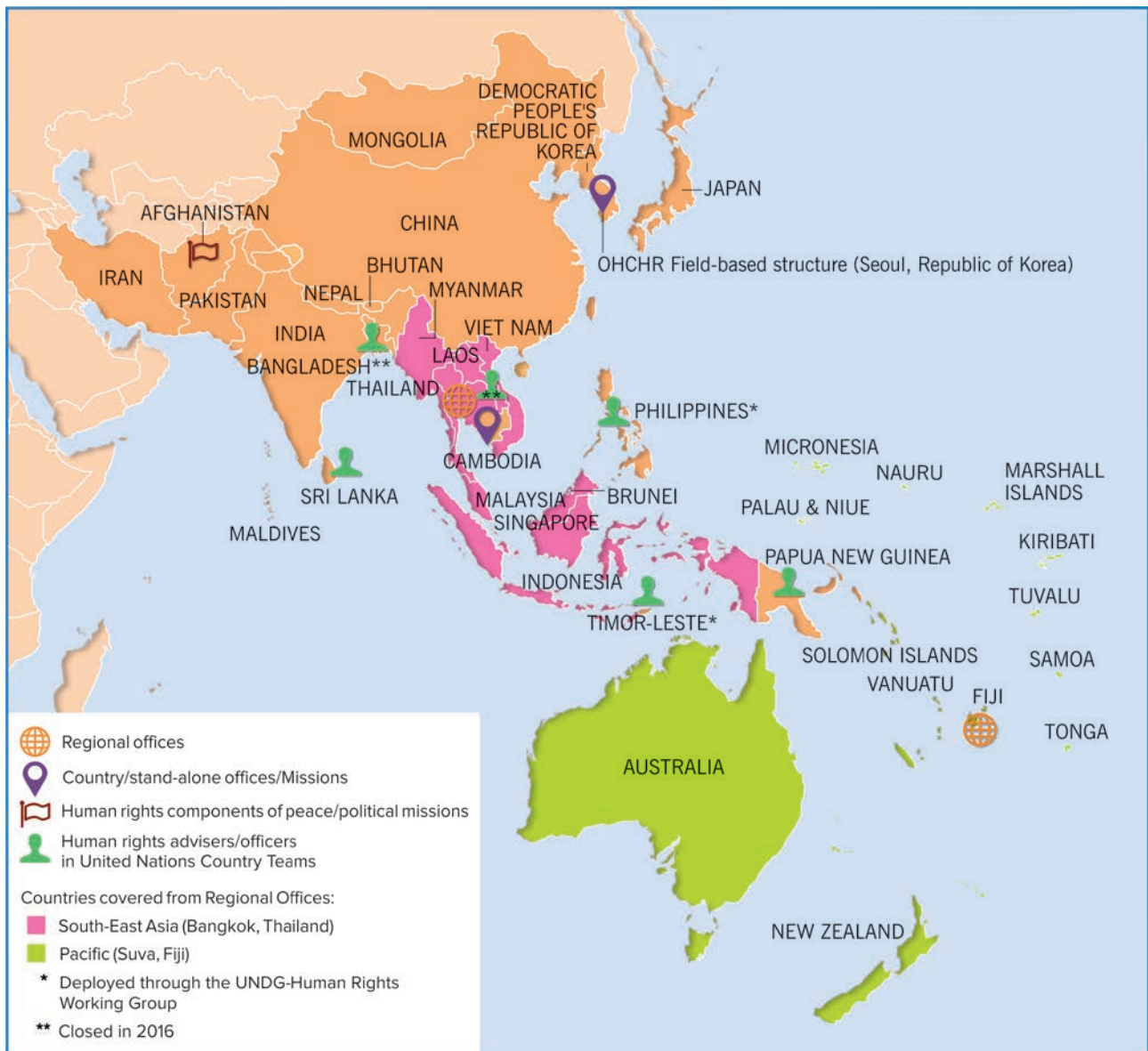


OHCHR in the field: Asia and the Pacific



Type of presence	Location
Country office	● Cambodia
Regional offices	● Pacific (Suva, Fiji) ● South-East Asia (Bangkok, Thailand)
Field-based structure	● OHCHR (Seoul)
Human rights component in UN Peace Mission	● Afghanistan (UNAMA)
Human rights advisers in United Nations Country Teams	● Bangladesh** ● Papua New Guinea ● Philippines* ● Sri Lanka ● Thailand (UNDG Regional Human Rights Adviser for Asia-Pacific)** ● Timor-Leste*

* Deployed through the UNDG-Human Rights Working Group.

** Closed in 2016.

The Asia-Pacific region is the world's largest region, both in terms of its geography and the size of its population, and accounts for more than half of the world's population. OHCHR in the region covers 39 countries, from Iran in the west, Mongolia in the north, Kiribati in the east and New Zealand in the south. In 2016, the Office supported diverse field presences, including one country office in Cambodia; six human rights advisers in Bangladesh, Papua New Guinea, Philippines, Sri Lanka, Timor-Leste and a United Nations Development Group (UNDG) Regional Human Rights Adviser for Asia-Pacific based in Thailand (discontinued in December); two regional offices for the Pacific and South-East Asia; one peace mission in Afghanistan; and one field-based structure based in Seoul that covers the Democratic People's Republic of Korea (DPRK). While

negotiations for a country office in Myanmar were ongoing in 2016, the Regional Office for South-East Asia continued to sustain the temporary deployment of OHCHR staff to Myanmar. Additionally, OHCHR supported two national officers in the Offices of the Resident Coordinator in Bangladesh (from June 2016 onwards) and the Maldives, respectively, and four special procedures mandate holders on Cambodia, the DPRK, Iran and Myanmar.

The Memorandum of Understanding between the Royal Government of Cambodia and OHCHR, signed in December, extended OHCHR's operational presence in the country for technical cooperation for an additional two years. Support was provided for the preparation of the High Commissioner's report to the Human Rights Council on violations and abuses of human rights against Rohingya Muslims and other minorities in Myanmar. In addition, a thematic report was published on the human rights dimension of the involuntary separation of Korean families.

OHCHR's intensified efforts to address human rights in the DPRK included a report to the Human Rights Council focusing on the latest developments and the work of its newly established presence in Seoul, as well as the designation of two independent experts by the High Commissioner on accountability, pursuant to Human Rights Council resolution 31/18. The experts undertook several missions during the last quarter of 2016 and will submit their report to the Human Rights Council in 2017.

In February, the High Commissioner visited Sri Lanka to assess any progress that had been made by the Government on accountability and reconciliation as a follow-up to the Human Rights Council resolution that was co-sponsored by Sri Lanka in September 2015. During the year, OHCHR provided technical support to diverse stakeholders in relation to the implementation of this resolution. In December, the Sri Lankan Consultation Task Force presented its landmark report to the Government, which emphasized the importance placed on reconciliation and accountability by those who are affected by the conflict. Legislation for the Office of Missing Persons was also adopted during the year.

In addition to its programmed work, the Asia-Pacific Section responded to unexpected requests to address severe human rights violations in the region. In December, an OHCHR team visited Bangladesh to carry out an assessment mission on reported human rights violations in the northern Rakhine State of Myanmar. The team was tasked with meeting the various stakeholders, including alleged victims and witnesses from the Rohingya community, who had sought refuge in Bangladesh.

OHCHR strengthened its Regional Office for the Pacific to expand its ability to engage with a wide range of actors and to provide technical support and monitor the diverse human rights situation in the region. A key focus of the Office was on the human rights situation of migrants/refugees at the offshore processing centres in Nauru and, to a lesser extent, on Manus Island, Papua New Guinea. The centres are operated by Australia. The asylum-seekers held at these centres are alleged to be disproportionately exposed to human rights violations. In mid-November 2016, an agreement was reached between the United States of America and Australia to relocate approximately 1,250 refugees held in Nauru and Manus Island to the United States of America.

