity of NGOs representing vulnerable groups to engage in strategic litigation, notably in discrimination cases, through the sharing of experiences and good practices. Furthermore, OHCHR supported the development of two publications which analyzed discrimination cases in Kosovo and contributed to a better understanding of the reasons underlying the inadequate implementation of the Anti-Discrimination Law.

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

- ▶ *National EA: Sustained engagement by the Government (or international actors, where relevant) with the Human Rights Committee, the Committee on Economic, Social and Cultural Rights (CESCR), the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC) and the special procedures, within the legal and political constraints of the situation in Kosovo.* A number of selected recommendations from human rights mechanisms were partially implemented. With regard to the reform of the national human rights framework, OHCHR ensured that relevant actors worked in cooperation to address the issue with Kosovo authorities, leading to the adoption of a concerted approach and the advisory involvement of the Council of Europe. In addition, OHCHR continuously advocated for the strengthening of the Ombudsperson Institution, which eventually led to a significant increase in its budget. In terms of Kosovo's engagement with special procedures mandate-holders, the Kosovo authorities substantially responded to all submitted communications. For instance, on 10 January 2013, four special rapporteurs sent an allegation letter in relation to incidents in December 2012 that affected the lesbian, gay, bisexual, transgender and intersex (LGBTI) community. Kosovo authorities responded on 26 March 2013 and, in September 2013, indictments were filed against three persons in relation to this case.

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

- ▶ *National EA: Increased use of treaty bodies and special procedures by the Ombudsperson, civil society and individuals.* In terms of treaty body reporting, since its 2008 declaration of independence, Kosovo's authorities have been reluctant to report to the treaty bodies through the United Nations Interim Administration

Mission in Kosovo (UNMIK). In 2013, however, UNMIK submitted a report to CEDAW which was sent back because it did not adhere to the reporting guidelines. The report has not yet been revised. Regarding the special procedures, while no communications have been submitted by the Ombudsperson Institution, NGOs or individuals, OHCHR continued to advocate for the use of special procedures and organized workshops for the Ombudsperson Institution and civil society organizations.

### Kosovo: Expenditure in 2013

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel & related costs	-	576,262
Consultants	-	3,120
Official travel	-	3,068
Contractual services	-	8,624
General operating expenses	-	52,338
Supplies & materials	-	6,924
Seminars, grants & contributions	-	(1,288)
Subtotal	-	649,048
Programme support costs		84,376
<b>GRAND TOTAL</b>	-	<b>733,424</b>

Note: negative figures resulting from prior year adjustments

## Regional Offices

### Regional Office for Central Asia (Bishkek, Kyrgyz Republic)

Year established	2008
Staff as of 31 December 2013	18
Expenditure in 2013	US\$1,187,673

## Results

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

- ▶ *National EA: Promotion of ratification of the OP-CAT and establishment of effective National Preventive Mechanisms in Central Asia.* In Kazakhstan, the Law on the National Preventive Mechanism was adopted on 3 July 2013. The NPM will be headed by the Ombudsman and will consist of NGOs and



Participants of a roundtable discussion on gender-based violence in Kyrgyzstan, June 2013.

independent experts guided by a Coordination Council. In compliance with the OP-CAT, it will be mandated to monitor prisons, pre-trial, police and military detention facilities and facilities for compulsory medical and psychiatric treatment. This follows years of advocacy undertaken by the Regional Office, as well as technical advice provided in follow-up to recommendations made to Kazakhstan by the Special Rapporteur on torture, the Subcommittee on Prevention of Torture, the Committee Against Torture (CAT) and the UPR. The Regional Office also provided inputs during the drafting of the Law to ensure its compliance with international standards.

In Kyrgyzstan, after the enactment of the Law establishing the NPM in June 2012, the Mechanism began to function in August 2013 with the adoption of its rules of procedure and the election of a Director, Chair, members and executive body. OHCHR provided support for this process, along with civil society and international partners, by advocating for its establishment for more than four years and providing advice during the drafting of the Law, the selection process of the Director and other staff and the initial phase of strategic planning.

Tajikistan rejected a 2011 UPR recommendation to ratify the OP-CAT. Nevertheless, following sustained advocacy by OHCHR, an Ombudsman Decree of August 2013 established a working group that will act as the pilot NPM's policy-level body. Its membership will consist of representatives from NGOs and national authorities, including the Presidential Administration, the Supreme Court, the Prosecutor's Office, the Ministry of Interior and the penitentiary system. The pilot NPM's legal basis, its monitoring plan and strategies were

finalized in November 2013 and it is anticipated that it will begin monitoring places of detention in 2014. OHCHR supported the establishment of the pilot NPM, along with other international organizations, by providing technical advice and building the capacity of authorities regarding international standards related to torture.

- ▶ *National EA: Adoption of national legislation and development of policies that are compliant with international standards on the right to adequate housing.*

In recent years, Kazakhstan has taken some significant steps to strengthen the implementation of the right to adequate housing. In 2011, the Government introduced an Action Plan for the period 2011-2015 to implement recommendations of the Special Rapporteur on the right to adequate housing. In 2012, the Government adopted a housing construction programme with a view to promoting the construction of affordable housing units for middle class and young families. The Regional Office advocated for the implementation of the recommendations issued by the Special Rapporteur, raised the awareness of relevant duty-bearers on international standards and enhanced the capacity of civil society organizations to monitor alleged violations. On 9 July 2013, the President of Kyrgyzstan signed the new Housing Code which, compared to its predecessor, significantly improves the legislative framework's compliance with international standards through the inclusion of provisions related to evictions; security of tenure; the granting of compensation to affected individuals and residents in connection to the seizure of land; mortgage loans; and the identification of groups in need of special support. Despite these provisions, some improvements are needed to make the Code fully compliant with international standards. The Regional Office supported the drafting of the Code by providing technical advice to the Government, parliamentarians and civil society and encouraged the Working Group on the Elaboration of the Draft Housing Code to hold public hearings to facilitate civil society's participation.

