

UN Human Rights in the field: Europe and Central Asia



Type of presence	Location
Special missions	<ul style="list-style-type: none"> Ukraine
Regional offices	<ul style="list-style-type: none"> Central Asia (Bishkek, Kyrgyzstan) Europe (Brussels, Belgium)
Human rights component in UN Peace Mission	<ul style="list-style-type: none"> Kosovo⁵ (UNMIK)
Human rights advisers/officers in United Nations Country Teams	<ul style="list-style-type: none"> Republic of Moldova Russian Federation Serbia South Caucasus (based in Tbilisi, covering Armenia, Azerbaijan and Georgia) The former Yugoslav Republic of Macedonia

OHCHR continued its engagement with the diverse region of Europe and Central Asia, which is composed of members of the European Union (EU) and its current and potential candidates, participating States of the Organization for Security and Co-operation in Europe (OSCE), the Council of Europe (CoE) and the Commonwealth of Independent States (CIS), as well as a number of disputed territories under the effective control of de facto authorities. OHCHR maintained strong country engagement from Geneva and through field presences, including the Regional Offices for Europe (in Brussels) and for Central Asia (in Bishkek); human rights advisers in the former Yugoslav Republic of Macedonia and the South Caucasus; human rights officers/staff in the Republic of Moldova, the Russian Federation and Serbia; the Human Rights Office in the UN Interim Administration Mission in Kosovo; and the Human Rights Monitoring Mission in Ukraine (HRMMU).

OHCHR significantly increased its cooperation with United Nations Country Teams and agencies through regular dialogue and joint activities, including by providing regular contributions within the context of the Common Country Assessment/United Nations Development Assistance Framework processes. The Office also strengthened and deepened its cooperation with

¹² Reference to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.

regional organizations, with an emphasis on the Council of Europe and OSCE.

Through direct engagement and communications with Member States, remote monitoring and public advocacy, the Office identified early warning signs of potential human rights violations and crises and encouraged the development and implementation of recommendations to address such situations, particularly in relation to the United Nations Human Rights up Front Initiative. In 2017, OHCHR focused on the protection of migrants in vulnerable situations. In October 2017, the Office issued a public report, *In Search of Dignity: The human rights of migrants at Europe's borders*, which highlighted the main findings and trends observed in monitoring missions dispatched in 2016.

The Office also responded to frozen or protracted conflicts in Europe, including through the High Commissioner's report on cooperation with Georgia to the Human Rights Council, in September 2017, and participation in the Geneva International Discussions that were launched to address the consequences of the August 2008 hostilities in Georgia. The Office also drafted the High Commissioner's annual report on the Question of human rights in Cyprus, presenting it to the Human Rights Council in March 2017.

OHCHR supported the mandate of the Special Rapporteur on the situation of human rights in Belarus, who presented his reports to the Human Rights Council and the General Assembly. The findings of HRMMU were released through four quarterly reports, which were presented to the Human Rights Council in interactive dialogues. In addition, HRMMU issued a thematic report on conflict-related sexual violence in Ukraine covering the period from March 2014 to January 2017. The report formed the basis for the joint HRMMU-UN Women engagement with respect to Ukraine's strategy to prevent and address sexual and gender-based violence as part of its National Action Plan on the implementation of UN Security Council resolution 1325. Following the adoption of General Assembly resolution 71/205 on the human rights situation in the Autonomous Republic of Crimea (hereinafter referred to as Crimea), OHCHR produced a report on the situation of human rights in the peninsula, covering the period from February 2014 to September 2017. In March 2017, OHCHR issued a report on the human rights situation in southeast Turkey, covering the period from July 2015 to December 2016.

In 2017, OHCHR supported visits undertaken by the High Commissioner to France, Luxembourg, the United Kingdom, Uzbekistan and to the Munich Security Conference (Germany) and a round-table/lecture at Lund University (Sweden); by the Deputy High Com-

missioner to Belgium; and by the Assistant Secretary-General for Human Rights to Belgium, Ireland and the United Kingdom. Finally, the Office provided substantive inputs in anticipation of the Secretary-General's missions to Kazakhstan, Kyrgyzstan, Switzerland, Tajikistan, Turkmenistan and Uzbekistan.

Special Mission

Ukraine

Year established	2014
Staff as of 31 December 2017	49
Expenditure in 2017	US\$4,514,017

Results

Strengthening international human rights mechanisms

- ▶ *A National Human Rights Action Plan, deriving from the 2014 Human Rights Strategy for Ukraine, integrates recommendations issued by the international human rights mechanisms (EA 6)*

During the reporting period, OHCHR's Human Rights Monitoring Mission in Ukraine (HRMMU) supported the increased compliance of Ukraine with international human rights mechanisms, norms and standards, including through assistance following the results of the first year of implementation of the National Human Rights Action Plan of Ukraine in 2016. In particular, HRMMU supported the National Human Rights Action Plan through technical cooperation and capacity-building activities, notably on the results of its first year of implementation, which entailed improvements to the judicial system. Throughout 2017, HRMMU worked with the Cabinet of Ministers to define concrete implementing authorities and measurable indicators for all activities by the Action Plan and establish a mechanism to monitor and evaluate progress in meeting the objectives of the human rights strategy that underpins the Action Plan.

- ▶ *UNCT agencies provide input to the development of the National Human Rights Action Plan of Ukraine (EA 11)*

The National Human Rights Action Plan reflects most of the recommendations provided by the United Nations Country Team. HRMMU supported the involvement of UN agencies in the development of the Action Plan by convening a United Nations human rights working group, made up of representatives from seven UN agencies, in order to ensure

a coordinated approach and the regular exchange of information. In addition, HRMMU led the drafting of joint contributions, which were sent by the UN Resident Coordinator to the Government of Ukraine and emphasized key thematic areas proposed to be covered by the Plan. The joint contributions stressed the need to adopt an institutionalized approach for the implementation of the country's international human rights commitments as well as the recommendations issued by the international human rights mechanisms.

Enhancing equality and countering discrimination

► *Anti-discrimination legislation is in line with international standards (EA 4)*

The Government of Ukraine took steps to combat discrimination affecting national minorities. For instance, the 2015 National Human Rights Action Plan contains planned activities aimed at addressing discrimination faced by sexual minorities. Specifically, the Action Plan calls for the harmonization of anti-discrimination legislation and provides for amendments to the Criminal Code, which would punish hate crimes, including those committed on the basis of sexual orientation. When supporting the implementation of the Plan in 2017, HRMMU advocated for targeted language to prohibit discrimination on the basis of sexual orientation and gender identity by recalling Ukraine's commitments to implement recommendations issued by the international human rights mechanisms.

Combating impunity and strengthening accountability and the rule of law

► *Torture prevention and accountability mechanisms are in place and functioning (EA 3)*

Since 2014, the Government of Ukraine has been making efforts to strengthen democratic governance and build a society that is founded on the rule of law. In 2015, a human rights strategy was adopted to address challenges to human rights protection, including measures to strengthen accountability. In 2016, constitutional amendments related to the administration of justice removed a number of obstacles to the independence of the judiciary and ensured that the reappointment of judges would be undertaken through transparent and competitive procedures. Furthermore, discussions were being held at the end of 2017 regarding the creation of an anti-corruption court.

