

Accountability (A)

Strengthening the rule of law and accountability for human rights violations



Accountability in numbers

35,997

victims of torture in

77

countries received rehabilitation support



8,594

victims of contemporary forms of slavery in

23

countries obtained assistance



2,961

visits to places of detention were conducted



6,047

monitoring missions were undertaken to investigate and document human rights situations worldwide



1,675

trials were monitored worldwide



The Working Group on Enforced or Involuntary Disappearances transmitted

797 new cases of allegations to States

142 were under its urgent action procedure

The Working Group clarified **389** cases

NHRIs, the Global Alliance of National Human Rights Institutions and its regional networks submitted

7 written submissions

16 pre-recorded video statements and

29 oral statements

to the Human Rights Council and its mechanisms



In **19**

countries, NHRIs have been established or have improved their compliance with international standards (the Paris Principles)



ENSURING ACCOUNTABILITY FOR PAST HUMAN RIGHTS VIOLATIONS IN EL SALVADOR



It has been nearly 40 years since Dorila Márquez survived the horrific attack that left hundreds dead, including her brothers, sisters, nieces and nephews.

“It was purely a miracle I survived,” she said. Márquez and a few others had hidden in her home when the soldiers came. Over the course of the day, Márquez heard the screams, gunshots and explosions. It wasn’t until she exited her home the next day that she saw the scale of the violence – burned homes and fields, dead livestock and so many burned bodies.

Over the course of three days, in December 1981, soldiers of the El Salvador Army murdered nearly 1,000 civilians in El Mozote and other northeastern towns. El Salvador’s civil war lasted from 1980 to 1992.

Survivors and families have spent years fighting for recognition, justice and reparations. Decades of denial of the massacre by former governments, a new administration and bureaucratic mazes have stalled the reparations process.

Since 2016, the OHCHR Regional Office for Central America, has been working in El Salvador to provide technical assistance and support in relation to transitional justice. The Office provides technical and legal support to the country’s Attorney General’s Office and civil society for the investigation and criminal prosecution of crimes against humanity and war crimes that were committed in the context of the armed conflict.

“It was only after the 2016 rejection by the Supreme Court of the 1993 amnesty law that victims and family members could envision getting justice and dream of



Miriam Abrego (left) with two other survivors of the San Francisco Angulo massacre at a meeting with the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of non-Recurrence during his visit to El Salvador in May 2019. © OHCHR

the truth hopefully being known,” indicated Marlene Alejos, former Regional Representative for Central America and Head of the UN Regional Office.

Overtuning the amnesty law made it possible to finally bring to trial those involved in the massacres. Julio César Larrama, from the Attorney General’s Office, said “this not only opened up the chance for prosecutions of those involved, but it also showed the need for better training on handling such cases.”

“We know that these events occurred many years ago, but if you talk to a victim of a serious violation of human rights it is as if those events occurred yesterday,” he said. “We do not want to cause double suffering and that is why we asked the UN Human Rights Office for support.”

Alejos said that one of the Office’s main contributions was the Attorney

General’s 2018 adoption of the “Policy on Investigations and Criminal Prosecutions of Crimes against Humanity and War Crimes,” elaborated with technical support from the Office after consultation with survivors, civil society and prosecutors. The policy contains an action plan and toolkit to assist the Attorney General’s Office in the investigation and prosecution of transitional justice cases.

Larrama, who is the coordinator for prosecutors working on cases stemming from the armed conflict, said the UN Human Rights Office facilitated important information exchanges with counterparts from other countries in similar situations, such as Colombia and Guatemala.

“They had a much longer war than ours and have obtained very good results in the cases they have aired.”

Highlights of pillar results

Accountability (A)

PILLAR RESULTS / SHIFTS / SDGs

A1

Laws, policies and practices increasingly address, prevent and reduce human rights violations in the context of law enforcement and justice systems.



A2

Strengthened national mechanisms provide redress to victims and accountability for human rights violations, including for economic and social rights.