While legislation improving the enjoyment of housing rights has yet to be adopted in Tajikistan, significant progress has been made with the drafting of a new Housing Code that is in compliance with international standards. The two-year drafting process, undertaken by parliamentarians, government representatives and civil society, was completed in June 2013 and a first draft was submitted to the Government for its adoption. OHCHR provided technical

advice to the drafting group during 15 of its sessions and provided financial support for the organization of public hearings to solicit the views and opinions of rights-holders. OHCHR also supported an analysis of the draft Code's compliance with international standards and promoted an increased understanding among Government officials and other actors regarding the importance of bringing legislation in line with international standards through the dissemination of the findings of a thematic study on the right to adequate housing.

► *National EA: Policies adopted in line with international standards on minority rights in Central Asia.*

To bring legislation and policy in line with international standards relating to minorities in Kazakhstan, OHCHR increased its advocacy with State officials, parliamentarians, civil society, ethnic communities, the media, academia and the Ombudsman to raise their awareness about Kazakhstan's obligations under international human rights law. The Regional Office undertook a study on the situation of minority rights in Kazakhstan and another on minority rights from across the subregion in relation to the media, education and public participation. The results were presented at events in May and October 2013. These events contributed to a better understanding among participants of international minority rights standards and of the situation of minority rights in their respective countries.

On April 2013, the Government of Kyrgyzstan adopted a policy, entitled Strengthening the Unity of People and Inter-Ethnic Relations, which promotes the State language (Kyrgyz) as integral to Kyrgyzstani society. The policy also includes provisions which aim to promote minority representation in State bodies and protect minority languages, bringing it in closer compliance with international human rights standards. The Regional Office contributed to this result by providing technical advice and policy suggestions to the Presidential Administration during the drafting process and carrying out informed advocacy using statistics and research on minority issues produced by the Office. Civil society and ethnic minorities participated in the development of the policy with the support of OHCHR. In addition, the National Strategy on Sustainable Development 2013-2017 was approved by the President of Kyrgyzstan in January 2013. The section of the National Strategy that focuses on inter-ethnic issues is in close compliance with international standards as it stresses respect for the rights of ethnic communities, guarantees their rights and envisages the adoption of a balanced approach in promoting



Public hearing of the draft housing code at the Ombudsman's Office in Dushanbe, Tajikistan.

common values and respecting differences.

The section incorporates the majority of the Regional Office's suggestions to bring the National Strategy in closer compliance with international standards on the protection of minority rights.

► *National EA: Ombudsman institutions in Central Asia increasingly work in conformity with the Paris Principles.*

The Regional Office advocated for the Kazakhstan Ombudsman Institution to apply to the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC-NHRI) for accreditation and provided support and advice during the application process. The Office also advocated for the implementation of all recommendations issued by the ICC-NHRI to bring the Institution in full compliance with the Paris Principles and offered capacity-building support in this respect. In March 2012, the ICC-NHRI's Sub-Committee on Accreditation awarded the Institution with 'B' status, as the legislative framework regarding the NHRI is not in full compliance with the Paris Principles. The Regional Office, together with other UN agencies, has identified priority areas to enhance the capacity of the Institution, including by bringing its legislation in line with international standards and building its capacity to monitor, investigate, document and report on human rights violations. In this regard, OHCHR involved representatives of the Institution in the majority of its capacity-building initiatives in 2012 and 2013, which led to their improved understanding of international human rights standards and monitoring techniques. The Office, in collaboration with other UN partners, also provided technical advice during the revision of the Law on the Ombudsman which resulted in the inclusion of international standards.

In March 2012, the ICC-NHRI awarded the Tajikistan Ombudsman Institution with 'B' status. The Regional Office provided support and advice to the NHRI during the application process. In December 2012, the Government adopted a programme on human rights education and the Ombudsman serves as the coordinator of this programme. In this context, OHCHR facilitated training-of-trainers sessions on human rights education for the staff of the Ombudsman and developed a manual for secondary school teachers on human rights for further use by the trainers. It is expected that these activities will assist the Ombudsman in ensuring the implementation of the Government's human rights education programme.

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

- ▶ *National EA: Increased compliance and engagement by countries of Central Asia with UN human rights mechanisms and other human rights bodies, including on follow-up to their recommendations, in particular in the area of the rule of law.*

During 2012 and 2013, Kazakhstan continued to take action to implement a number of the recommendations issued by the UN human rights mechanisms. For instance, the Government of Kazakhstan revised the Criminal, Criminal Justice and Criminal Procedural Codes and the draft laws were submitted for parliamentary review in November 2013. The Regional Office provided technical advice on the draft legislation and advocated, along with international partners, for the incorporation of changes in accordance with UPR recommendations. Additionally, a law on free legal aid, that is partially compliant with recommendations issued by the Special Rapporteur on the independence of judges and lawyers, was adopted in July 2013. During the drafting process, OHCHR provided expert advice on the draft, raised awareness regarding relevant international standards and facilitated discussion among parliamentarians and lawyers on the key provisions. The Government of Kyrgyzstan continued to deploy efforts to implement recommendations received from international human rights mechanisms. A study, produced by the Regional Office and presented to the State in November 2013, analyzed all recommendations related to the rule of law and mapped the progress made in their implementation. It assessed that out of 124 recommendations issued, 17 were fully implemented, 16 were implemented at the legislative level, 35 were partially implemented and 56 were not yet implemented.

The Government welcomed the study and committed to use it as a reference tool to develop a strategy for the implementation of the remaining recommendations. In November 2013, the Government of Kyrgyzstan established an inter-agency body, the Coordination Council on Human Rights, to facilitate a comprehensive and coordinated approach to interaction with the human rights mechanisms, including implementation of their recommendations and the submission of State reports.