Since the onset of the conflict in eastern Ukraine, grave violations of international human rights and humanitarian laws have taken place, as documented by HRMMU, although little has been done to ensure accountability for the violations committed by both sides to the conflict. Since 2014, HRMMU has observed many gaps in the legal framework



OHCHR staff interviewing a person affected by the conflict in Luhansk. © OHCHR/Ukraine

of Ukraine, including the absence of an independent mechanism to investigate complaints of torture, ill-treatment and the excessive use of force by law enforcement, the absence of appropriate remedies and compensation mechanisms for victims and a lack of accountability for the human rights violations committed in areas where the Government does not exercise effective control.

HRMMU has formulated a number of recommendations to ensure that prompt, thorough and impartial investigations are undertaken into all allegations of human rights violations and abuses, perpetrators are held accountable and victims are provided with redress and rehabilitation. It also cooperated with the National Preventive Mechanism (NPM) and supplied it with lists of alleged victims of mistreatment while in detention. This led to regular visits by the NPM to places of detention and strengthened the human rights protection for detainees. HRMMU was involved in raising awareness among its national counterparts regarding the Istanbul Protocol, which contains international guidelines on the investigation and documentation of torture. HRMMU conducted trainings on the Istanbul Protocol and its implementation for 400 newly recruited regional prosecutors and provided more than 1,000 copies of the Protocol in Ukrainian to the General Prosecutor's Office. Moreover, HRMMU enhanced the capacity of local NGOs to document human rights violations, including cases of torture and ill-treatment, by training them on the monitoring and documentation of these violations. Moreover, it supported two local NGOs in providing legal aid and psychological support to victims of human rights violations, particularly torture. As a result, over 400 victims were assisted in three and a half years. Finally, HRMMU teams documented over 700 cases related to the torture or ill-treatment

of people in detention and ensured that these cases were followed up through meetings, trial monitoring or advocacy letters. It is believed that HRMMU interventions contributed to the release of at least 19 people in detention who had been subjected to violations of their physical or mental integrity in Government-controlled territory and approximately 210 persons held in territory controlled by armed groups.

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

► *Mechanisms and initiatives are adopted to increase human rights protection in contexts of conflict, violence and insecurity (EA 3)*

In February, the State Emergency Service announced that over 7,000 civilians, including 1,898 children, were effectively evacuated from endangered locations in the Donetsk and Luhansk regions. HRMMU has been emphasizing protection issues and the need to evacuate civilians with State and non-State actors in the context of the conflict since 2014. By preparing an analysis of several pieces of legislation related to the movement of people and

goods between the territories that are and are not controlled by the Government, HRMMU has enabled the UN to “speak with one voice” on protection issues. In 2017, together with UNHCR and other partners, including from civil society, HRMMU developed an advocacy campaign focused on ensuring that all entitled citizens have access to pension payments. The campaign calls for delinking the right to receive pension benefits from residence registration or internal displacement, as this is an obstacle that hinders access to pensions, particularly for Ukrainians residing in territories controlled by armed groups. The campaign has resulted in a few legislative initiatives. In one example, draft legislation would reinstate the right of all citizens to receive their pension, regardless of their registration as an internally displaced person or the location of their residence.

In October 2017, HRMMU and UNHCR sent a joint advocacy letter to the Government regarding a new legislative framework introduced by the Parliament of Ukraine to re-establish control over certain areas of Donetsk and Luhansk regions. Several key recommendations jointly made by HRMMU and UNHCR

Claiming housing rights in Ukraine

The UN Human Rights Monitoring Mission in Ukraine (HRMMU) has been monitoring the human rights situation in Ukraine since March 2014, notably through field presences located in conflict-affected eastern Ukraine.

In 2016, representatives of the HRMMU office in Kramatorsk (Donetsk region) visited several settlements located in the government-held territory close to the contact line. In one of the settlements, residents complained that servicemen from the Ukrainian Army had recently occupied several houses that were closer to the contact line, which led to a dramatic increase in life-threatening fire exchanges. One of the occupied properties belonged to Olha, a local resident who was forced to move into her brother-in-law’s abandoned house.

Olha is now retired and represents the seventh generation of her family that has resided in the village. When she was younger, she moved to the city of Luhansk for work and periodically returned to her home in the countryside. Since 2014, Luhansk has been controlled by armed groups, which do not recognize Ukrainian sovereignty. In 2016, Olha was forced to flee from Luhansk, together with her bedridden mother, after her house was damaged by armed hostilities. She became an internally displaced person and her only refuge was her summer house, which was situated on government-controlled territory.

When she first arrived, Olha was shocked to discover that her house had been occupied and looted by Ukrainian

servicemen. She did not know about legal remedies to reclaim her property. When she presented her ownership documents, the servicemen refused to vacate the house. Together with her mother, Olha moved into the abandoned house of her brother-in-law that was opposite her own house. Her brother-in-law and his wife had passed away a few weeks before she returned.

Olha sought assistance from the local authorities to no avail. When the head of the local community tried to investigate the situation, he was chased away by the servicemen occupying Olha’s house. HRMMU tried to intervene on her behalf and requested that the servicemen vacate her house. When these efforts failed to bear fruit, HRMMU wrote a letter of concern to a number of duty-bearers, including the Ministry of Defence, the Prosecutor General, the Deputy Military Commander, the Military Police, the Civil Military Cooperation Department and the local and regional authorities. In response, HRMMU received assurances from the Ministry of Defence that the house would be vacated by spring 2017.

Six months after its visit, HRMMU returned to the village and found Olha happily living in her home with her mother. The servicemen had left. Olha expressed her profound gratitude to HRMMU for its intervention, which enabled her to claim her rights and recover her dignity.

were integrated into the law, and HRMMU will continue to monitor how it is implemented when it enters into force in early 2018.

While in 2016, HRMMU was granted access to conflict-related prisoners in armed group custody on one occasion, this did not open the way for further access. The Office continued to interview detainees upon release and advocate for enhanced protection of people in detention, based on their accounts and descriptions of detainees and ongoing conditions of detention. Throughout 2017, HRMMU pressed for unhindered access to places of detention in territories that are controlled by armed groups.

Overall, HRMMU worked to improve the knowledge of State and non-State actors in order to address violations of international human rights law and humanitarian law in the context of the conflict. From 2014 to 2017, HRMMU issued 20 regular public reports and three thematic reports containing recommendations that are primarily related to human rights and humanitarian law challenges in conflict-affected eastern Ukraine and Crimea. Some of the recommendations touch upon issues of accountability, the administration of justice, respect for fundamental freedoms, the rights of women and of minorities, conflict-related sexual violence and economic and social rights. HRMMU also regularly carried out knowledge sharing with armed group representatives in Donetsk and Luhansk, disseminating international human rights standards and concrete recommendations.