Climate change is having a dramatic impact on the Pacific islands, including as a result of rising sea levels. For many, this poses a grave threat to their survival and sustainability. A deeper understanding of the links between climate change and human rights was initiated by OHCHR's participation in the 22nd Conference of the Parties (COP 22) to the United Nations Framework Convention on Climate Change.

In August/September, the Deputy High Commissioner joined the Secretary-General on his visits to Myanmar and Sri Lanka in order to encourage various governmental counterparts to renew their confidence in undertaking human rights reforms.

Country Office/ Field-based Structure

Cambodia

Year established	1993
Staff as of 31 December 2016	32
Expenditure in 2016	US\$2,268,439

Results

Strengthening international human rights mechanisms

- ▶ *The Cambodian Human Rights Committee coordinates the implementation of the 2014 UPR and the 2015 Human Rights Committee recommendations (EA 6)*

In the first half of 2016, OHCHR supported the Cambodian Human Rights Committee to conduct Universal Periodic Review (UPR) follow-up activities



An indigenous man at one of OHCHR's awareness-raising events in Areng Valley, Koh Kong province, Cambodia. © OHCHR/Cambodia

in relation to their plans to submit a midterm review report by September. Initial assistance was provided in terms of establishing a standing national mechanism. Following a change in the leadership of the Committee, however, the idea was not pursued.

- ▶ *At least three outstanding reports are submitted to the treaty bodies in conformity with reporting guidelines (EA 6)*

The overdue reports under the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) were scheduled to be submitted in late 2016 and late 2017, respectively. Due to a change in leadership in the relevant government agencies, the ICESCR report was delayed until 2018 and there is no proposed date for the ICERD report. The responses to the list of issues sent by the Committee Against Torture and to the 2010 and 2014 reports from the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment are also overdue. Several requests were made to OHCHR, in October, to provide training on report writing, which will take place in 2017. Additionally, the national consultative workshop on the review of the draft report under the Convention on the Rights of Persons with Disabilities was conducted by the Disability Action Council. Technical assistance was provided by OHCHR. The report is expected to be submitted in 2017.

- ▶ *Civil society organizations and UN entities, in particular UN Women and UNICEF, submit reports to treaty bodies, including the Human Rights Committee, CRPD and CAT, and use the individual complaints procedure of CEDAW (EA 7)*

In an effort to identify potential individual cases to be addressed to the Committee on the Elimination of Discrimination against Women (CEDAW), OHCHR

and UN Women organized two trainings on the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women addressed to NGOs working on women's rights, human rights and legal aid. Nevertheless, no claims have been submitted since Cambodia ratified the Optional Protocol in 2010. OHCHR financially supported the preparation of the first individual communication to CEDAW by a national NGO and provided technical support to another NGO for a request for an inquiry procedure on the issue of the rape of women and girls in Cambodia and the response of the Cambodian justice system.

Combating impunity and strengthening accountability and the rule of law

- ▶ *Improved compliance with international human rights standards of legislation in the area of justice, in particular the Code of Criminal Procedure, the Criminal Code, the Law on the Bar Association and the Juvenile Justice Law (EA 1)*

In July, legislation related to justice was strengthened with the enactment of the Juvenile Justice Law. The legislation provides for the development of a separate juvenile justice system that focuses on "diversion" rather than punishment, in compliance with the principles of the Convention on the Rights of the Child. OHCHR, along with UNICEF, UNODC and many NGOs, advocated for the approval of the law for many years and provided comments on several successive drafts. OHCHR also joined the Working Group on the Implementation of the Juvenile Justice Law and will provide technical assistance for its practical implementation in 2017. OHCHR further advised the Anti-Corruption Unit on the draft legislation on whistleblowers and on witness protection, including by liaising with the experts from the Witness and Expert Support Unit of the Extraordinary Chambers in the Courts of Cambodia. The Trade Union Law, enacted in April, also impacted on the justice sector as it foresees the creation of Labour Courts. In an effort to ensure that the draft was consistent with international human rights standards, OHCHR carried out a human rights analysis, which was submitted to the National Assembly and disseminated via social media platforms. Nevertheless, the law was adopted without the modifications suggested by OHCHR.

- ▶ *All prisons under the authority of the Ministry of Interior improve compliance with international human rights standards (EA 1)*

Although detention conditions and the treatment of prisoners improved in some prisons, particularly in terms of access to physical exercise, health services, food, water, sanitation and family visits, most prisons still face severe challenges. These challenges include overcrowding that lead to increased tensions, limited sleeping space and reduced outdoor time.



OHCHR assesses the situation of the indigenous Kuoy people in Kampong Thom and Preah Vihear provinces in Cambodia in relation to their engagement in the Communal Land Title process. © OHCHR/Cambodia

The new General Director of Prisons agreed to work with OHCHR, ICRC and UNOPS on the finalization of minimum standards on prison construction and the drafting of sub-legislation on prison inspections and various prison procedures, in particular regarding internal rules, sentence reduction and pardons. OHCHR's authorization for prison visits in 2016, however, did not allow for confidential interviews with prisoners. This meant that it was not possible to proceed with dedicated monitoring on the use of disciplinary measures and their compliance with international standards. The Office was able to report to the General Director of Prisons, as well as prosecutors, on key issues such as allegations of ill-treatment or cases of excessive detention or long-pending appeals. Through effective collaboration with the courts, OHCHR secured the release of five prisoners who had overstayed their prison sentences.

- ▶ *The Lawyers Training Centre and the Royal Academy of Judicial Professions include a human rights training module focusing on fair trial rights (EA 1)*
The capacity of 54 trainee lawyers was enhanced as a result of a joint human rights training programme that was facilitated by OHCHR, the Raoul Wallenberg Institute and the Lawyers Training Centre. The programme, delivered in March, consisted of 10 training modules, which shared practical knowledge on the international human rights standards, good practices of the Extraordinary Chambers in the Courts of Cambodia and ideas on how to engage with the UN human rights mechanisms.
- ▶ *General Department of Prisons and the police academy systematically train prison staff on good prison management practices and integrating human rights core values and principles (EA 1)*

Professional training of prison staff has not been yet systematized for all new recruits, yet some progress was achieved in reducing the backlog and increasing the capacity of the prison trainers. During the year, the General Director of Prisons sent 50 prison staff to the Prison Staff Training Centre to attend a three-month initial training programme and other 50 staff members to a one-month training programme. As of December, there were approximately 300 officials who had not been trained. OHCHR was invited to deliver a half-day presentation on the international human rights instruments relating to the treatment of prisoners, the prevention of torture and the use of force as part of the one-month training programme. To make the three-month training more practical and concrete, OHCHR supported and accompanied two one-day visits to prisons for the staff trainees with a view to helping them better realize the implementation gaps with regard to domestic and international norms.

Good progress was achieved in continuing to build the capacity of the prison staff trainers as the Office supported the trainers in the development of their own prison curriculum. In September, OHCHR co-organized a workshop that was attended by 29 trainers. Feedback was gathered from previously trained prison staff, findings from earlier study tours were reviewed and OHCHR's inputs to improve the current prison training programme and curriculum were discussed.