Over the reporting cycle, the Government of Tajikistan deployed significant efforts to implement recommendations emanating from the human rights mechanisms. Following recommendations issued by the Committee against Torture and the Special Rapporteur on torture, the Code of Execution of Criminal Punishments was amended in October 2013, thereby improving the legal framework governing the treatment of prisoners serving life sentences. In addition, a coalition of NGOs undertook joint discussions with the Government on a UPR implementation action plan which was subsequently approved by the Government. The Regional Office assisted the coalition to identify precise objectives to facilitate future results-based monitoring. In line with OHCHR's suggestions, the coalition proposed that the Government link UPR recommendations with those from other human rights mechanisms. This recommendation has not yet been taken up and the Regional Office will continue advocating for a holistic and coordinated approach to the implementation of recommendations.

Regional Office for Central Asia (Bishkek, Kyrgyz Republic): Expenditure in 2013		
	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel & related costs	554,128	125,129
Consultants	(1,492)	11,346
Official travel	7,940	23,064
Contractual services	2,838	(258)
General operating expenses	60,128	72,151
Supplies & materials	1,125	1,427
Seminars, grants & contributions	22,198	245,732
Subtotal	646,865	478,591
Programme support costs	-	62,217
<b>GRAND TOTAL</b>	<b>646,865</b>	<b>540,808</b>

Note: negative figures resulting from prior year adjustments

## Regional Office for Europe (Brussels, Belgium)

Year established	2009
Staff as of 31 December 2013	6
Expenditure in 2013	US\$1,119,952

### Results

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

- ▶ *National EA: Increased compliance by EU policies with existing international human rights obligations, especially with regards to migration, persons with disabilities, rights of the child and procedural rights.*

The European Structural Funds Regulations, adopted in November 2013 by the European Parliament, represent a significant achievement in terms of increased compliance by the EU with international human rights standards, including the Convention on the Rights of Persons with Disabilities (CRPD), the CRC and the UN Guidelines for the Alternative Care of Children. With a view to promoting the rights of persons with disabilities and the rights of the child, the regulations contain specific language on the promotion of transition to community-based care and include an ex-ante conditionality that will serve as a strong basis for continued advocacy to ensure effective implementation and respect for international standards at the national level. As a member of the European Expert Group on Transition from Institutional to Community-based Care, the OHCHR Regional Office for Europe actively advocated for these changes and provided technical assistance to relevant EU officials. On business-related issues, the European Commission adopted human rights guidelines in June 2013 for three industry sectors (oil and gas; information and communication technology; and employment and recruitment companies). OHCHR contributed to the elaboration of the guidelines regarding employment and recruitment companies to ensure the reflection of the UN Guiding Principles on Business and Human Rights and other relevant international standards.

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

- ▶ *National EA: Implementation of the obligations stemming from CRPD by several countries of the region.*

In June 2013, jointly with the European Commission's Directorate-General for Employment, Social Affairs and Inclusion, the Regional Office organized an event, entitled



The Deputy High Commissioner delivers a speech during the European Development Days in Brussels, November 2013.

Preventing Abuse and Neglect of Older Persons in Europe, gathering together over 100 participants from EU Member States, NHRIs, academia, care workers, civil society and international organizations. The event provided a platform for discussions on the human rights of older persons and raised the awareness of participants regarding relevant international human rights standards.

- ▶ *National EA: Adoption of human rights-based policies related to inclusion of Roma by several countries in the region.*

Through interactions with government representatives, Ombudsman institutions and civil society, the Regional Office advocated for the application of international norms and standards in forced evictions in France and Slovakia. At the regional level, on February 2013, the European Commission adopted its Social Investment Package consisting of, inter alia, a recommendation on investing in children, as well as on Roma and migrant children, to which OHCHR contributed.

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

- ▶ *National EA: Increased compliance and engagement by EU institutions and States in the region with UN human rights mechanisms and bodies, including visits to the EU by relevant special procedures mandate-holders in relation to issues where it has shared responsibilities with EU Member States.*

In April 2013, an OHCHR event on the implementation of recommendations of human rights mechanisms in relation to the rights of migrants gathered together representatives of EU Member States, national human rights institutions and UN agencies in order to raise awareness about the existing obligations of EU Member States regarding the rights of migrants,



OHCHR's stand at the European Development Days in Brussels, November 2013.

despite the fact that none of the Member States have ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. In terms of recommendations issued by human rights mechanisms to European States, the Regional Office used every opportunity, including field missions, to advocate for their effective implementation. For instance, during a visit to Albania in November, OHCHR followed up with relevant authorities on the recommendations of the CRC and the Human Rights Committee regarding issues of concern, including detention of irregular migrants, children in alternative care, trafficking in persons, rights of persons with disabilities and discrimination against Roma. During a mission to Greece in November, OHCHR followed up on the recommendations of the CRC and the Special Rapporteur on the human rights of migrants.

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

► *National EA: Increased integration of a human rights-based approach into the substantive policy submission of the UN Brussels Team to the EU.* A political document on combating female genital mutilation in the EU, largely reflecting a human rights-based approach, was presented by the European Commission in November. The Regional Office ensured that human rights standards were included in a submission for the EU that was prepared with other UN agencies on the issue. The Regional Office continued to advocate for the implementation by EU Member States of the EU Anti-Trafficking Directive by drawing on the *Joint UN Commentary on the EU Directive*, which was launched in 2012. The Office also continued to participate, together with UNHCR and IOM, on the training team on anti-trafficking for Frontex border guards and ensured the inclusion of a human rights-based approach

In June 2013, a large-scale raid was undertaken by masked police in a poor and remote Roma shantytown in Slovakia. According to witnesses, the episode involved the excessive use of force by police, including against children, allegations of torture in a police station, intimidation of witnesses and other violations. OHCHR, represented by the Office's Regional Representative for Europe, visited the country and met with the victims of the police violence in the shantytown, Slovakia's police commander, the Chair of the parliamentary Human Rights and Minorities Committee, the Government Plenipotentiary on Roma Affairs, community workers and other civil society actors. OHCHR also supported local civil society organizations to communicate with two special procedures mandate-holders who subsequently submitted an allegation letter to the Slovak Government. In addition, during her speech to the September 2013 session of the Human Rights Council, the High Commissioner expressed her support for the independent investigation being conducted by the Slovak Ombudsperson and urged the Government to pay attention to its findings. At the same time, OHCHR continued its advocacy through diplomatic channels and the national and international media. Finally, on 16 December 2013, the national media reported that the Office of the Prosecutor-General was bringing charges against the police who had participated in the raid.

in training sessions. Two such trainings took place in 2013 and OHCHR's involvement in these capacity-building activities will continue in 2014.