- *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)*

HRMMU took steps to draw the attention of the international community to human rights and humanitarian law violations and used various platforms to share its findings. For instance, HRMMU submitted daily contributions to the United Nations Operations and Crisis Centre, enabling the wide dissemination of information relating to human rights developments in Ukraine. It also regularly attended United Nations Protection Cluster meetings, which enabled it to channel its findings and recommendations. Furthermore, HRMMU's presence in conflict-affected areas has contributed to shaping the humanitarian response to the protection needs of the affected population. Indeed, in March, HRMMU opened a new field office in Luhansk, extending its presence in armed group-controlled areas in eastern Ukraine. On the humanitarian front, HRMMU ensured the integration of human rights into Ukraine's 2016 and 2017 Humanitarian Response Plans and the 2017 Protection Strategy of the United Nations Humanitarian Country Team. Furthermore, HRMMU supported the development of the United Nations Partnership

Framework for Ukraine for the period of 2018-2022. In particular, HRMMU contributed to the country analysis by drafting a section on the human rights situation in Ukraine and reviewed other parts of the document to ensure the integration of a human rights-based approach.

Ukraine: Expenditure in 2017		
	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	3,145,324
Activities and operating costs	-	944,642
Subtotal	-	4,089,966
Programme support costs	-	424,051
GRAND TOTAL	-	4,514,017

Regional Offices

Regional Office for Central Asia (Bishkek, Kyrgyzstan)

Year established	2008
Staff as of 31 December 2017	11
Expenditure in 2017	US\$1,186,894

Results

Strengthening international human rights mechanisms

- *Establishment and/or fully functioning participatory standing national coordinating bodies on reporting on/replying to individual communications and enquiries; and integrated follow-up to the recommendations issued by the international human rights mechanisms in relation to Kyrgyzstan and Tajikistan (EA 6)*

Kyrgyzstan's national coordinating body on reporting and follow-up, the Coordination Council on Human Rights, was established by government decree in 2013. Its regulations were adopted in 2014. Since its establishment, OHCHR has consistently engaged with the Council and its Secretariat with a view to supporting its engagement with the international human rights mechanisms. In 2017, OHCHR provided guidance on good practices for the development of a national human rights action plan, which is due to

be finalized in 2018. The Office also provided guidance on the preparation of the State Party report to the Committee against Torture.

In Tajikistan, the Inter-Agency Commission on the Implementation of International Obligations in the Field of Human Rights has been operating as a coordinating mechanism for reporting and follow-up since 2002. During the reporting cycle, the Government of Tajikistan, with OHCHR's support, made considerable efforts to improve the functioning of the mechanism. In April 2017, the Government adopted new regulations in relation the Commission, which contributed to expanding the participation of civil society and promoting the increased coordination of relevant State bodies in the implementation of international human rights obligations. OHCHR facilitated consultations with civil society during the development of the regulations and, as proposed by the Office, the Ombudsperson and representatives of civil society will participate in the work of the Commission with consultative votes. OHCHR also provided technical support to the Commission for the creation of a website which includes information on the State's human rights obligations and the actions that are planned or in place to implement the recommendations issued by the international human rights mechanisms. In terms of recommendations emanating from the Universal Periodic Review, the President of Tajikistan adopted a National Action Plan, on 7 June 2017, to implement recommendations issued by this human rights mechanism. The Action Plan was developed through a consultative process.

Combating impunity and strengthening accountability and the rule of law

- ▶ *Criminal justice legislative and policy frameworks, including in relation to past human rights violations, significantly improve their compliance with international human rights standards in Kyrgyzstan (EA 1)*
OHCHR provided support to the judicial reform process in Kyrgyzstan, together with other international organizations, which resulted in the 2015 finalization of seven key draft laws in the area of administration of justice, namely, the Criminal Code, the Code on Misdemeanours, the Criminal Procedure Code, the Criminal Executive Code, the Civil Procedure Code and the Laws on enforcement proceedings and State guaranteed legal aid. While the draft Criminal Procedure Code contained a number of progressive provisions, OHCHR noted some shortcomings, including the excessive use of pre-trial detention. Based on OHCHR's recommendations and advocacy efforts, a number of changes were reflected in the draft Criminal Procedure Code to ensure that it was aligned with international human rights standards. The Criminal Procedure Code was adopted on 2 February 2017 and will be enacted in 2019.
- ▶ *National Preventive Mechanisms against torture as provided for under OP-CAT are fully functioning in Kazakhstan and Kyrgyzstan (EA 3)*
The National Preventive Mechanism (NPM) of Kyrgyzstan was established by law in 2012 and became operational in 2014. From the outset, OHCHR contributed to the functioning of the mechanism by providing ongoing technical support to increase the capacity of its staff and for the development of rel-

A regional platform for strengthening national human rights institutions in Central Asia



OHCHR and UNDP organized the second Regional Consultations of National Human Rights Institutions of Central Asia.

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Following two regional consultations of national human rights institutions (NHRIs) in Central Asia in 2016 (Istanbul) and 2017 (Almaty), five NHRIs from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan agreed to establish a Regional Platform. The objective was to enhance their cooperation for promoting and protecting human rights in the region, strive towards compliance with the Paris Principles and work towards achieving the Sustainable Development Goals. Through this Platform, NHRIs will undertake joint actions and conduct regular consultations to exchange lessons learned and good practices. This regional achievement is an excellent example of the active partnership between UN Human Rights, UNDP and the Global Alliance for NHRIs, which aims to leverage the respective mandates, expertise and operations of these organizations to support NHRIs around the world.

evant plans and programmes. In addition, the Office raised awareness about the NPM by producing and disseminating informational leaflets in the Russian, Kyrgyz, Uzbek and English languages and supporting presentations of its monitoring reports among decision-makers from State bodies. Nonetheless, the limited budget allocations to the NPM prevent it from fully exercising its mandate in accordance with the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT). In Tajikistan, despite numerous recommendations that were issued by the international human rights mechanisms, no progress has been made towards the ratification of OP-CAT. The role of monitoring of the NPM has been undertaken by the Pilot Monitoring Group, established in 2013, which is composed of representatives of the Office of the Ombudsperson and the civil society organization, Coalition Against Torture. The mechanism monitored approximately 30 closed and semi-closed institutions and OHCHR contributed to strengthening its visibility and its increased monitoring and documentation capacity, in line with international standards.

Integrating human rights in development and in the economic sphere

- ▶ *Human rights standards and principles are increasingly integrated into CCAs/UNDAFs/CAPs and the work of UN agencies, particularly on housing, water, sanitation and land (EA11)*

As a result of OHCHR's advocacy and training provided to the region's United Nations Country Teams (UNCTs) on the integration of international human rights standards into their plans and programmes, an increasing number of UNCTs adopted a human rights-based approach to the implementation of their development plans, including by integrating recommendations issued by the international human rights mechanisms.

Widening the democratic space

- ▶ *Strengthened and meaningful participation of rights-holders, in particular minorities, in selected processes, predominantly those related to housing, land and property rights in Kyrgyzstan (EA 5)*

As a result of capacity-building efforts and regular advocacy conducted by OHCHR, minorities were provided with more opportunities in Kyrgyzstan's civil service. After the Office supported the implementation of a pilot internship programme within State

bodies, the State's Personnel Agency showed interest in institutionalizing the programme and adopted relevant regulations. Moreover, OHCHR contributed to the institutionalization of a training programme on diversity, tolerance and non-discrimination in three major universities in southern regions as well as the Teacher Training's Institute, in Osh, through the development of a manual on multicultural education.