- ▶ *A National Preventive Mechanism against torture is established and functioning to monitor places of detention in compliance with OP-CAT (EA 3)*
The National Preventive Mechanism (NPM) does not comply with the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and fails to effectively monitor places of detention. In May, the Government set up a new working group to review and revise the 2009 Sub-decree on National Preventive Mechanisms and indicated that the legal framework would be adopted as legislation. In August, authorities announced that they would be unable to establish the new mechanism due to a lack of financial and human resources. The Ministry of Interior nevertheless expressed, in writing, that the Government wished to develop and adopt legislation on a NPM, as soon as possible, and that it would upgrade the 2009 Sub-decree to a Royal Decree.
- ▶ *Allegations of torture and ill-treatment by the police, including the military police, are promptly investigated and where confirmed, appropriate action is taken by police chiefs and prosecutors (EA 3)*
To raise awareness about the rights of all persons who are arrested and held in police custody, and to contribute to the prevention of torture and ill-treatment, OHCHR launched a new smartphone ap-

plication to disseminate information, in the Khmer language, about people's rights upon arrest in accordance with Cambodian law. OHCHR cooperated with the Office of the Prosecutor in Prey Veng province to improve the capacity of local police officers to respect and uphold the laws of Cambodia as well as the provisions of the international human rights treaties to which the country is a State Party. As a result of these efforts, the awareness of local police increased in relation to international and national standards on torture and ill-treatment. In close cooperation with the Office of the Prosecutor, OHCHR delivered a series of human rights briefings to more than 460 local police officers in all districts within the province, covering topics such as arrest, custody and methods of interrogation. The briefings were followed by joint visits with prosecutors to local police stations.

Integrating human rights in development and in the economic sphere

- ▶ *Relevant institutions, namely the Ministry of Land Management, Urban Planning and Construction, the Ministry of Environment, the Ministry of Agriculture, Forestry and Fisheries, the Ministry of Interior and the Ministry of Rural Development, apply human rights principles and standards in handling land issues (EA 1)*

The management of land issues by the Government showed some signs of accelerated progress in 2016, particularly after the nomination of a new Minister of Land Management, Urban Planning and Construction in April. The new Minister vowed that the issue of land registration would be tackled by 2018 and that the long-standing land dispute cases would be registered at the national level by 2017, including by creating 36 dedicated working groups. As of August 2016, the Government estimated that land titles had been provided to 62 per cent of the country's estimated 7 million parcels of land and that only 800 land disputes were awaiting resolution. OHCHR monitored 74 land disputes involving communities, authorities and businesses in both rural and urban areas. Seven of those were new cases and 11 were resolved during the year.

Progress was also noted with regard to the number of indigenous communities engaged in the Communal Land Title process. As of October, 118 communities had been recognized as indigenous communities by the Ministry of Rural Development and the Ministry of Interior had endorsed and registered 90 indigenous communities as legal entities. Despite this progress, only 13 communal titles had been issued by the Ministry of Land, which had committed to issuing 10 land titles per year in 2014. OHCHR worked at the national and subnational level and organized trainings and meetings with subnational authorities

to explain and discuss the land titling process. It also actively supported the work of the Ministry of Rural Development in the registration of eight indigenous communities in one province. Some progress was achieved through the finalization of the work of the Interministerial Commission to Inspect, Demarcate and Assess Economic Land Concessions. According to public data, 32 economic land concessions were revoked and 87 were downsized. As of December, no information had been received as to how these parcels would be reassigned to local communities.

- ▶ *Existing dispute resolution mechanisms, including the courts, improve their compliance with human rights standards in handling land issues (EA 3)*

Existing dispute resolution mechanisms, including the courts, have not significantly improved the way they handle land issues, nor have they improved their implementation of business and human rights standards. The Office raised issues related to the management of land concessions and large infrastructure projects in high-level discussions with government officials, with limited results. OHCHR nonetheless contributed to an increased awareness among duty-bearers, businesses operating in Cambodia, as well as rights-holders, on the UN Guiding Principles on Business and Human Rights, including by delivering trainings and briefings to over 600 stakeholders, such as businesses, chambers of commerce, NGOs, youth and the media. Some progress was achieved in the promotion of non-judicial resolution mechanisms while OHCHR actively engaged with the private sector on the role and responsibilities of corporations to protect human rights. As a result, in 2016, five international companies operating in Cambodia sought support from the Office to better understand business and human rights standards and to facilitate their interaction with indigenous peoples, local communities and workers to discuss consensual solutions to existing land and work environment-related disputes. OHCHR advised them on practical considerations and the steps that needed to be taken in order to engage in open, meaningful consultations and sustained dialogue with the communities and establish a transparent grievance mechanism. Consequently, a company is elaborating its external grievance policy for Cambodia, which has incorporated OHCHR advice, several compensation agreements are being discussed and OHCHR is supporting the dialogue and pre-mediation process concerning disputed lands in an emblematic rubber plantation case. The Office also supported communities of indigenous peoples through advocacy, training and legal aid for their applications on communal land titles. As a result, legal claims related to land disputes were prepared by the communities and submitted to relevant authorities.

► *Rights-holders meaningfully participate in the design of public policy related to land and housing and the management of natural resources (EA 5)*

As a result of 24 trainings that were facilitated by OHCHR, rights-holders enhanced their capacity to meaningfully participate in processes that affect them with regard to land and housing rights and the rights of indigenous peoples. In total, training was provided to approximately 1,300 rights-holders from seven provinces who were affected by land disputes. The rights-holders were primarily community members and included indigenous peoples. OHCHR participated in the consultation process of the Ministry of Environment on the draft environmental code and the draft Guidelines on Public Participation on Environmental Impact Assessments and the Ministry of Agriculture on the draft Law on Agricultural Land. More specifically, the Office provided comments to strengthen key provisions relating to public participation and the free and prior informed consent of indigenous peoples and facilitated the participation of indigenous peoples representatives in the consultations. Furthermore, as a result of support from OHCHR, indigenous peoples were better able to participate in the communal land titling process. Four indigenous communities from two provinces were provided with technical assistance to obtain communal land titles and eight others in another province successfully registered the identity of indigenous peoples.

Widening the democratic space

► *Improved compliance with international human rights standards of legislation in the area of freedom of opinion and expression, peaceful assembly and association (EA 1)*

The legal and institutional framework pertaining to fundamental freedoms was altered with the adoption, in April, of the controversial Trade Union Law. The law was adopted despite concerns raised by trade unions and other civil society actors about requirements that could allegedly have a negative impact on independent unions. OHCHR thoroughly analysed the draft and identified provisions that are inconsistent with human rights standards on freedom of association, particularly on the establishment, functioning and dissolution of trade unions. The Office and other local actors called for full and meaningful public consultations. The consultations were eventually held during a half-day session at the National Assembly and resulted in the adoption of one amendment. At the end of 2016, the Office organized a symposium on the six-month review of the Trade Union Law, which brought together 129 representatives from trade unions across sectors, the Cambodian Federation of Employers and Business Associations, ILO and the international community. Trade unions discussed

the challenges faced under the new law and made recommendations for amendments to improve its compliance with Cambodia's obligations under the International Covenant on Civil and Political Rights and ILO conventions.

As of the end of 2016, other bills with potentially profound implications for human rights were in various stages of the drafting process, including in relation to access to information, whistleblower protection, cybercrime and State secrets. A limited number are open to public consultation.

► *Subnational governments use human rights standards and principles in applying the law on peaceful demonstrations (EA 1)*

Implementation of the 2009 Peaceful Demonstration Law remained uneven at the subnational level and has been applied in a manner inconsistent with the rights to freedom of expression and assembly. According to authorities, organizers are obliged to provide notification and seek authorization before holding demonstrations. Gatherings that do not qualify as peaceful demonstrations, such as community fora, trainings or simple meetings, that do not fall under the scope of the law, are subjected to similar demands for prior authorization, particularly when the focus is on issues that are deemed to be sensitive by the authorities. For example, in December, Human Rights Day celebrations were stopped in Kampot province while in Phnom Penh, public gatherings and marches were prohibited by the municipal authorities. Throughout the year, the Office contributed to raising the awareness of civil society actors on the right to peaceful assembly under international human rights law and domestic legislation. The Office widely disseminated information on the Law on Peaceful Demonstrations and a guide to its implementation and built local capacity to comply with the law. OHCHR achieved this result through a number of training sessions that benefited over 130 persons from 10 provinces across the country, including community, youth and indigenous activists, journalists, activist monks, trade unionists and staff from NGOs, as well as human rights and legal aid organizations.