Regional Office for Europe (Brussels, Belgium): Expenditure in 2013		
	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel & related costs	741,951	31
Consultants	-	16,406
Official travel	10,100	5,205
Contractual services	-	(12,325)
General operating expenses	84,400	42,555
Supplies & materials	4,500	(3,698)
Seminars, grants & contributions	40,000	163,331
Subtotal	880,951	211,505
Programme support costs	-	27,496
<b>GRAND TOTAL</b>	<b>880,951</b>	<b>239,001</b>

Note: negative figures resulting from prior year adjustments

## Human Rights Advisers in United Nations Country Teams

### Republic of Moldova

Year established	2008
Staff as of 31 December 2013	2

### Results

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

- ▶ *National EA: Domestic legal framework in the field of anti-discrimination improved.*

Several key laws in the area of discrimination, substantially in line with human rights standards, were adopted during 2012 and 2013, including: the Law on the Social Inclusion of Persons with Disabilities, which incorporates the CRPD into the domestic legislation; the Law on Ensuring Equality and the Law on the Regulation of the Council for Preventing and Eliminating Discrimination and Ensuring Equality; a Law amending various aspects of the Criminal and Contraventional Codes related to discrimination and bias-crimes which, inter alia, provide for the Republic of Moldova's acceptance of the competence of the Committee on the Elimination of Racial Discrimination (CERD) to review individual complaints and petitions; and the Law on Roma Community Mediators which outlines measures to ensure Roma inclusion. The passage of these key pieces of legislation follows more than five years of advocacy and engagement by OHCHR and the provision of guidance and inputs to the Government, civil society and parliamentarians. In addition, OHCHR trained public authorities and civil society on anti-discrimination standards, including by providing training sessions for lawyers and members of the Equality Council within the framework of the National Institute for Justice. Following these capacity-building sessions, 13 complaints were adjudicated by courts in cases related to gender equality criteria, disability, domestic violence and sexual orientation.

- ▶ *National EA: The legal basis of the national human rights institution is amended to better conform to the Paris Principles.*

OHCHR worked closely with the Ministry of Justice, civil society and international partners to support the elaboration of a draft bill to reform the Moldovan Centre on Human Rights to function in conformity with the Paris Principles. In December 2013, the Parliament adopted the bill, however, in doing so, it significantly altered

key elements that were originally included by the drafting working group that may lead to non-transparent appointment procedures and anti-torture provisions in contravention of the OP-CAT, among other issues of concern.

#### School desegregation in the Republic of Moldova

Under the pressure of the local non-Roma population in Otaci, Republic of Moldova, school officials created separate classes for Roma and non-Roma children. After being appraised of the situation in 2012, OHCHR documented the case and supported multiple joint missions with civil society, the Ombudsman Institution, the Ministry of Education and the Prime Minister's Adviser on Social Issues. Following the July 2013 mission by Ministry of Education officials and the Prime Minister's Adviser on Social Issues to Otaci, and responding to requests by Roma and non-Roma parents, school officials and the Otaci municipality, the Ministry of Education undertook a series of measures to support desegregation of the school, including by providing preparatory language classes. As a result, the school year 2013-2014 began with the dissolution of ethnically divided classes and the establishment of integrated classes, with a series of support measures from the Ministry.



#### Ratification (EA 2)

- ▶ *National EA: Ratification of at least one new international human rights instrument, either the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) or the International Convention on the Protection of the Rights of All Migrant Workers and of Their Families.*

As stipulated in the National Human Rights Action Plan for 2011-2014, a study was carried out in 2013 on the possibility of ratifying the OP-ICESCR. The first draft of the Feasibility Study, prepared by experts engaged by OHCHR in consultation with the Ministry of Labour, Family and Social Protection, was submitted in May and presented to an interministerial round-table discussion in July. In October, the Government posted a draft decision on its website regarding the approval of the draft law on ratification of the Optional Protocol. The draft law is pending before the Ministry of Labour, Family and Social Protection.

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

- ▶ *National EA: Implementation of recommendations issued by international human rights bodies relating to Roma, health and human rights, the rights of persons with disabilities and freedom of religion or belief.*

Substantive progress was achieved in the implementation of a number of recommendations addressed to the Republic of Moldova by human rights bodies. To this end, OHCHR played a leading role in facilitating national debates around international law standards. For instance, in relation to Roma inclusion, the Government appointed an adviser to the Prime Minister on Roma community issues, the first position of its kind in Moldova, and in March, the Parliament adopted a Law on Roma Community Mediators. In October, it was reported that the post of the Ombudsman for Psychiatry would be formalized and receive financial support from the State budget of 2014, largely as a result of OHCHR's efforts to promote enhanced access to justice for persons with disabilities on the basis of the 2011 recommendations of the CESCR. In another example, an interministerial working group completed a draft law on the reform of the institution of guardianship, which is pending submission for official consultation. Concerning health-related issues, the Ministry of Health issued a decision in November that indicated that over the next 18 months, the Republic of Moldova's mental health care services are to be shifted from large institutional care centres to in-community services in an attempt to deinstitutionalize adult care. In all these areas, OHCHR worked closely with relevant authorities to discuss the recommendations concerned and their respective normative and legal implications.

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

- ▶ *National EA: Increased number of women from vulnerable or marginalized communities, as well*



The LGBTIQ+ community holding a public event in the Republic of Moldova, May 2013.