- ▶ *Civil society, in particular youth and women's organizations, increasingly advocate for their rights in Tajikistan (EA 5)*

The amendments to the Law on Public Associations, approved by Tajikistan's Parliament in 2015, had a negative impact on the financial independence of civil society organizations in the country. The amendments required, inter alia, that any foreign funding received by public associations must be declared to the Ministry of Justice and that such information must be provided before the start of any activity. Civil society organizations were not consulted during the development of the amendments. Nonetheless, OHCHR sought to support the advocacy efforts and work of civil society actors in Tajikistan, mainly through capacity-building activities on international human rights standards and the use of national and international human rights mechanisms. During the reporting period, the Office supported the visits of three special rapporteurs to Tajikistan and facilitated their meetings with NGO representatives. In 2017, following a meeting that the Office facilitated between authorities in Tajikistan and civil society actors, an agreement was reached to include civil society representatives in the governmental Working Group on Gender Legislation, Protection of Women's Rights and Prevention of Domestic Violence.

Regional Office for Central Asia (Bishkek, Kyrgyzstan): Expenditure in 2017

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	554,940	207,543
Activities and operating costs	127,582	238,804
Subtotal	682,522	446,347
Programme support costs	-	58,025
GRAND TOTAL	682,522	504,372

Regional Office for Europe (Brussels, Belgium)

Year established	2009
Staff as of 31 December 2017	8
Expenditure in 2017	US\$1,563,494

Results

Strengthening international human rights mechanisms

- *Increased use of international human rights mechanisms and bodies by diverse rights-holders (especially Roma and migrants), NHRIs and civil society organizations acting on their behalf in at least three States in the region (EA 7)*

OHCHR supported the work of the Special Rapporteur on the human rights of migrants and advised civil society in various countries on the submission of complaints to this and other Special Procedures mandates. In an effort to promote the increased engagement of persons with disabilities and organizations representing them with the Committee on the Rights of Persons with Disabilities (CRPD), OHCHR organized trainings in 2015 and 2017 for rights-holders and civil society organizations. Focus was placed on enhancing their capacity to draft alternative reports and submit individual complaints. As a result, all civil society organizations that participated in the 2015 training submitted alternative reports to the CRPD (20 in total) and those who participated in the 2017 training are currently preparing their submissions.

The European Union's (EU) Agency for Fundamental Rights, based in Vienna, developed a comprehensive mechanism, through which it provides input to OHCHR for the reviews of all European member states under the Universal Periodic Review.

Enhancing equality and countering discrimination

- *Comprehensive non-discrimination directive, which aims at protecting individuals from discrimination on the grounds of disability, age, religion and sexual orientation in education, health care, social protection and access to goods and services, including housing, moves closer to adoption. Roma inclusion policies in at least three States in the region comply with the recommendations issued by international human rights mechanisms (EA 4)*

Anti-discrimination legislation in the European Union covers a limited number of grounds of discrimination in a limited number of areas. Hence, the importance of a comprehensive EU anti-discrimination directive that would outlaw all forms of discrimination in all areas in all member States of the Union. Although 2017



The Regional Office for Europe discusses the human rights situation of Roma and Travellers in France, including with representatives of civil society organizations Voix des Roms and European Roma Grassroots Organizations Network (ERGO), as well as with 93-year-old Holocaust survivor Raymond Gurême. © OHCHR/Europe

did not see progress in this area, OHCHR continued its advocacy to keep the so-called Horizontal Directive alive. Encouraging statements by high-level EU officials presage that the European Commission might renew its efforts in this area in 2018.

Following the European Union's release of its mid-term review of national integration strategies for Roma, which showed improvement in school attendance but worsening segregation in education, OHCHR redoubled its advocacy for Roma inclusion, supported civil society initiatives and undertook field missions.

In 2017, the Council of the European Union took steps to promote and protect disability rights and adopted Council Conclusions on Enhancing Community-Based Support and Care for Independent Living. The Conclusions emphasize the need for EU member states to take action to accelerate the transition from institutional to community-based care in order to ensure that every citizen, including persons with disabilities, is able to enjoy their rights. OHCHR continued working with the European Commission and EU member states to promote the use of EU funds to facilitate the deinstitutionalization of persons with disabilities and children in alternative care. As a result of OHCHR advocacy, Portugal was the first EU member state in withdrawing its support for the drafting of the Protocol to the Oviedo Convention which, if adopted, would constitute a violation of the Convention on the Rights of Persons with Disabilities.

- *NHRIs and equality bodies take concrete measures to address discrimination issues; increase the direct participation of rights-holders from groups at risk (especially Roma and migrants) and involve civil society organizations representing these*

groups in their activities in at least two States in the region (EA 5)

During the reporting period, OHCHR undertook various advocacy activities, which contributed to the increased awareness of the human rights dimensions in preventing and countering violent extremism among a number of actors in Europe. For instance, OHCHR attended meetings of the United Nations-European Union High-Level Counter-Terrorism Political Dialogue that took place in Brussels, in October 2014 and March 2017. On both occasions, OHCHR raised the profile of human rights concerns in all aspects of counter-terrorism activities. A significant change was perceived between the first and second meetings, as human rights concerns were increasingly integrated into the discourses and programming. In the second half of 2017, OHCHR also started to engage the European institutions on the human rights of victims of terrorism, with a view to a fostering a comprehensive and coherent approach to supporting victims. In this context, preparations have started for a joint initiative between OHCHR and three Committees of the European Parliament, which will materialize in 2018.

- ▶ *Increased integration of the human rights of migrants in international and regional processes relevant to migration (EA 10)*

Migration policy remained at the top of the agendas of the EU and its member states during the period under review, with the EU institutions issuing a variety of policy documents to address the increasing number of individuals arriving in Europe. OHCHR engaged with and briefed EU officials and member states on a number of occasions to highlight the human rights of migrants and advocate for the rights of those who do not qualify for asylum, yet still have protection needs. EU policies and practices regarding third countries remained problematic from a human rights perspective, such as policies relating to the Central Mediterranean and the adoption of informal readmission agreements. Yet, some progress was made as OHCHR strengthened its engagement with the Directorate-General for Home Affairs and Migration and with the European External Action Service to increase their awareness about the importance of a comprehensive, rights-based approach to poli-

cies on migration. OHCHR's engagement in this area also benefited from evidence that was gathered during five monitoring missions it undertook in 2016 to border and transit locations in Europe. This enabled the Office to directly engage with rights-holders and duty-bearers and identify recommendations that can help strengthen the protection of migrants' rights.

Integrating human rights in development and in the economic sphere

- ▶ *Increased participation of rights-holders and CSOs which represent them, in the design and monitoring of public policies in the region, particularly EU development policies; public policies and budget processes affecting socially excluded ethnic groups (Roma and Travellers) in at least three States of the region; public policies dealing with the right to independent living of persons with disabilities and family or family-type care of children in at least five States of the region (EA 5)*

In 2017, OHCHR continued to build the capacity of duty-bearers in the EU regarding a human rights-based approach to development, in particular the European Commission's Directorate-General for Development Cooperation. This occurred through regular exchanges with policy-makers, as well as through the provision of expertise and assistance regarding a human rights-based approach as part of the overall development agenda of the EU. The roll-out of the human rights-based approach toolkit to EU delegations proceeded throughout 2017.