Cambodia: Expenditure in 2016		
	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	1,240,092	378,980
Activities and operating costs	212,540	334,812
Subtotal	1,452,632	713,792
Programme support costs	-	102,015
GRAND TOTAL	1,452,632	815,807

OHCHR field-based structure to strengthen monitoring and documentation of the situation of human rights in the Democratic People's Republic of Korea

Year established	2015
Staff as of 31 December 2016	6

Results

Combating impunity and strengthening accountability and the rule of law

- *Responsiveness of the General Assembly, Human Rights Council and Security Council to crimes against humanity in the DPRK (EA 10)*

The OHCHR field-based structure provided support to the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea (DPRK) and engaged with other special procedures mandate holders when relevant. It also drafted the report of the High Commissioner for Human Rights with regard to the situation of human rights in the DPRK (HRC/31/38) and, following the adoption of resolution HRC/Res/31/18, the field-based structure supported the visit to the region of the group of in-

dependent experts to focus on issues of accountability for human rights violations in the DPRK.

Widening the democratic space

- *Increased awareness through outreach relevant to a DPRK audience and organizations that support them, including CSOs and the media (EA 5)*

In 2016, the OHCHR field-based structure, which is located in Seoul, provided information on the situation of human rights in the DPRK to the media, civil society organizations and diplomats in Seoul, Geneva and New York; participated as a speaker in 39 seminars organized by governments, NGOs and academic institutions; and met regularly with representatives of civil society and media groups. In the course of these activities, OHCHR sought to include people from the DPRK and emphasized concerns related to vulnerable groups. The OHCHR field-based structure was also active on social media and by the end of the year, it had 3,500 subscribers to its Facebook account and more than 1,500 followers on Twitter. In addition, public events organized by the Office enjoyed significant media coverage, including a seminar in May on the rights of women in the DPRK and the launch of a public report on the involuntary separation of Korean families.

Torn apart: The human rights dimension of the involuntary separation of Korean families

For years, Hwang In-cheol was told that his father, Mr. Hwang Won, was away on a business trip. "Nobody told me about my father when I was young," he remembers. When Hwang In-cheol was around 10 years old, he was finally told the truth. On 11 December 1969, his father had boarded a plane, which was hijacked and flown to the Democratic People's Republic of Korea (DPRK). While 39 passengers were allowed to return to the Republic of Korea in 1970, the whereabouts of Mr. Hwang Won and 10 other passengers and crew members remain unknown. Hwang In-cheol was two when his father was abducted.

Following his father's abduction, Hwang In-cheol and his family faced many instances of discrimination and ignorance. Those around them sometimes suspected the relatives of abductees of being susceptible to manipulation by the DPRK. "Even if you are a victim, society looks down on you and you are considered a spy," he stated.

These days, Hwang In-cheol is determined to break the silence that has surrounded his father's abduction for too long. Starting as a one-man campaign, he is now actively involved in raising awareness within the Republic of Korea and internationally. He is one of the individuals featured in OHCHR's report, "Torn apart: The human rights dimension of the involuntary separation of Korean families." Speaking at a panel discussion held to launch

the report on 7 December, he stated, "[t]here is no reason whatsoever that my father should continue to be held in the DPRK."

In 2010, Hwang In-cheol submitted a case to the Working Group on Enforced or Involuntary Disappearances. The DPRK authorities replied two years later and stated that there was "no person in [their] country who ha[d] been enforcedly or involuntarily disappeared or detained against his or her will."

The Government of the Republic of Korea has published a list of 516 individuals who were abducted by the DPRK after the 1953 armistice. It has not yet finalized the list of individuals who were allegedly abducted during the war, primarily due to the difficulty of collecting accurate information. According to the Korean War Abductees Family Union, estimates of wartime South Korean abductees range between 82,000 and 100,000 individuals.

In 2002, the Government of the DPRK acknowledged that it had abducted 13 Japanese nationals. Five were allowed to return to Japan and the Government claimed that eight were deceased. The Government of Japan continues to seek further information on their whereabouts and those of others that the Government of Japan believes were abducted by the DPRK.

Regional Offices

Regional Office for South-East Asia (Bangkok, Thailand)

Year established	2002
Staff as of 31 December 2016	15
Expenditure in 2016	US\$1,728,078

Results

Strengthening international human rights mechanisms

- ▶ *Increased engagement with special procedures by civil society actors in Brunei Darussalam, Indonesia, Lao PDR, Myanmar and Singapore (EA 7)*

In Indonesia, there was a significant increase in the engagement between civil society organizations and the UN human rights mechanisms as result of support provided by the Office. For instance, civil society organizations have engaged with the international human rights mechanisms in relation to violence in Papua and West Papua and have submitted 12 communications to the special procedures. In addition, the National Human Rights Commission, the National Commission on Violence against Women and civil society organizations were engaged in the Universal Periodic Review (UPR) process, including by preparing submissions to the second UPR of Indonesia scheduled for 2017.

Combating impunity and strengthening accountability and the rule of law

- ▶ *Countries in the region abolish the death penalty or increase the compliance of relevant legislation and policies with international standards, particularly in relation to the reduction in the number and scope of the crimes covered (EA 1)*

OHCHR undertook advocacy related to the abolition of the death penalty. The Regional Office provided inputs to a letter sent from the High Commissioner for Human Rights to the Government of Indonesia expressing concerns regarding information received on the imminent execution of 14 prisoners, calling for a stay of the executions and the need to take steps towards the establishment of a moratorium on death penalty. In November, the Office issued a statement urging the Government of Singapore to halt the execution of a Nigerian national who had been convicted of drug trafficking, and calling for the reinstatement of a moratorium on the death penalty. Despite the fact that the Philippines is a State Party to the Second Optional Protocol to the International



OHCHR awareness-raising activity at a university in Thailand, September 2016. © OHCHR/South-East Asia

Covenant on Civil and Political Rights, the Government has signalled its intention to re-introduce the death penalty. In response, the Office provided regular briefings and information to the United Nations Country Team (UNCT), the Commission on Human Rights, legislators and civil society on relevant international law and outlined the position of the UN on the death penalty.

- ▶ *National Preventive Mechanism against torture (under OP-CAT) established and/or functioning in Indonesia, Malaysia, Philippines and Thailand (EA 3)*

As part of its efforts to end the use of torture in Thailand, the Regional Office undertook training activities to raise the awareness of Thai officials on the importance of the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and the establishment of a National Preventive Mechanism (NPM). The Thai Government agreed to ratify the OP-CAT by 2017. In the Philippines, two bills aimed at establishing a NPM were introduced to the 17th Congress and one of them was discussed in the House Committee on Human Rights in November.

Integrating human rights in development and in the economic sphere

- ▶ *Human rights related to land and natural resources, along with recommendations for increased compliance with international standards in South-East Asia, are raised in international fora (EA 10)*

In the Philippines, a study on human rights challenges, including land rights, faced by indigenous peoples' communities across the country, was jointly produced by OHCHR and UNICEF. A national validation workshop was held in December to present the initial findings and the final report will be published in 2017. The findings will be used to raise national and international awareness on key human rights chal-

allenges faced by indigenous peoples and will inform policies and programmes of the Government, the international community and civil society.

Widening the democratic space

► *Increased responsiveness of governments to allegations of violations of freedom of expression (EA 3)*
In Thailand, the Office's advocacy with the Government and its monitoring of the freedom of expression helped to secure space for the civil society organizations, journalists, academics, the general public and other stakeholders to advocate for their rights. It is believed that OHCHR's monitoring activities and engagement with the Government were useful in preventing human rights violations and helped political activists and civil society actors to exercise their rights, in particular during the peaceful demonstration in the run up to the constitutional referendum in August.