*as civil society organizations and the national human rights institution, engaging with the international human rights machinery.*

Five shadow reports, including one from a NGO from the Transnistrian region (which is not under the effective control of the State), were submitted to the CEDAW Committee for its review in October 2013. OHCHR worked with UN Women and UNDP to organize multiple training courses and workshops on CEDAW for civil society organizations, focusing in particular on women from marginalized groups, such as Roma, women living with HIV/AIDS, women with disabilities and women from the Transnistrian region. Moreover, at OHCHR's initiative and in cooperation with UNDP and the Soros Foundation, a civil society delegation of approximately 15 women attended the CEDAW review in Geneva.

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

- ▶ *National EA: The United Nations Country Team incorporates a human rights-based approach into the UN Partnership Framework (UNPF 2013-2017), as well as into particular areas of programming.*

The UNPF 2013-2017 includes extensive commitments to work towards the implementation of recommendations from international human rights mechanisms to the Republic of Moldova and brings extensive human rights elements into various policy and programming areas. The UNPF was developed through extensive consultations, with OHCHR co-chairing the UNPF Pillar 1 on Democratic Governance, Justice, Equality and Human Rights and taking part in efforts to develop Pillar 2 on Human Development and Social Inclusion. In a range of other areas, from Roma inclusion to the rights of persons with disabilities, gender equality and the human rights situation in the Transnistrian region, OHCHR's engagement with the UNCT in the Republic of Moldova was paramount in ensuring that human rights concerns and approaches remained high on its agenda.

## Russian Federation

Year established	2008, following the adoption of cooperation framework in August 2007.
Staff as of 31 December 2013	6

### Results

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

- ▶ *National EA: Increased compliance with international human rights standards of anti-discrimination and migration policies, judicial practices and human rights education programmes.*

In 2012, the Concept of the State Migration Policy of the Russian Federation was adopted by presidential decree and included relevant recommendations related to the integration and protection of migrants. To contribute to this result, OHCHR provided ad hoc advice on international standards on migration to NGOs and members of the Public Chamber and shared relevant materials with national actors, including reports from the special procedures, resolutions from the Human Rights Council and outputs from the Committee on Migrant Workers.

Regarding judicial practices, a national strategy for action in the interest of children for 2012-2017, which makes reference to the main provisions of the CRC and other relevant UN guidelines in the field of juvenile justice, was adopted by Presidential decree. To support national efforts to adopt a comprehensive policy on juvenile justice in accordance with international standards, OHCHR facilitated the adaptation to the Russian context of the UNICEF-UNODC Manual for the measurement of juvenile justice indicators and shared it with the judiciary, governmental institutions and civil society actors. In addition, the first working version of the Network of Judges website, including information on UN human rights mechanisms and other UN documentation, was created and approved by the Supreme Court's Judicial Department and will be launched in 2014. The Network will be an important tool for strengthening judicial practices in accordance with international standards.

On human rights education, the Human Rights Master's Programme, which was developed and has been in place for three years with the support of OHCHR and a consortium of Russian universities, is compliant with the standards of the Russian Ministry of Education and has been accredited as a specialized discipline within

the Master of Law programme. Modalities were recently established for the participation of European lecturers and a strategy was adopted for 2013-2016 to strengthen the institutionalization of the Programme and promote its implementation in other regions of the country.

- ▶ *National EA: Three regional national human rights institutions comply with international human rights standards in the area of non-discrimination.*

OHCHR continued to support regional human rights institutions to strengthen their capacity to effectively deal with cases of discrimination raised by vulnerable groups. A number of workshops were hosted by the Office in 2013, including in Kazan, St. Petersburg and Khanty-Mansiysk (North Siberia), to increase the knowledge of NHRIs regarding international human rights standards on non-discrimination, particularly related to indigenous peoples, and on their role vis-à-vis international human rights mechanisms.

#### Ratification (EA 2)

- ▶ *National EA: The Convention on the Rights of Persons with Disabilities is ratified.*

On 3 May 2012, the President of the Russian Federation signed a federal law on the ratification of the CRPD. OHCHR contributed to this result by conducting a number of advocacy activities, including meetings and discussions held with parliamentarians, NHRIs and civil society organizations to promote ratification.

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

- ▶ *National EA: Increased number of measures taken to improve access of discriminated groups to justice.*

The Russian Federation's federal Law on Education was revised to include provisions on the right to equal access to education for all, in particular persons with disabilities, requiring regional and municipal governments to create the necessary conditions to promote and guarantee an inclusive education. By the end of 2013, more than 5,000 inclusive schools were providing conditions for the education of children with disabilities. In order to promote the required legislative amendments, OHCHR supported Perspektiva, the regional organization of persons with disabilities, and its partners to increase awareness among government officials, educational workers, legislators, journalists, students and people with disabilities about the CRPD. In particular, it focused on article 24 regarding the right of persons with disabilities to education.

### Participation (EA 5)

- ▶ *National EA: Rights-holders, especially discriminated groups, increasingly use existing national protection systems.*

Following the participation of indigenous representatives from the Russian Federation in the OHCHR Indigenous Fellowship Programme, which focuses on the UN system and mechanisms dealing with human rights, in general, and indigenous issues, in particular, the participants were better equipped to assist their organizations and communities in promoting and protecting their rights. According to a survey conducted by a national fellow with OHCHR support, the participants that completed the Fellowship Programme are currently actively involved in advocacy and promotional activities at local and federal levels addressing issues such as access to natural resources and free, prior and informed consent.

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

- ▶ *National EA: Increased compliance of the Russian Federation with selected recommendations of the Committee Against Torture, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child.*
- The Government adopted a national action strategy in the interest of children for 2012-2017, making reference to the main provisions

of the CRC in the field of juvenile justice.

A draft law on countering domestic violence was submitted to the Parliament by a working group and is expected to be available for public feedback in 2014. OHCHR and the National Centre to Counter Violence, "ANNA," conducted an expert consultation on the protection of victims of violence in the Russian Federation following a CEDAW recommendation to adopt a comprehensive law on violence against women, including domestic violence. The National Centre was also a member of the working group charged with producing the draft law.