Regional Office for Europe (Brussels, Belgium): Expenditure in 2017

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	728,235	112,972
Activities and operating costs	220,078	440,556
Subtotal	948,314	553,528
Programme support costs		61,653
GRAND TOTAL	948,314	615,180

Human Rights Section in UN Peace Mission

United Nations Interim Administration Mission in Kosovo

Year established	Stand-alone office closed in 2015 and replaced by a Human Rights Section established within the United Nations Interim Administration Mission in Kosovo. OHCHR retained a local project officer until March 2017.
Staff as of 31 December 2017	1

Results

Strengthening international human rights mechanisms

- ▶ *Kosovo¹³ authorities increase their response rate to special procedures (EA 6)*

The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment visited Kosovo* during the reporting period. A number of other special procedures mandate-holders also paid visits on official mission, including the Working Group on Enforced or Involuntary Disappearances (2014), the Special Rapporteur on the right to adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context (2015) and the Special Rapporteur in the field of cultural rights (2016). The Human Rights Section (HRS) of the United Nations Interim Administration Mission in Kosovo (UNMIK) provided full support to the mandate-holders before, during and after their visits through the preparation of the agenda, logistical support, arrangement of meetings with local actors and the dissemination of information.

Combating impunity and strengthening accountability and the rule of law

- ▶ *A transitional justice strategy that conforms to international human rights standards is adopted and being implemented (EA 3)*

In 2017, the HRS continued to actively contribute to the process of clarifying the fate of those who went missing during the conflict in Kosovo* in 1999. Capitalizing on the results achieved in 2016, it organized a round table on missing persons in Geneva which

provided a unique occasion for representatives of family associations to gather and discuss the way towards clarifying the fate and whereabouts of missing persons, while benefitting from the presence of international experts. Concomitantly, the HRS supported the establishment of the multi-ethnic Missing Persons Resource Centre in Prishtinë/Priština, through UNMIK confidence-building measures projects. This endeavour was a direct result of a long-term commitment and regular engagement of the HRS in the facilitation of dialogue between the representatives of missing persons.

Widening the democratic space

- ▶ *Increased level of meaningful participation of women in selected public processes, notably those relating to sexual and gender-based violence (EA 5)*
- The United Nations Kosovo Team Joint Programme on Gender-Based Violence scaled up to four northern Kosovo* municipalities. In the field of prevention, numerous and diverse awareness-raising activities were organized with partner civil society organizations, including more than 30 panel discussions, round tables, focus groups, thematic radio and TV programmes. A regional gender-based violence coordination mechanism was established, comprising representatives from the police, municipalities, education and health care institutions and civil society organizations in four municipalities. Also, through partnership with local NGOs, the HRS established integrated psychosocial services for survivors of gender-based violence, including counselling and trauma therapy.

Human Rights Advisers/ Officers in United Nations Country Teams

Republic of Moldova

Year established	2008
Staff as of 31 December 2017	2

Results

Strengthening international human rights mechanisms

- ▶ *The Republic of Moldova accedes to OP-ICESCR (EA 2)*

OHCHR, jointly with other partners, consistently advocated with the Government for the ratification of the Optional Protocol to the International Covenant on

¹³ Reference to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.



Participants of a forum for community mediators, including from the Roma population, organized by the National Association of Community Mediators with the support of OHCHR, Republic of Moldova. © OHCHR/Republic of Moldova

Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD), including by sharing information and developing analyses on the impact of the ratification of both instruments. As a result, the Government launched internal procedures for ratifying the OP-CRPD, which is expected to take place in 2018.

- ▶ *Women and others from marginalized or vulnerable groups, including Roma, persons with disabilities, older women or persons from the Transnistrian region, make effective use of the individual communications procedures of CEDAW, the two Covenants and ICERD (EA 7)*

Following efforts undertaken by the Office to engage with civil society actors, including persons with disabilities, youth, women and minorities, the number of submissions to the Universal Periodic Review and the human rights treaty bodies from civil society actors has tripled to a total of 90 documents during the period under review. In 2017, the Republic of Moldova was reviewed by five treaty bodies, including the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination. In addition, with OHCHR's support, at least four individual complaints have been submitted to the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination. Moreover, a standing civil society mechanism for monitoring the implementation of recommendations issued by the international human rights mechanisms was established with the support of OHCHR.

- ▶ *UNCT increasingly engages with international human rights mechanisms (EA 11)*

The United Nations Country Team (UNCT) increased its engagement on human rights issues as a result of

OHCHR's support and advocacy. Specifically, OHCHR collaborated with UNDP, UNAIDS and UNODC to implement a Joint Action to Strengthen Human Rights in the Transnistrian Region of the Republic of Moldova, which deals specifically with persons with disabilities, issues of domestic and gender-based violence and the rights of persons living with HIV. Furthermore, with the technical support of OHCHR, the UNCT prepared submissions to a number of human rights treaty bodies and developed the new 2018-2022 United Nations Development Partnership Framework for Sustainable Development, which integrates, to a significant extent, a human rights-based approach. Moreover, further to technical advice from OHCHR, the Government announced the establishment of the National Mechanism for Reporting and Follow-Up and is currently developing its terms of reference.

Enhancing equality and countering discrimination

- ▶ *Regulations and official scenarios (such as Pride events or segregated school districts) brought substantially into compliance with non-/anti-discrimination provisions and standards of international human rights law (EA 4)*

In 2017, the Republic of Moldova's National Human Rights Action Plan for 2018-2022 was developed and approved by the Government though it has not yet been adopted by the Parliament. The Action Plan includes recommendations issued by the international human rights mechanisms and provides for the establishment of a permanent Human Rights Secretariat, which will coordinate and monitor the implementation of the Action Plan. To support the drafting of the plan, OHCHR developed a matrix that lists all of the recommendations issued by the international human rights mechanisms in relation to the Republic of Moldova. The matrix will also facilitate the monitoring



On the occasion of the review of the Republic of Moldova's report by the Committee on the Rights of Persons with Disabilities, OHCHR organized the broadcasting of the treaty body session in Chisinau. The event was attended by authorities, persons with disabilities and other civil society actors. © OHCHR/Republic of Moldova

of the implementation of these recommendations and the Action Plan. As a result of OHCHR's capacity-building activities for government representatives, civil society and the UNCT on the human rights-based approach, human rights concepts were largely mainstreamed into the UN Partnership Framework for Sustainable Development 2018-2022 and the draft National Development Strategy.

The Republic of Moldova has made significant progress in improving the legal framework in relation to persons with disabilities. The new framework for disability determination, which is in compliance with international standards, was approved in 2017. OHCHR actively participated in the reform of the legislation.

Combating impunity and strengthening accountability and the rule of law

- *Increased number of remedy decisions in discrimination cases in compliance with international law (EA 1)*

During the reporting period, lawyers and civil society actors filed more than 30 legal complaints while the Equality Council initiated the investigation of over 25 cases of discrimination. The Office contributed to these results through several capacity-building activities on international human rights standards on discrimination. Moreover, judges and prosecutors were trained in international human rights standards on discrimination, economic, social and cultural rights and gender-based sexual violence, among other themes. The enhanced capacity of these actors contributed to several groundbreaking investigations and rulings in cases, including in relation to sexual violence suffered by 16 women with disabilities who were living in a State residential institution and hate-motivated crimes against Roma people.