► *Human rights defenders use national protection systems to initiate credible State investigations and prosecutions, particularly in emblematic cases or for the release of human rights defenders from custody (EA 5)*

In Thailand, the Regional Office supported the Government in its establishment of the Working Group on the Protection of Human Rights Defenders, which paved the way for an institutional framework that was developed for their protection.

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

► *Increased responsiveness of the international community to potential, emerging or existing human rights crisis situations, with human rights protection as an integral element of this response (EA 10)*

OHCHR conducted public advocacy aimed at ensuring that the attention of the international community in Yangon, Geneva and New York was focused on critical human rights issues in Myanmar, including in relation to accountability issues, discrimination and the situation in Rakhine State. Advocacy efforts included the provision of inputs to briefing notes and talking points, briefings to diplomatic missions based in Geneva and support to missions undertaken by high-level UN officials, including the visit of the Secretary-General and the Deputy High Commissioner for Human Rights in August.

► *UN entities in the region apply a human rights-based approach to policing and prosecution of sexual violence; humanitarian operations and international responses to situations of violence and conflict (EA 11)*

The Regional Office actively participated in and provided advice to key UN groups and fora in Myanmar, including the UNCT, the Humanitarian Country Team, the Theme Group on Human

Rights, Protection Working Group and the Gender Working Group. Based on its monitoring, OHCHR shared information on individual cases, trends and patterns which fed into UN notes and documents, including the report on the "Situation of human rights of Rohingya Muslims and other minorities in Myanmar" (A/HRC/32/18) presented at the Human Rights Council's 32nd session.

Regional Office for South-East Asia (Bangkok, Thailand): Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	611,300	737,815
Activities and operating costs	114,747	163,925
Subtotal	726,046	901,741
Programme support costs	-	100,291
GRAND TOTAL	726,046	1,002,031

Regional Office for the Pacific (Suva, Fiji)

Year established	2005
Staff as of 31 December 2016	5
Expenditure in 2016	US\$758,969

Results

Strengthening international human rights mechanisms

- *Six new ratifications/accessions of human rights treaties with a focus on ICCPR, ICESCR and CAT (and their optional protocols) in the subregion (EA 2)*
Fiji ratified the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in March; Samoa ratified all three optional protocols under the Convention on the Rights of the Child, in May, and ratified of the Convention on the Rights of Persons with Disabilities (CRPD), in December; and the Federated States of Micronesia also ratified the CRPD, in December. OHCHR has been advocating for years for the increased ratification of human rights treaties by countries of the region.
- *Increased engagement with international human rights mechanisms, including through the establishment of national coordination bodies to support national reporting and implementation of recommendations, the use of a common core document approach, participation in the second cycle of the*

UPR and acceptance of visit requests by special procedures mandate holders (EA 6)

In relation to the second cycle of the Universal Periodic Review (UPR), OHCHR provided extensive support to Samoa and the Solomon Islands prior to their respective reviews. Technical assistance was provided to Samoa for the drafting of its report and, for both countries, the Office organized a mock-UPR session which was effective in preparing the respective delegations for the review in Geneva. Concerning the establishment of national reporting and follow-up mechanisms, Samoa established a National Mechanism for Reporting and Follow-Up, in October. OHCHR advised on the structure and scope of the mechanism and facilitated a three-day induction retreat during which a draft implementation plan was prepared for all recommendations issued by the international human rights mechanisms in relation to Samoa. To further support the work of the mechanism, a website was developed to focus on the monitoring of implementation and data collection and will be launched in 2017. The Office has also worked with the Kiribati national human rights task force, which began developing a comprehensive UPR implementation plan. In addition, the Office provided logistical and technical support to the visits of the Special Rapporteur on the situation of human rights defenders to Australia (September); the Special Rapporteur on the human rights of migrants to Australia and Nauru (November); and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to Australia and Fiji (December).

- ▶ *Rights-holders or their representatives increase their submission to treaty bodies and/or special procedures in areas such as torture and ill-treatment, sexual and gender-based violence and/or housing rights (EA 7)*

Ahead of Samoa's second cycle UPR, guidance and assistance was given to local civil society organizations, leading to an increased number of report submissions compared to the first cycle UPR. In addition, a forum with the participation of governmental and civil society actors was organized in advance of the review to encourage dialogue and better inform the Government's delegation on stakeholder submissions. Furthermore, in collaboration with a regional NGO umbrella (PIANGO), OHCHR increased the capacity of a group of civil society organizations to effectively use the UN human rights mechanisms. As a result of a training organized in August, PIANGO made a submission on West Papua ahead of Indonesia's second cycle UPR.

Enhancing equality and countering discrimination

- ▶ *Development and implementation of human rights-compliant legislation and policies regarding vio-*



OHCHR staff members monitoring a detention centre in Vanuatu.
© OHCHR/Pacific

lence against women, asylum-seekers, minorities, indigenous peoples and LGBTI persons (EA 4)

In 2016, the Government of Nauru decided to decriminalize same-sex relations. A Nauruan activist, who participated in the Free & Equal campaign that was launched by OHCHR in the Pacific, was key in advocating for legal reforms in his country. Similar efforts are underway in Samoa and Tonga. OHCHR also pursued efforts to raise public awareness about the rights of refugees and asylum-seekers in Nauru, including by issuing a public statement in relation to the Australian High Court case, submitting a letter from the High Commissioner to the Government of Australia and undertaking a monitoring mission to Nauru in August. None of the asylum-seekers involved in the case have been returned to Nauru from Australia.

Combating impunity and strengthening accountability and the rule of law

- ▶ *Human rights training is institutionalized in the police academies and/or penitentiary services in Fiji and Vanuatu (EA 1)*

While developing a training curriculum is not a current priority for the Vanuatu Corrections Service, it sought OHCHR's assistance for the review of the Correctional Services Act in order to bring it in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners. As an outcome of the review, the Vanuatu Corrections Service agreed to request the abolition of solitary confinement in the revised legislation. In Fiji, OHCHR agreed to provide support to the Corrections Service's training team and review the training curriculum in 2017. With regard to the police, the Fiji Police Training Academy agreed to work with OHCHR on the provision of human rights training and the integration of human rights into the training curriculum.

Widening the democratic space

- ▶ *A Paris Principles-compliant NHRI is established in Fiji, Nauru, Palau, Samoa, Solomon Islands, Tonga and Vanuatu (EA 1)*

In June, the Global Alliance of National Human Rights Institutions accredited the Office of the Ombudsman of Samoa with “A” status. It is now the only national human rights institution (NHRI) among the Pacific Island countries that has achieved this status. OHCHR provided extensive support to the NHRI, including by deploying a staff member to its office, conducting training sessions on treaty reporting for their staff and providing technical assistance for the development of its annual human rights report. While the Fiji NHRI appointed a director in 2016, two of its five commissioners resigned and have not yet been replaced. Other countries, such as Cook Islands, Nauru, Tuvalu and Vanuatu expressed renewed interest in establishing NHRIs, some of which have requested OHCHR’s technical assistance for 2017.

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

- ▶ *National Disaster Management Offices and/or relevant ministries, particularly in Fiji, Samoa, Solomon Islands, Tonga and Vanuatu, and the Pacific Humanitarian Team, integrate human rights into their disaster preparedness and response efforts (EA 1)*

The capacity of Fiji Government officials and civil society organizations to integrate human rights into their disaster preparedness and response efforts was enhanced through a training workshop organized by UN Women. During the workshop, OHCHR delivered a session on protection. After Tropical Cyclone Winston hit Fiji in late February, OHCHR conducted several missions to monitor protection around the eastern and northern parts of Fiji’s largest island and identified several issues of concern, which were shared with Fiji’s Protection Cluster.