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

- ▶ *National EA: Increased use of human rights mechanisms by national human rights institutions and civil society actors.*

The Federal Ombudsman's Office submitted the Russian Federation's report in anticipation of the UPR's second cycle review of the country in May 2013. On the occasion of the consideration of periodic reports of the Russian Federation by CAT and CERD, substantive inputs and alternative reports were submitted by civil society organizations. The workshops, seminars and advisory services provided by OHCHR enabled civil society organizations and NHRIs to have a better understanding of the work of international human rights bodies and to engage with them.

In June 2013, a workshop on Business and Indigenous Peoples' Rights was facilitated by OHCHR in Khanty-Mansiysk, a region of the Russian Federation. The workshop was attended by businesspeople and members of indigenous communities from the region, representatives of the Government and of the Human Rights Commissioners from twenty regions of the North, Siberia, Urals and the Far East. The indigenous

communities had the opportunity to raise their concerns with government authorities, national human rights institutions and business corporations that attended the event. Representatives of business and the Commissioner for Human Rights of Indigenous Peoples in the Krasnoyarsk region also shared their experiences related to their work with indigenous peoples. OHCHR took the opportunity to train the participants

on the international mechanisms and standards concerning indigenous peoples' rights and business responsibilities, including the Guiding Principles on Business and Human Rights. At the end of the event, the participants openly discussed issues of common interest and requested that OHCHR follows up on the conclusions of the workshop and organize similar events in the future.



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

- ▶ *National EA: Increased integration of human rights standards and principles into UN system policies and programmes.*

During the reported period, human rights considerations were included in specific programmes of UN agencies and joint activities were developed to promote the implementation of recommendations from human rights mechanisms. For instance, OHCHR worked in cooperation with UNICEF and UNODC to adapt juvenile justice indicators to the Russian context and joined efforts with UN Women in programmes related to women's rights in the framework of OHCHR's chairing of the UNCT gender thematic group.

## Serbia

Year established	Office in 1996 and Human Rights Adviser in 2007
Staff as of 31 December 2013	1

## Results

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

- ▶ *National EA: Increased number of measures and policies to fight discrimination and ensure access to justice and basic services to Roma, in compliance with international standards, including the implementation of the deinstitutionalization strategy for adults.*

In December 2013, the Ombudsman of the Republic of Serbia submitted a report on the implementation of the National Strategy for the Advancement of the Position of Roma which will be reviewed by the Parliament in 2014. The report highlights the main obstacles to the enjoyment of their rights to education, employment, health and housing and provides specific recommendations to address these obstacles. OHCHR supported the Ombudsman in the design of the research methodology and provided thematic expertise. In addition, OHCHR provided the Ombudsman with technical assistance in identifying relevant human rights indicators to monitor progress achieved.

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

- ▶ *National EA: Increased compliance of the State with its obligations under the human rights mechanisms and bodies, especially in terms of reporting and putting in place efficient*



OHCHR/Serbia  
Commemoration of Human Rights Day in Serbia.

*mechanisms to ensure follow-up to their recommendations.*

In December 2013, the Government launched a proposal for the establishment of a national mechanism, to be chaired by the Ministry of Justice, to follow up on the recommendations from UN human rights mechanisms. This national mechanism is the result of five years of advocacy and advisory activities carried out by the Human Rights Adviser, in cooperation with other actors such as the OSCE and UNDP, which included the provision of technical advice on the draft proposal for its establishment. In addition, and partly as a result of the joint support provided by OHCHR and OSCE, a Communications Plan was prepared by the Human and Minority Rights Office to outline the process for drafting State reports to the human rights mechanisms. The Plan makes specific reference to the inclusion of civil society organizations in the drafting process. As a result, these organizations are now invited to participate by the Government's working group which drafts the reports.

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

- ▶ *National EA: Advances in the progressive development of international and regional human rights law in selected areas of focus.*

At an international expert seminar on the relationship between NHRIs and parliaments, co-organized by OHCHR and held in Belgrade on February 2012, a set of principles, named the "Belgrade Principles," were adopted by consensus and later presented to the Human Rights Council. The Principles define six areas for framing and strengthening cooperation between parliaments and national institutions with a view to complying with the Paris Principles. The seminar brought together representatives of NHRIs, parliaments and academia from around the world.

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

- ▶ *National EA: Increased integration of human rights, equality and non-discrimination standards and principles in UN policies and programmes and in other key areas, including at the country level.*

An increasing number of joint projects and programmes implemented by UN agencies in Serbia include human rights considerations. For instance, the Roma housing project implemented by UNOPS includes relevant international human rights standards related to durable housing solutions as a result of OHCHR's guidance provided during the drafting of the project.

### National mechanism to follow-up on the implementation of recommendations from human rights mechanisms

After more than five years of continued support and advocacy provided by OHCHR, the OSCE, UNDP and other organizations, the Government of Serbia made a public commitment at the 2013 Human Rights Day to establish a national mechanism to follow-up on the recommendations issued by the human rights bodies. During her June 2013 visit to Serbia, the High Commissioner advocated for the creation of such a mechanism to assist the country in improving its human rights record. Although the discussions on the structure, membership and functioning of the mechanism are ongoing, it is expected that it will ensure a coordinated and sustainable follow-up to the recommendations and, ultimately, contribute to a stronger national human rights protection system.