Russian Federation

Year established	2008, following the adoption of cooperation framework in August 2007.
Staff as of 31 December 2017	4

Results

Strengthening international human rights mechanisms

- *Increased implementation of recommendations issued by human rights treaty bodies, special procedures and the Human Rights Council relating to human rights institutions, judicial reform, human rights*



OHCHR and the Ombudsman of the city of Moscow organized an international round table on "Promoting diversity and a discrimination free environment in host cities during and after the FIFA World Cup 2018," September 2017. © OHCHR/Russian Federation

training for law enforcement officials, the rights of children and the rights of women (EA 6)

OHCHR promoted the implementation of the standards included in the Convention on the Rights of Persons with Disabilities (CRPD) among civil society organizations, national human rights institutions (NHRIs) and relevant government officials. On an annual basis, OHCHR facilitated intensive training on the CRPD and its implementation in the Russian Federation for the students of the Human Rights Master Programme. In December 2017, jointly with the UN Information Centre, OHCHR organized a round table discussion dedicated to the International Day of Persons with Disabilities at the UN House premises. As per Article 8 of the CRPD, the discussion focused on the role of mass media and journalists in coverage of disability related issues and protecting rights of persons with disabilities, as well as interaction of organizations of persons with disabilities with the media community. Also on an annual basis, OHCHR supported a human rights orientation programme for civil servants from key ministries, the Constitutional and Supreme Courts, the General Prosecutor's Office, the Federal Penitentiary Service, the Federal Agency for Nationalities Affairs and the Federal Migration Service. This orientation programme enabled the participants to enhance their understanding of international human rights norms and standards and the role of the international human rights machinery. This programme has become a reference point for strengthening coordination efforts between government officials involved in the reporting process and improving their interaction with the human rights mechanisms.

- *Recommendations of human rights mechanisms are increasingly integrated into the planning and programming of UN agencies (EA 11)*

OHCHR regularly discussed human rights issues with the UN agencies and programmes that were working in the Russian Federation and, where possible, joint programming took place. For example, activi-

ties related to the promotion of disability rights were included in the annual plan of the UN Information Centre. OHCHR also led the work of the UN Gender Theme Group and advised on ways to promote the recommendation issued by CEDAW. In December, in cooperation with the Ombudsman in Moscow and “The Forum of Women of Moscow”, OHCHR organized the International Conference “Women against violence” in the Parliamentary Public Centre, within the framework of the campaign “16 Days of Activism against Gender-Based Violence.” The conference aimed at strengthening the women’s movement for combatting domestic violence and improving legislation in this regard, and resulted in the adoption of a resolution. Based on the outcome of this event, the Ombudsperson in the city of Moscow sent an appeal to the Council of the Federation and the Duma to adopt as soon as possible the corresponding Federal Law on prevention of domestic violence.

Enhancing equality and countering discrimination

- ▶ *NHRI’s anti-discrimination programmes significantly improve compliance with international human rights standards (EA 4)*

In anticipation of the 2018 FIFA World Cup in Russia, OHCHR in cooperation with the Ombudsperson of the city of Moscow and other Moscow authorities, organized an international round table dedicated to promoting diversity and a discrimination free environment in host cities during the FIFA World Cup 2018. The event brought together international experts and representatives, including from the European Coalition of Cities against Racism, the FIFA Organizing Committee, UNESCO, representatives of fan clubs and Football Against Racism in Europe, as well as local partners representing the Moscow city Government, Federal governmental structures and Human Rights Commissioners from the cities hosting the World Cup. The round table provided a good opportunity to exchange views on how to counter racism and discrimination in football, with particular focus on good practices when conducting similar sport events. The participants paid particular attention to issues such as inclusion, diversity and discrimination-free environment, which are among the cornerstones of the next football World Cup.

Widening the democratic space

- ▶ *A multidisciplinary Human Rights Programme has been integrated into formal higher education and institutionalized in several regions (EA 1)*

At the end of the four-year cycle, nine full-fledged Human Rights Master Programmes were established in five regions of the Russian Federation. Since their launch, 115 students have graduated from the Master Programmes. OHCHR supported the establishment of the Programmes and offered technical advice

for the development of nine training modules and 12 textbooks. The Office also assisted in the establishment of four regional resource centres, which enable students to access additional human rights material. Since 2014, a number of Summer Schools have been in operation, bringing together students, experts, civil society practitioners and academics to discuss human rights issues and equip students with practical knowledge about the international human rights system. The participation of students in Summer Schools increased from 77 in 2014 to 177 in 2017. In 2017, the Consortium of Universities that organizes the Human Rights Master Programme launched a website (<http://www.humanrights.ru/>) that aimed at increasing the visibility of the Programme and awareness about human rights education.

Serbia

Year established	Office in 1996 and Human Rights Adviser in 2007. In 2017 it was replaced by a Human Rights Unit formed by national staff attached to the Resident Coordinator
Staff as of 31 December 2017	2

Results

Strengthening international human rights mechanisms

- ▶ *Fully functioning participatory standing national coordinating body is in place to report on/reply to individual communications and enquiries; and integrated follow-up to recommendations of all international human rights mechanisms (EA 6)*

The National Mechanism for Reporting and Follow-up (NMRF), established in December 2014, resumed its work in 2017 after delays in the reappointment of the Chair that began in October 2016. Throughout



OHCHR workshop on human rights for university students in Serbia.
© OHCHR/Serbia

the year, the NMRF held six sessions and five capacity-building trainings and enhanced its consultations with the national human rights institution and civil society. In 2017, OHCHR facilitated trainings for the members of the NMRF related to the Universal Periodic Review (UPR) and human rights indicators. Furthermore, the Office supported the NMRF's endeavours regarding reporting to the human rights treaty bodies and provided guidance throughout the national UPR consultations, including by organizing a public hearing regarding the draft State report.

- ▶ *Increased number and diversity of rights-holders and of national human rights institutions and civil society actors acting on their behalf, making use of United Nations and regional human rights mechanisms and bodies (EA 7)*

In anticipation of the third cycle of the UPR for Serbia, a total of 30 reports were submitted by civil society organizations. This result followed continuous capacity-building and technical support provided by OHCHR. In 2017, the Office trained networks of Romani women and youth organizations for the upcoming review of Serbia by the Committee on the Elimination of Racial Discrimination. Training was also provided for members of civil society and the NMRF on human rights indicators with a particular focus on follow-up to the recommendations issued by the international human rights mechanisms.