Regional Office for the Pacific (Suva, Fiji): Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	140,401	432,881
Activities and operating costs	-	113,455
Subtotal	140,401	546,336
Programme support costs		72,232
GRAND TOTAL	140,401	618,568

Human Rights Components in UN Peace Missions

United Nations Assistance Mission in Afghanistan

Year established	2002
Staff as of 31 December 2016	88

Results

Combating impunity and strengthening accountability and the rule of law

- ▶ *National police, National Directorate of Security and the Ministry of Interior observe due process and procedural guarantees for detainees and implement oversight and accountability procedures to prevent the use of torture in their places of detention (EA 1)*

The Government achieved little progress in meeting the commitments set out in its 2015 National Plan on the Elimination of Torture. The Human Rights Unit (HRU) of the United Nations Assistance Mission in Afghanistan (UNAMA) continued to note a pervasive lack of accountability for those who allegedly subjected detainees to torture or other forms of ill-treatment.

Furthermore, in May, the Government executed six convicted prisoners who had been sentenced to death for crimes against national security. These were the first executions of conflict-related detainees to be carried out in Afghanistan since February 2015. In view of concerns over the torture and ill-treatment of detainees for the purpose of obtaining confessions, the HRU continued to advocate with the Afghan Government to ensure that trials leading to the imposition of the death penalty strictly respect the guarantees related to a fair trial provided for in the Afghan Constitution, the Criminal Procedure Code and the International Covenant on Civil and Political Rights. In addition, the HRU was instrumental in the preparation of a letter sent by the High Commissioner for Human Rights, in May, to express his concerns regarding the executions that were carried out following trials that did not meet relevant international standards.

In October, the HRU participated in a drafting workshop that was chaired by the Ministry of Justice. The workshop reviewed aspects of the draft Anti-Torture Law which is being finalized. While the draft provides for the establishment of a National Commis-

sion for the Prevention of Torture, the Commission will lack the functional and operational independence required of a National Preventive Mechanism identified in the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which Afghanistan has not yet ratified.

- *Peace processes and transitional justice mechanisms operate in accordance with international human rights standards and good practices, ensuring consolidation of human rights gains and promoting accountability (EA 3)*

In 2016, the High Peace Council adopted its five-year strategy focused on reconciliation with high-level leaders of anti-government armed groups and a peace agreement between the Government and Hezb-i-Islami Gulbuddin Hekmatyar, which provides for judicial immunity of the parties. The Afghanistan Independent Human Rights Commission and civil society groups have voiced concerns over the peace agreement and called for the rights of victims to be respected and ensured in the peace process. The High Commissioner for Human Rights also wrote to the President to express his concerns.

In terms of promotion of the recommendations emanating from the Afghan People's Dialogue on Peace (APD), the HRU finalized 17 provincial road maps for peace, which were also approved by the APD Steering Committee and will be used in relation to peacebuilding initiatives undertaken by civil society. In addition, the HRU continued to support the provincial APD Advocacy Committees in their efforts with



The Chief of the Human Rights Unit of the United Nations Assistance Mission in Afghanistan presents the Annual Report on Protection of Civilians in Armed Conflict at a press conference in Kabul, February 2016. © UN Photo/Fardin Waezi

local officials to implement the recommendations of the provincial road maps for peace. Phase IV of the Peace Dialogue has been discussed with the Steering Committee but was put on hold until further progress could be achieved in the implementation of the road maps.

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

- *Provincial authorities, law enforcement and prosecutors work together to support victims and improve investigations of violence against women cases to support prosecution (EA 1)*

The Government stepped up its efforts to ensure women's representation in the public sphere, for example, by approving the Election Law on 22 August,

Filming the consequences of armed conflict in Afghanistan

"I found the festival theme to be very strong and useful and therefore I was motivated to make a short film about the effects of armed conflict on Afghan children" (Mahbooba Barat, Director and Producer of the winning film, "Ja Khali")

On 3 September, the United Nations Assistance Mission in Afghanistan collaborated with members of the Department of Information and Culture, the Afghanistan Independent Human Rights Commission, civil society, the local media and the arts community to hold the first Film Festival on the effects of armed conflict on children in Herat, Western Afghanistan.

The Best Film distinction was awarded to a 16-year-old, former high school student named Mahbooba Barat, who also clinched the award for Best Director for her film entitled "Ja Khali" ("Empty Space"). The film depicts the story of a young boy who desperately wants to continue his education but is forced to quit school and become his family's sole breadwinner after his father's conflict-related death.

Unfortunately, this is a reality for a growing number of children throughout Afghanistan and for the filmmaker herself. At the age of 15, Mahbooba's father prohibited her from going to school.

Using her smartphone, Mahbooba secretly filmed Ja Khali. She intentionally chose a male actor to play the role, even though she believes that all children, girls and boys, suffer from the consequences of war and that all children desire the opportunity to go to school.

Since winning the Festival, Mahbooba has shared her story and the film in a number of fora in Herat and Kabul. Upon seeing the film and in recognition of her talent, Mahbooba's father has permitted her to continue making films. In December, she was handpicked by an international organization and is currently part of a filmmaking training programme in Kabul. She is still not allowed to return to school.

which contains a number of temporary special measures, such as reserving at least 25 per cent of seats for women representatives in the provincial, district and village councils. Efforts continued to be taken to address violence against women and girls. The President inaugurated a dedicated fund to provide women who are survivors of acts of violence with support, including medical treatment and temporary accommodation. On 11 June, the Government approved the 2016-2020 Strategy and Action Plan on the Elimination of Violence against Women. Nevertheless, the prevalence of violence against women continued to be of serious concern. The ongoing conflict contributes to sustaining a culture of impunity and denying victims effective remedies and reparations. The HRU continued to work closely with relevant actors from the UN and civil society to advocate for the integration of international human rights norms with respect to the protection of women from violence.

- ▶ *Government policies and regulations related to civilian protection and civilian casualty mitigation are formulated and implemented by all forces in line with international humanitarian law and international human rights standards (EA 3)*

With the transfer of the Civilian Casualties Avoidance Mitigation Board from NATO to the Afghan authorities on 26 January, the Afghan-led Board began functioning as an operational mechanism to identify areas for improving civilian casualty mitigation efforts. It drafted the National Civilian Casualty Prevention and Mitigation Policy and established a working group to draft an action plan for its implementation. The Government also established a senior-level Protection Working Group aimed at facilitating a policy-driven dialogue on existing protection measures related to civilian concerns and supporting the implementation of improved practices to reduce civilian casualties. The HRU advised the

Ministries of Interior and of Defence, the National Security Council and the Resolute Support Mission on international humanitarian and human rights law to draft national and ministerial policies to prevent civilian casualties. The HRU also issued three public reports, which focused on civilian deaths and injuries, analyzed key trends and made recommendations to all parties to the armed conflict.

- ▶ *UN support to national institutions is in compliance with the Human Rights Due Diligence Policy (EA 11)* In the context of the implementation of the Human Rights Due Diligence Policy, the HRU worked closely with an international consultant who was tasked with designing a strategy on mitigation measures and a standard operating procedure (SOP) for its implementation. A number of workshops were held to review the SOP with the senior leadership of the Afghan national police force and the Ministry of Interior.

Human Rights Advisers to UN Country Teams

Bangladesh

Year established	2014
Staff as of 31 December 2016	(The field presence closed in 2016)

Results

Strengthening international human rights mechanisms

- ▶ *Increased compliance and engagement of Member States with international human rights mechanisms (EA 6)*

With support from the Human Rights Adviser (HRA) and the United Nations Country Team, Bangladesh drafted its reports under the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The last two reports were submitted in 2016.

Integrating human rights in development and in the economic sphere

- ▶ *Increased use of the UNCTs of a human rights-based approach to programming (EA 11)*

The new United Nations Development Assistance Framework (UNDAF) for Bangladesh was finalized and is in overall compliance with the programming



Event organized by the United Nations Assistance Mission in Afghanistan to discuss ways for enhancing women's participation in public life. © UN Photo/Fardin Waezi

principles of a human rights-based approach and gender equality. In addition, the UNDAF contains a chapter on the general human rights situation in the country. The HRA was part of the group developing the UNDAF results framework as well as other sections of the document.