## South Caucasus (based in Tbilisi, covering Armenia, Azerbaijan and Georgia)

Year established	2007
Staff as of 31 December 2013	4

## Results

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

- ▶ *National EA: Improved functioning of the selected components of the justice system (Bar Association, judiciary, penitentiary) in compliance with international human rights standards.*

In Azerbaijan, the draft law on legal aid was developed and finalized by a working group comprised of law scholars, the Bar Association, independent legal experts and representatives of international organizations and civil society

members and was added to the 2014 agenda of the Parliamentary Committee on Legal Policy and State Building. The draft law included references to international human rights standards on the right to a fair trial as a result of guidance provided by OHCHR to members of the Working Group during the drafting process. In addition, judges of courts of the first instance have increased their knowledge on this issue through a series of training sessions delivered by OHCHR in cooperation with the Azerbaijani Lawyers Confederation. Moreover, training tools on human rights in the administration of justice have been translated into the Azerbaijani language as a result of cooperation between OHCHR, the Ombudsman and the OSCE.

In Georgia, the Georgian Bar Association decided to develop a human rights course for its training centre based on the facilitator's guide to the OHCHR training manuals on human rights in the administration of justice. In 2013, OHCHR translated the guide and conducted a training seminar for lawyers. The Office also revised the human rights curricula of the High School of Justice of Georgia at its request.

### Ratification (EA 2)

- ▶ *National EA: Ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol by Georgia and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights by Azerbaijan and Georgia.*
- In December 2013, the Georgian Parliament ratified the CRPD and its Optional Protocol. OHCHR, in collaboration with civil society actors, undertook a number of advocacy and awareness-raising activities to promote the ratification of these instruments, including during meetings with the Head of the Parliamentary Human Rights Committee and by organizing a regional conference for practitioners and lawmakers from the South Caucasus and the Republic of Moldova to discuss and evaluate the steps made by these countries to ratify and/or implement the CRPD. In Azerbaijan, while ratification of the OP-ICESCR was not expected during the biennium under review, awareness of relevant actors has been raised by OHCHR in cooperation with civil society.

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

- ▶ *National EA: Increased compliance and engagement by the three countries of the South Caucasus with UN human rights mechanisms.*
- In Azerbaijan, a number of the recommendations accepted by the Government under the first cycle

of the UPR have been implemented, including extending a standing invitation to all special procedures mandate-holders in 2012. During the reporting period, Azerbaijan received the visits of two special procedures mandate-holders, namely the Special Rapporteurs on violence against women and on the right to health. The second cycle UPR national report was submitted by the Government of Azerbaijan, in accordance with guidelines, in January 2013. The report was prepared under the guidance of the Ministry of Foreign Affairs, in cooperation with the Office of the President, the Ministries of Internal Affairs, Justice, Economic Development, Labour and Social Protection of the Population, Education and Health, and other relevant State actors. The draft report was posted on the website of the Ministry of Foreign Affairs for review and to solicit inputs from civil society organizations.

The Government of Georgia implemented, in part or in full, a number of the recommendations received from UN human rights mechanisms. For instance, the CRPD was ratified and, at the request of the Ministry of Justice, OHCHR provided comments on the draft law on combating discrimination, which is yet to be adopted. The Government is in the process of preparing a National Human Rights Action Plan, with the assistance of OHCHR. In terms of reporting, the Government is also creating a mechanism to coordinate the drafting of reports to human rights mechanisms, which would replace the piecemeal approach currently in place. OHCHR, the EU and UNDP have advocated for the creation of such a mechanism. Regarding the special procedures, the Special Rapporteurs on the rights to freedom of peaceful assembly and of association and on the human rights of internally displaced persons visited Georgia in 2012 and 2013, respectively. OHCHR prepared the programme for these visits and provided logistical and substantial support during the missions.

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

- ▶ *National EA: Increased number of civil society organizations and individuals submit alternative reports to treaty bodies and special procedures.* OHCHR's support to and training on international human rights instruments and reporting methodologies for civil society organizations contributed to the submission of 16 alternative reports to the treaty bodies from civil society organizations and the NHRI and 16 submissions to the second cycle UPR on Azerbaijan from NGOs and their coalitions. In Georgia, OHCHR



Launch of the consultations on the National Human Rights Action Plan in Georgia, December 2013.

cooperated with UNDP to undertake a number of training and awareness-raising activities with civil society organizations, including a videoconference with the Secretariat of the Human Rights Committee, to encourage the submission of alternative reports and inform them about related procedures. As a result, a coalition of NGOs submitted a report to the Human Rights Committee in relation to Georgia.

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

- ▶ *National EA: Increased integration of a human rights-based approach into UN assessments, policy programming and development planning documents and activities in the three South Caucasus countries.*

Human rights considerations are incorporated in all main programmes of UN agencies operating in Azerbaijan and a human rights-based approach is well reflected in the United Nations Development Assistance Framework (UNDAF) document. OHCHR contributed to this result by participating in the work of UNDAF implementation working groups, including the Governance, Gender and Communication groups, and by providing inputs to the development of annual work plans of these groups, with a special focus on the development of a matrix to follow up on the recommendations of the second cycle UPR. In Georgia, through its participation in the work of the UN Human Rights Coordination Group, OHCHR provided advice to various UN agencies on the human rights implications of their programmes, focusing particular attention on applicable recommendations from international human rights mechanisms with a view to incorporating them into their programming.

The Georgian Government, after the 2012 parliamentary elections, declared that respect for human rights would be a priority for the country. In this context, OHCHR, in cooperation with the EU Special Adviser on Constitutional and Legal Reform and Human Rights in Georgia, Mr. Thomas Hammarberg, advocated for the application of a systematic approach to human rights challenges facing the country, based on the recommendations emanating from the international human rights mechanisms. Furthermore, OHCHR advocated for the establishment of a national mechanism to coordinate the Government's actions on the implementation of the recommendations as well as for the development of a National Human Rights Action Plan. Since the Government publicly announced its intention to develop the Plan in December 2013, national consultations have been established and OHCHR is leading one of the working groups. While it is too soon to assess the results of this process, the initiation of consultations is an encouraging step towards the creation of a strong national protection system.