Enhancing equality and countering discrimination

- ▶ *Legislation, policies and practices increasingly comply with anti-discrimination and equality standards (EA 4)*

Over the past four years, Serbia has undertaken significant efforts to bring its legal framework more closely in line with human rights standards and its international obligations and commitments. For instance, Serbia adopted a new Roma Inclusion Strategy for the period 2016-2025 covering issues such as housing, health, employment, education and social protection. OHCHR provided expert advice on human rights standards and worked consistently with civil society on the design of the Strategy. Important progress was also achieved in the inclusion of the Roma population with the adoption of the Law on Housing, which is in line with human rights standards and includes recommendations issued by the international human rights mechanisms. In November 2016, the Parliament adopted a new Law on the Prevention of Domestic Violence, which strengthens the protection of victims and provides for heightened accountability measures for civil servants and other officials who fail to act effectively. Furthermore, Serbia's new draft Strategy on the Rights of Persons with Disabilities was published for consultation at the beginning of October and is awaiting submission to the Parliament. OHCHR supported the drafting process

to align the Strategy with recommendations issued by the Committee on the Rights of Persons with Disabilities (CRPD). In addition, as a result of OHCHR's continued support for the integration of anti-discrimination norms into Serbian public procedures, the National Employment Service amended its guidelines in 2016 to ensure that all processes are developed using gender-neutral language. The new rules change the previous practice of using gender-specific terminology in job titles and other terminology.

Combating impunity and strengthening accountability and the rule of law

- ▶ *International human rights standards increasingly invoked in court proceedings (EA 1)*

Over the reporting period, some progress was noted in the application of international human rights standards in court proceedings. For instance, judges increasingly referred to anti-discrimination norms for the protection of individuals before the court. Some gaps remain, however, in the appropriate use of these norms in accordance with the law and ratified international treaties. Further efforts are also needed to build the capacity of the judiciary in this respect. In 2017, OHCHR undertook a study on the application of anti-discrimination laws in domestic court proceedings and piloted four training workshops on the application of international human rights standards, in partnership with the State Judicial Academy. The workshops were attended by almost 100 judges. A manual on the application of international human rights law was developed as a follow-up to the trainings.

In 2016, OHCHR supported the Resident Coordinator in Serbia in providing legal guidance to civil society organizations that petitioned the Constitutional Court to abolish Criminal Code article 179. This article establishes a lower standard of protection in cases of rape for persons with disabilities than article 178, which relates to other cases of rape. The issue was raised by the CRPD in its 2016 review of Serbia. OHCHR also provided legal advice to the Ministry of Justice regarding the review of the Criminal Code in order to remove discrimination against women with disabilities in cases of sexual crimes. Moreover, the Office supported the publication of guidelines for courts involved in proceedings related to the deprivation of legal capacity, representing the first such guidelines in the region. In 2015, OHCHR supported civil society actions to stop the forced evictions of Roma living in substandard slum settlements in Belgrade, in particular the Romani families from the Grmec settlement in Zemun. As a result of these efforts, Zemun authorities applied the right to adequate housing standards in accordance with article 11(1) of the International Covenant on Economic, Social and Cultural Rights. The first instance Zemun court adopted this approach and the eviction was halted.

Integrating human rights in development and in the economic sphere

- ▶ *The UNDAF and half of UN programmes and projects fully conform to the human rights-based approach and incorporate recommendations issued by the international human rights mechanisms (EA 11)*
On 30 May, the United Nations Country Team and the Government of Serbia signed the Development Partnership Framework. The final document includes one outcome on human rights, led by OHCHR. Activities related to other outcomes, especially those on social protection, education and governance, reflect human rights concerns. Furthermore, the document includes references to the international human rights mechanisms and streamlines their recommendations in relation to Serbia. OHCHR provided technical support on human rights mainstreaming during the development of the document, advocated for the inclusion of a strong focus on stigmatized groups in a range of relevant areas and undertook a review of the joint workplans of all UN agencies working in the country to ensure the comprehensive application of a human rights-based approach.

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

Year established	2007
Staff as of 31 December 2017	5

Results

Strengthening international human rights mechanisms

- ▶ *Fully functioning participatory standing national coordinating bodies are in place for reporting on/replying to individual communications and enquiries; and integrated follow-up to recommendations of all international human rights mechanisms in Armenia, Azerbaijan and Georgia (EA 6)*
Progress has been achieved in Georgia, where OHCHR undertook trainings, advocacy and awareness-raising activities to support the National Human Rights Secretariat in the Governmental Administration as the key actor responsible for the coordination of the implementation of the National Human Rights Action Plan. In addition, the Office built the capacity of the Foreign Ministry to prepare and present national reports to the international human rights mechanisms and encouraged the parliamentary Legal Issues Committee to hold hearings on draft national reports prior to their submission and periodic hearings on the implementation of the recommendations issued by the mechanisms.



The OHCHR Human Rights Adviser to the South Caucasus speaks to the media on the occasion of Human Rights Day celebrations in Tbilisi, Georgia. © OHCHR/South Caucasus

- ▶ *International human rights standards and recommendations issued by the international human rights mechanisms are partially integrated into UN common country programmes in Armenia, Azerbaijan and Georgia (EA 11)*

In 2016, UN development frameworks in each of the three countries of the subregion were launched. Armenia's 2016-2020 United Nations Development Assistance Framework (UNDAF) contains a pillar on democratic governance with a focus on strengthening the protection of human rights, in particular for migrants and displaced persons, and reducing gender inequality. Another pillar highlights social services with projected outcomes to improve access to basic education, health and social protection services for all, especially groups in vulnerable situations. The UNDAF also makes direct references to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and enumerates a number of specific areas where the UN will contribute to the implementation of Armenia's National Human Rights Action Plan. The United Nations-Azerbaijan Partnership Framework for 2016-2020 includes an outcome referring to progress made by Azerbaijan in line with recommendations issued by the international human rights mechanisms. The document contains direct references to CEDAW and the Convention on the Rights of the Child and stresses the role of civil society as an indispensable partner in achieving the Sustainable Development Goals. In Georgia, the recommendations issued by the international human rights mechanisms have been substantively integrated into the United Nations Partnership for Sustainable Development, which was signed by the Prime Minister of Georgia and the Resident Coordinator. This document emphasizes democratic

governance, with outcomes related to public sector reform and accountability and increased access to the justice system for all, including children, minority groups, persons with disabilities, women in vulnerable situations, migrants and internally displaced persons. In all three countries, OHCHR provided the United Nations Country Teams (UNCTs) with relevant recommendations from the international human rights mechanisms and supported the incorporation of these recommendations into the respective UN development frameworks. In addition, OHCHR is actively participating in the implementation phase of these documents in both Azerbaijan and Georgia. In Azerbaijan, OHCHR is leading the work of the UNCT Human Rights Thematic Group, which provides a platform for bringing together the mandates, technical expertise and resources of the UN agencies in Azerbaijan to ensure that human rights are mainstreamed into their programmes. In Georgia, OHCHR participated in the joint programme, “Human Rights for All,” which was implemented in collaboration with UNDP, UNICEF and ILO and supports the implementation of the National Human Rights Action Plan.

Enhancing equality and countering discrimination

- ▶ *National legislation, policies and practices increasingly comply with anti-discrimination and equality standards (EA 4)*

In Azerbaijan, OHCHR established a resource centre to ensure that civil society organizations and lawyers have access to international human rights instruments and human rights-related educational materials. At the centre, the Office provides free legal service to persons in vulnerable situations, including persons with disabilities. In 2017, a total of 121 applicants benefited from legal advice on issues such as social security, labour rights, property and housing rights and consumer rights. In Georgia, OHCHR contributed to the 2016 drafting of the anti-discrimination section of Georgia’s National Human Rights Action Plan by compiling relevant recommendations issued by the international and regional human rights mechanisms and discussing the recommended actions with the National Human Rights Secretariat. In addition, two years after the adoption of the Action Plan, OHCHR commissioned an evaluation of its implementation. The results were shared with the National Human Rights Secretariat to contribute to the drafting of the Action Plan for 2018-2020.