Human Rights Adviser to the Regional UN Development Group for Asia and the Pacific

Year established	2014
Staff as of 31 December 2016	- (The field presence closed in 2016)

Results

Integrating human rights in development and in the economic sphere

- ▶ *Human rights standards and principles are integrated into UN development frameworks and the work of UN agencies, particularly on housing, water, sanitation and land (EA 11)*

As a result of the advice and training on a human rights-based approach provided by the Human Rights Adviser (HRA), the capacity of United Nations Country Teams (UNCTs) of the region, especially in the Democratic People's Republic of Korea, India, the Lao People's Democratic Republic, Mongolia, Pakistan, Papua New Guinea and Vietnam, has been strengthened. This ensured the enhanced integration of a human rights perspective into the United Nations Development Assistance Frameworks (UNDAFs). The HRA also supported the roll-out of the new UNDAF Programming Guidance in this context, with a particular focus on highlighting the linkages between achieving the Sustainable Development Goals and the human rights obligations and commitments of States.

Widening the democratic space

- ▶ *Increased interventions of the international community to promote and protect civil society actors, including against reprisals (EA 10)*

The HRA led the development of an Issue Brief on civil society space; a knowledge product addressed to UNCTs in the region that was prepared in order to enable UNCTs to understand recent trends relating to shrinking civil society space; provide training on relevant human rights standards; identify opportunities to strengthen the space for civil society within their programmatic work; and devise strategies and advocate in support of civil society representatives who may be in need of protection.

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

- ▶ *Human rights are integrated into United Nations preparedness, response and recovery efforts of crises emanating from natural disasters, conflict and other situations of violence and insecurity (EA 11)*

Coordination, policy coherence and cooperation, including in the context of the Human Rights up Front Action Plan, were facilitated through information sharing, analysis, advocacy and capacity-building initiatives undertaken by the HRA. Regular meetings were set up within the United Nations Development Group's Regional Group to discuss the main outcomes of Regional Quarterly Reviews. This enabled the Regional Group to address the implications of global discussions for regional and country-level policies, advocacy efforts and programming work. The HRA provided assistance in relation to the preparation of the Regional Quarterly Reviews and provided support to UNCTs for their follow-up to outcomes of these reviews.

Papua New Guinea

Year established	2008
Staff as of 31 December 2016	2

Results

Strengthening international human rights mechanisms

- ▶ *Increased engagement with international human rights mechanisms, including through the establishment of national coordination bodies to support national reporting and implementation of recommendations, the use of a common core document approach, participation in the second cycle of the UPR and acceptance of visit requests by special procedures mandate holders (EA 6)*

In November, OHCHR organized a training on human rights treaty reporting for 25 participants representing various Government departments. During the training, the participants agreed to draft a strategy for the establishment of a national mechanism for reporting and follow-up by 2017. They also developed a priority plan regarding the drafting of pending reports, including the common core document. Tasks were assigned at the technical level to begin the drafting process.

Combating impunity and strengthening accountability and the rule of law

- ▶ *Human rights training is institutionalized in the police academy in Papua New Guinea (EA 1)*



OHCHR organized activities for children in Papua New Guinea to mark Human Rights Day. © OHCHR/Papua New Guinea

In partnership with the Bomana Police Training College, the Human Rights Adviser (HRA) developed two human rights training modules for the Royal Papua New Guinea Constabulary. In June, 15 police officers completed a training session on human rights and law enforcement while 31 police trainers at the national and regional levels strengthened their capacity to deliver training on human rights by completing a training of trainers course on human rights and law enforcement. The modules developed by the HRA were used by the Bomana Police Training College to train 80 police officers in Manus and Western Province between September and October.

- ▶ *Emblematic sorcery-related killings in Papua New Guinea are thoroughly investigated and addressed through due legal processes (EA 3)*

While the HRA continued to support the progress of the Sorcery National Action Plan by engaging with national actors, its implementation remained a challenge due to the limited funds it is allocated from the national budget.

Sri Lanka

Year established	2004
Staff as of 31 December 2016	5

Results

Strengthening international human rights mechanisms

- ▶ *Increased ratification of international human rights instruments and review of reservations, with a focus on instruments and regions with low ratification rates, including Optional Protocols (EA 2)*

In 2016, Sri Lanka has ratified the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance. It has also accepted the competence of the Committee on Enforced Dis-

appearances, under article 22, and the competence of the Committee Against Torture, under article 32, to receive and consider individual communications.

- ▶ *The Human Rights Commission of Sri Lanka, civil society organizations, human rights defenders and UN agencies actively engage with special procedures and follow up on recommendations by international human rights mechanisms (EA 7)*

During the visits of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence (January, June and November); the joint visit by the Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment and on the independence of judges and lawyers (April – May); and the visit by the Special Rapporteur on minority issues (October), the Human Rights Adviser (HRA) supported the engagement of local human rights organizations with the mandate holders and raised their awareness on the relevance of their mandates. OHCHR further translated and disseminated the observations of the respective visits. The HRA also led the preparation of the United Nations Country Team (UNCT) submission to the UPR of Sri Lanka in 2017.

Enhancing equality and countering discrimination

- ▶ *Implementation of the Secretary-General's Guidance Notes and Guidelines on Racial Discrimination and Protection of Minorities and the UN Indigenous Peoples' Partnership (EA 11)*

In light of the new opportunities of engagement with the Government after the 2015 elections, the UNCT launched a review of the United Nations Development Assistance Framework. The HRA provided substantive input to this exercise, to be completed in 2017, with particular attention given to the rights of groups in vulnerable situations.

Combating impunity and strengthening accountability and the rule of law

- ▶ *A transitional justice mechanism is in place, including the right to truth; criminal justice and accountability aspects and the right to remedy and reparations (EA 3)*

Transitional justice was the main focus of OHCHR's engagement with the Government in 2016. In particular, the HRA provided technical support to the Ministry of Foreign Affairs and the Secretariat for Coordinating Reconciliation Mechanisms in the design and implementation of the national consultations process carried out by a Government-appointed task force of eminent civil society members. The consultations were held to elicit views from a broad range of stakeholders on how institutions and processes for transitional justice should promote accountability and reconciliation. OHCHR further established regular dialogue on transitional justice with Government



The High Commissioner meets with relatives of disappeared persons in Sri Lanka, February 2016. © OHCHR

counterparts, including the Ministry of Foreign Affairs, diplomatic missions, UN agencies, civil society actors and victims' groups. It also translated and disseminated the report of the OHCHR Investigation on Sri Lanka through a series of events all over the country.

- ▶ *Sustained engagement by the international community, specifically the Human Rights Council, on issues of impunity, accountability and reconciliation for past and present human rights violations (EA 10)* The HRA briefed the four special procedures mandate holders visiting Sri Lanka in 2016 and provided logistical support for their missions as well as for the visit of the High Commissioner in February. The HRA also led the drafting of OHCHR's update and report to the Human Rights Council on the implementation of resolution 30/1 on "Promoting reconciliation, accountability and human rights in Sri Lanka."

Timor-Leste

Year established	2013
Staff as of 31 December 2016	4

Results

Strengthening international human rights mechanisms

- ▶ *Reports submitted to the UPR, CAT and other treaty bodies are in conformity with reporting guidelines (EA 6)* The Government submitted its initial report under the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

in August. OHCHR provided significant technical and financial support for drafting the report in 2014. Timor-Leste's report to the Universal Periodic Review (UPR) also generally followed the reporting guidelines. The Human Rights Adviser (HRA) prepared the Government's delegation for the UPR through a briefing and a one-day mock session shortly before the review.

In line with recommendations issued by the Committee on Migrant Workers and Members of Their Families in relation to Timor-Leste in 2015, Parliament adopted legislation to counter human trafficking while the Government began voter registration of Timorese nationals in two foreign countries (Australia and Portugal), for the first time.