In 2013, the Ministry of Labour and Social Policy undertook an assessment of the implementation of the 2010 Anti-Discrimination Law in accordance with a governmental requirement that each ministry assess the implementation of two laws within their responsibility per year. The draft assessment report presented at the end of 2013 proposed 15 recommendations directed towards the Ministry, the Anti-Discrimination Commission, civil society and legislators, including an amendment of the Law to establish an accountability mechanism for the Commission and the adoption of an action plan for the effective implementation of the Law. OHCHR carried out advocacy activities with key national and international actors to raise awareness about the shortcomings of the legislation.

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

- ▶ *National EA: The submissions to the treaty bodies and the UPR are in conformity with reporting guidelines.*

In 2012, the Government established the Inter-sectorial Human Rights Body to coordinate reporting to international human rights mechanisms and the implementation of issued recommendations. As a result, in 2013, the Government submitted its Common Core Document and three other due and overdue reports. It also drafted the national report for the country's second cycle UPR in compliance with reporting guidelines. OHCHR supported the Human Rights Body and civil society with a series of workshops to increase their capacity to prepare reports in line with reporting guidelines. National stakeholders submitted 11 joint and individual submissions for the UPR review, including the first submission by the Ombudsman.

## The former Yugoslav Republic of Macedonia

Year established	2007
Staff as of 31 December 2013	1

### Results

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

- ▶ *National EA: The Law on Anti-Discrimination is revised in compliance with international standards.*



Children from a multi-ethnic primary school in the former Yugoslav Republic of Macedonia.

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

- ▶ *National EA: The UNCT has increased the application of rights-based approaches in social inclusion and local governance programmes.* The 2013 UNDAF mid-term review provided an overview of progress achieved in the enjoyment of human rights by marginalized groups. OHCHR contributed by sharing human rights indicators for the adjustment of the UNDAF's Monitoring and Evaluation Framework. OHCHR also supported a number of activities of the UNCT's Theme Group on Human Rights and Gender which was led by UN Women. For instance, OHCHR contributed to a greater understanding among UN agencies of the requirements of CEDAW which in turn resulted in the Theme Group's commitment to advocate for and support national actors working to implement recommendations issued by CEDAW. UN Women and OHCHR also ensured fulfilment of the Parliament's commitment to organize a public debate to present the recommendations and discuss their implementation. Following OHCHR's participation in the UNCT's Theme Group on HIV/AIDS, the Office was asked by the Theme Group to liaise with the self-help group of persons living with HIV/AIDS which contributed to strengthening the group's advocacy efforts for access to anti-retroviral treatment by incorporating a human rights perspective. Regarding OHCHR's cooperation with UNDP, and following the Office's advocacy for the implementation of the CRPD, UNDP developed an accessible evacuation plan for a school for children with visual impairment. In another example, UNDP and OHCHR engaged the Independent Expert on minority issues in a project for strengthening the capacities of the Parliamentary Committee on Inter-ethnic Relations.

## Ukraine

Year established	2011
Staff as of 31 December 2013	1

## Results

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

- ▶ *National EA: The Ombudsman Institution works in conformity with international standards in the implementation of its functions.* In 2012 and 2013, the Ombudsman's Office increased its efforts to engage with civil society organizations. OHCHR supported

the institutionalization of the cooperation between these two parties by facilitating the establishment of an Advisory Council of NGOs to the Ombudsman's Office, which is tasked with assisting the Ombudsman in developing its strategies and activities. The Advisory Council also plays a monitoring role, which contributes to increased transparency and accountability of the work of the Ombudsman. In 2013, the Ombudsman's Office adopted a four-year Strategic Plan (2014-2017) which included, among others, a reference to its role in advocating for the implementation of recommendations issued by UN human rights mechanisms.

- ▶ *National EA: The anti-discrimination legislative framework is amended to better comply with corresponding international human rights norms and standards.*

In 2012, Ukraine adopted its first anti-discrimination legislation in accordance with multiple recommendations issued by human rights mechanisms. The Law, however, does not fully conform to international standards and during 2013, OHCHR advocated for its revision. Several draft amendments were elaborated, partly addressing comments from OHCHR and international experts, but by the end of 2013, the Law had not been amended.

### Transitional justice and accountability mechanisms (EA 3)

- ▶ *National EA: A National Preventive Mechanism under the OP-CAT is established and functioning.* In 2012, Ukraine established a National Preventive Mechanism in compliance with the OP-CAT. The NPM function was assigned to the Ombudsman's Office and the Law on the Ombudsman was amended to that effect. This development can partly be attributed to awareness-raising work and advocacy undertaken by the Council of Europe, the OSCE, OHCHR and UNDP. OHCHR also supported, jointly with the Subcommittee on Prevention of Torture and UNDP, capacity-building of the NPM's staff to conduct monitoring visits and cooperation with civil society in the performance of its functions.

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

- ▶ *National EA: Ukraine engages fully with the UPR process.* Ukraine's national report to the second cycle UPR was prepared in line with the reporting guidelines and the support of OHCHR. The Office advocated for a participatory approach

in the elaboration of the report. As a result, the Government engaged in consultations with several NGOs, which provided inputs to the national report, creating the conditions for an open dialogue on a full range of human rights issues.

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

- ▶ *National EA: The Ombudsman's Office and civil society actors regularly submit reports to UN human rights mechanisms.*

In 2012, the number of reports prepared by civil society organizations for Ukraine's second cycle UPR largely exceeded the number of submissions made during the first cycle in 2008. In 2013, a total of 20 alternative reports, prepared by 34 Ukrainian NGOs, and a report

by the Ombudsman's Office were submitted to the Human Rights Committee on the occasion of the consideration of Ukraine's State Party report. OHCHR and UNDP cooperated to inform non-State actors about the procedure and timeline for submissions and carried out awareness-raising and training activities.

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

- ▶ *National EA: The UNCT integrates human rights standards and principles into its programming.*

As a result of two training workshops organized by OHCHR in 2012 and 2013, members of the UNCT, including UNICEF, UNDP, UNFPA, UNODC, IOM, UNAIDS and WHO, enhanced their capacities to apply human rights-based approaches to their programmes and activities.