Combating impunity and strengthening accountability and the rule of law

- ▶ *Institutions in the justice sector show significant improvement in their compliance with international human rights standards (EA 1)*

Evidence gathered by a local NGO in Georgia showed that the performance of judges in combat-

ing torture and inhuman treatment has improved in recent years. According to the NGO’s extensive monitoring of criminal cases since 2015, judges failed to inform defendants that filing a complaint for alleged ill-treatment would not hinder the possibility of securing a plea bargain in only 3.5 per cent of relevant cases. In previous assessments, the corresponding percentage was closer to 20 per cent. As of the end of 2016, the failure rate of judges to explain to defendants that they had a right to file a complaint for allegations of torture, inhuman or degrading treatment had fallen to 5 per cent from 28 per cent in 2011. In a number of cases, judges initiated investigations of ill-treatment based on their own initiative; an action that was not taken in previous years. OHCHR contributed to this result by developing curricula on combating and preventing torture for the High School of Justice and the Georgian Bar Association and supporting regular trainings in these institutions. Questions regarding the role of judges in the prevention of torture have been included in exams for incoming judges at the High School of Justice. The Georgian Bar Association requires that its members understand the role of defence lawyers in preventing and combating torture.

OHCHR proposed draft amendments to the Criminal Code of Georgia in relation to the legal definition of torture and inhuman and degrading treatment. It also assisted the Parliament in introducing appropriate amendments into existing legislation, including severe punishment for crimes of torture or inhuman treatment, repealing the statute of limitation for these crimes, specifying procedural guarantees for detained individuals and highlighting gaps in legislation and bylaws that enable law enforcement agencies to act arbitrarily, potentially increasing the risk of ill-treatment.

Following two lawsuits that were filed by the Public Defender’s Office and a group of civil society organizations in the context of the “This Affects You” campaign against illegal surveillance, Georgia’s Constitutional Court ruled in 2016 that legislation allowing security agencies to have direct, unrestricted access to the networks of telecom operators to monitor communications is unconstitutional. The Court ordered that this long-standing practice should end and ruled that existing surveillance regulations should be replaced with a new one by March 2017. The campaign highlighted the draft Law on Secret Surveillance Systems, jointly developed by OHCHR and the Open Society Georgia Foundation, in its advocacy efforts with all political actors. The legislative review was suspended until the new Parliament was elected and was reactivated at the end of 2017. After intensive consultations in the last quarter of 2017, a meeting was called for 2018 that would include the participation of members of security agencies, the

Parliament, the Supreme Court and the Office of the Personal Data Protection Inspector in order to discuss the relevant legislative framework and to bring it in line with international standards.

Widening the democratic space

- ▶ *Training programmes on human rights institutionalized in Armenia, Azerbaijan and Georgia (EA 1)*
Significant results have been achieved with regard to the institutionalization of human rights training in Georgia. For instance, curricula on freedom of expression, prevention of torture and the prohibition of discrimination, including on the basis of gender, were developed by OHCHR and are being fully used by the Georgian Bar Association and the High School of Justice. In addition, OHCHR was instrumental in the conclusion of a Memorandum of Understanding between the Personal Data Protection Inspector and the High School of Justice to ensure that the right to privacy is being taught to incoming judges. OHCHR participated in a number of pilot trainings that aimed to develop a regular curriculum for judges on this topic. The Office also conducted trainings at the police academy on the prohibition of discrimination and the right to freedom of peaceful assembly. Discussions are underway to develop a full-fledged curricula for the police academy on these topics. In co-operation with the National Human Rights Secretariat at the Office of the Prime Minister of Georgia, OHCHR conducted human rights training sessions in seven regions of Georgia aimed at raising the awareness of civil servants on issues such as the prohibition of discrimination, freedom of religion, freedom of assembly, the right to liberty and security of the person and social and economic rights. As a next step, OHCHR will provide assistance to the National Human Rights Secretariat to develop a component on human rights for the mandatory test that civil servants will have to take as of 2018. OHCHR continued its collaboration with the National Human Rights Centre of the Free University, the highest-ranked institution of higher learning in Georgia, participated in a number of panel discussions and contributed to the preparation of the annual Jean Pictet International Competition on International Humanitarian Law.

The former Yugoslav Republic of Macedonia

Year established	2007
Staff as of 31 December 2017	1

Results

Strengthening international human rights mechanisms

- ▶ *An increasing number of diverse national CSOs participate in State reporting and implementation of recommendations and make submissions to the international human rights mechanisms (EA 7)*
Civil society organizations have significantly increased their skills for reporting and follow-up to the international human rights mechanisms and, over the reporting period, developed 30 submissions addressed to the human rights treaty bodies and the special procedures. As of March, quarterly meetings between civil society and the United Nations Country Team (UNCT) were held to promote their engagement with the international human rights mechanisms and provide a forum for substantive discussion, coordination and capacity-building. As a result, over 20 civil society organizations are coordinating their submissions in anticipation of the 2018 reviews of the national reports of the former Yugoslav Republic of Macedonia by the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on the Rights of Persons with Disabilities (CRPD). OHCHR trained civil society organizations and staff from the Ombudsperson's Office on the engagement with the international human rights mechanisms and provided secretariat support for the quarterly meetings.

Integrating human rights in development and in the economic sphere

- ▶ *The new UNDAF and respective UN programmes incorporate and support the implementation of recommendations of the international human rights mechanisms (EA 11)*
The Partnership for Sustainable Development: United Nations Strategy 2016-2020, which was developed with the participation of all stakeholders and was agreed upon by the Government and the UNCT in 2016, makes specific reference to the implementation of recommendations issued by the international human rights mechanisms in four priority areas (employment, social exclusion, governance and improved protection against discrimination, including gender-based violence), and also promotes a participatory and rights-based implementation of the actions included in the Strategy. In addition, the development of the Common Country Assessment

was based on available assessments and guidance provided by the international human rights mechanisms. This contributed to the robust mainstreaming of human rights and gender perspectives throughout the Strategy. The UN Regional Programme Support Group assessed that the rights-based approach was well represented in the Strategy and the UN Women Regional Office for Europe and Central Asia noted the robust inclusion of gender-specific outcomes in the document. Since the Strategy entered into force, UN agencies have been more systematically using the recommendations issued by the international human rights mechanisms in the design of their respective programmes. For example, UNDP, UNFPA, UNICEF and UN Women developed a joint project aimed at ensuring that

persons with disabilities can realize their right to live independently. The project follows up on specific recommendations issued by the Committee on Economic, Social and Cultural Rights, CEDAW and the Universal Periodic Review. To contribute to these results, OHCHR facilitated workshops on the human rights-based approach to programming for UN staff engaged in the development of the Strategy, prepared guidance notes on relevant human rights issues and recommendations issued by the international human rights mechanisms, ensured that these notes were updated with the most recent recommendations during the development of the Strategy and promoted the inclusion of two outcome level human rights indicators in the areas of social inclusion and gender equality.