- ▶ *Increased number of substantive submissions to CEDAW, special procedures and the Human Rights Council by NHRIs, civil society, individuals and UN entities (EA 7)*

Thirty-seven civil society organizations, the national human rights institution (NHRI) (Provedoria dos Direitos Humanos e Justiça) and the United Nations Country Team (UNCT) actively took part in the UPR process through the submission of four reports based on the reporting guidelines. During the year, the HRA assisted stakeholders to identify key issues for their reports, supported the drafting of the civil society coalition report and led the UNCT reporting.

Enhancing equality and countering discrimination

- ▶ *Increased use of protection mechanisms by women and groups vulnerable to discrimination, in particular persons with disabilities, members of religious minorities, migrants and LGBTI persons (EA 5)*

In the context of the UPR in relation to Timor-Leste, persons with disabilities submitted an advocacy paper, in May, for the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) to the Prime Minister, Parliament and the President. The HRA provided technical support during the drafting process that involved the NHRI and numerous organizations of persons with disabilities. The HRA also participated at a discussion, led by the NHRI, with officials of various government ministries, NGOs, development partners and UN agencies to follow up on the status of ratification of the CRPD. By the end of the year, the Ministry of Foreign Affairs had issued a position paper in favour of ratification.

Combating impunity and strengthening accountability and the rule of law

- ▶ *Human rights, including women's rights and gender equality, have been substantially integrated into law enforcement and defence trainings (EA 1)*
To strengthen an existing human rights training programme for the police, the Provedoria dos Direitos Humanos e Justiça and the Police Training Centre signed a Memorandum of Understanding, in May. The objective was to strengthen the engagement of national police trainers, who had been trained in 2015 on how to use a human rights manual that had been drafted with the technical support of OHCHR and UNDP, with the team of the Provedoria and OHCHR when conducting training in Timor-Leste's municipalities. During the year, four training sessions were conducted for 86 police officers (including 17 women), which included at least one police trainer as part of the training team. Progress was also made on a comprehensive human rights training programme for the military. A reference group composed of officials from the defence force, the Ministry of Defence, the Provedoria, civil society and the HRA was established to guide the process, in particular for the drafting of a human rights manual. An OHCHR-funded international consultant prepared a first draft that was based on extensive consultations with the command of the army, the Minister of Defence, defence officials and civil society. In November, the draft was presented to key stakeholders for comments.

Integrating human rights in development and in the economic sphere

- ▶ *A human rights-based approach is substantially integrated into the UNDAF (EA 11)*
The HRA supported UN agencies in integrating human rights concepts and methods into their programming. For instance, the HRA provided the World Health Organization with technical advice on a programme related to climate change, detailed feedback on indicators in relation to UNDP's Justice Support Programme and advice to the World Food

Programme on how to integrate human rights into its internal accountability systems. It participated in a country assessment on sexual and reproductive health rights, led by the NHRI and supported by the United Nations Population Fund, and led the thematic group on gender-based violence. In addition, UN agencies increased their knowledge about the work of the UN human rights mechanisms through their participation in the UPR process and as a result of the HRA's sharing of information about the recommendations issued by the human rights mechanisms, including in relation to human rights defenders, persons with disabilities and the lesbian, gay, bisexual, transgender and intersex (LGBTI) community.

Widening the democratic space

- ▶ *The Provedoria National Human Rights Institution maintains its "A" status (EA 1)*
In May, the Provedoria issued a monitoring report raising concerns on the impact of two large-scale infrastructure projects implemented by the Government. Authorities addressed some of the issues raised in the report, which included insufficient consultations with affected communities and inadequate compensation for homes and crops affected. The report referred to human rights standards that were the subject of training conducted for Provedoria staff by the HRA in 2015. Furthermore, in 2016, staff members of the Provedoria increased their knowledge of and skills in the area of monitoring and investigation as a result of six training sessions and workshops conducted by the HRA. With a view to increasing pluralism in the institution, the Provedoria revived the Consultative Council for the Provedoria at the end of May. Members of the Council included representatives of the Muslim community, persons with disabilities, the LGBTI community and



Training for police officers on human rights and the prevention of torture conducted by the national human rights institution, the Police Training Centre and OHCHR in Timor-Leste, July 2016.
© OHCHR/Timor-Leste

the private sector. The HRA suggested for several years that the Provedoria should revive the Council, which only met a few times more than five years ago.

- ▶ *Human rights, including women's rights and gender equality, have been substantially integrated into educational curricula (EA 1)*

At the request of the Ministry of Education, the HRA provided conceptual and methodological suggestions regarding draft lesson plans on solidarity, human rights and democracy for grades 5 and 6 in primary school. Most of the suggestions were included. It is expected that these new lesson plans will be in place in 2017.

- ▶ *Increased use of protection mechanisms by human rights defenders (EA 5)*

Human rights defenders in Timor-Leste established a new network focused on protecting civil society space and human rights advocacy, which became operational in July. With the financial and technical

support of OHCHR, the network began collecting data on violations against human rights defenders and issued its first press release in December. The press release was widely covered on national television, radio, newspapers and social media.

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

- ▶ *A human rights-based approach is substantially integrated into preparedness, response and recovery efforts of the UNCT (EA 11)*

While the Clusters were not activated during the El Niño situation, the Protection Cluster, which was co-led by OHCHR and UNICEF, adopted its Terms of Reference and a Contingency Plan in March, both of which were drafted by the co-leads. The objective was to be sufficiently prepared in case of activation. These documents resulted from a process of regular consultations with members of the Cluster which started in 2015.

Training the youth in Timor-Leste

It was the second day of human rights training at the Becora Youth Centre, facilitated by the Human Rights Adviser. The training was part of the Joint Response for Youth, an initiative of six UN agencies and led by the State Secretariat for Youth and Sports, to offer multi-sectoral information, skills and services to young people through activities. It was 29 June and the day began with a session on disability. A young girl shared her life story with the participants. The young people, who came from different schools in Becora or were out of school, listened as she talked about her challenges and her dream of travelling around the world, sending a strong message that disability did not define her or limit her ambitions. The second session was on lesbian, gay, bisexual, transgender, intersex (LGBTI) persons and featured a guest speaker, Rumiatty, a transgender woman from the Coalition for Diversity and Action (CODIVA). Rumiatty appeared to have some of the physical characteristics of a man and was wearing a daring red dress and dangling golden earrings. When she walked into the room, Ana (not her real name), one of the female participants thought, "could this be?" The session began with Rumiatty retelling her life story. She spoke about how she had felt growing up, what her parents and relatives had said and what it was like to wait until she was out of school to dress in a way that more accurately reflected how she identified herself. She provided information about the definitions of LGBTI, the work of her organization, CODIVA, and some of the challenges

of being a transgender person in Timor-Leste. She then opened the floor to questions.

Ana was the first to raise her hand. "Were you born this way?" she asked. "Is that how you always were?" Patiently, Rumiatty and Amelia from the Human Rights Adviser's Unit answered these and Ana's other questions. And then, Ana stood up, came to the front, took the microphone and asked to tell her story. And there, in front of 25 of her peers, she confided that although she had been born a girl, she had never felt attracted to men. She similarly shared how she had felt growing up, what her parents had said and the pressure they were putting on her to get married to a man. She explained that she had gone to see a doctor with the hope of understanding why she felt different. "Are you sick?" he had asked. "No, Doctor, but my heart is sick," she had answered. For all of these years, she had not understood what was happening her.

On this day, however, in this small training room in Becora, she exclaimed: "But now I know myself – and I want to stand up." She was greeted by applause from her peers. When a fellow participant finally mentioned that he didn't always know how to refer to transgender people, Amelia suggested, "Just call them by their names."

Ana is now linked with the very few peers that are openly lesbian in Timor-Leste, including those who are working with CODIVA.