RESULTS / SPOTLIGHTS

Spotlights: Youth Disabilities Women

In **Mexico**, a National Law on the Use of Force (LNUF) was adopted in May. During his visit to Mexico in 2015, the then High Commissioner for Human Rights recommended that Mexico adopt legislation on the use of force and, since then, several special procedures have issued similar recommendations. During the congressional debates related to the preparation of the draft law, UN Human Rights presented a document outlining the international standards that needed to be incorporated. Many of these standards were included in the final version. In May, UN Human Rights issued a statement acknowledging the positive aspects of the Law, while also underscoring its shortcomings, particularly regarding the lack of regulation on the use of lethal force and accountability. Following the adoption of the Law, the Office began to monitor its implementation, document cases of human rights violations and advocate for the security forces to fully comply with the LNUF.

Under the individual complaint procedures of the human rights treaty bodies, individuals have the right to complain about alleged human rights violations. In 2019, the eight treaty bodies that can receive individual complaints had registered a total of 640 new individual communications and had adopted 376 final decisions on communications. The Committee on Enforced Disappearances (CED) registered 248 new urgent actions and adopted 139 follow-up decisions with regard to registered urgent actions, bringing the total number of decisions it adopted in 2019 to 389. In addition, 3,360 individual communications were registered in 2019 and 65 decisions were adopted to close urgent actions.

Several NGOs in **Mexico** created, with UN Human Rights support, a website, sintortura.org, which was launched, in November, to monitor the implementation of the General Law on Torture. The website includes information on the status and number of investigations, the number of convictions for torture and forensic torture exams. It is also used for advocacy before the authorities across the country. In addition, the Office provided technical assistance and support to civil society organizations and victims' groups to promote the creation of an Extraordinary Forensic Mechanism, including by holding periodic meetings with government stakeholders and diplomatic missions to identify opportunities for collaboration. After several months of dialogue, an agreement was reached between the various actors involved in the process and the Extraordinary Forensic Mechanism was formally established on 5 December.

The President of **Nigeria** signed into law the Discrimination against Persons with Disabilities (Prohibition) Act, enshrining the provisions of CRPD into national legislation. This came about following advocacy by the UN, its partners and stakeholders. To prepare the grounds for this achievement, UN Human Rights organized a workshop on CRPD, in 2018, which brought together relevant stakeholders and government representatives.

The Truth, Reconciliation and Reparations Commission of **the Gambia**, established in 2017, began to implement in 2019 its mandate and made use of the knowledge it had gained through the capacity-building activities that UN Human Rights facilitated. Between January and October, the Commission conducted a number of public hearings to enable the participation of 129 witnesses, 21 of whom were women and 31 of whom were alleged perpetrators. A National Strategy on Transitional Justice and Resource Mobilization plan has been adopted. Still pending is a proposal to enact a government-led coordination mechanism on transitional justice that would facilitate a more coordinated and shared effort to implement the transitional justice process.

A3

Justice systems investigate and prosecute gender-related crimes more effectively.



UN Human Rights engaged in a series of activities in **Tunisia** to help advance the implementation of General Law No. 2017-58 against violence against women. In March, UN Human Rights collaborated with the Ministry of Women's Affairs and the Council of Europe to co-organize a two-day national conference to assess the level of implementation of the Law, one year after coming into force. The conference brought together 150 representatives (approximately 80 per cent women and 20 per cent men) from the justice, security, health and social affairs sectors, including 30 judges and lawyers from Tunis and other regions of the country. The conference identified key issues and produced recommendations for line ministries regarding each "P" of the law, namely, protection, prevention, prosecution and integrated policies.

A4

States take measures to ensure that their decision-making, policies and actions are more transparent and the public has access to information for accountability purposes.



Following many recommendations issued by the human rights treaty bodies and the UPR, **Liberia** adopted the Domestic Violence Bill in August. The legislation is a landmark for gender equality in Liberia and seeks to address physical, emotional, verbal and psychological abuse, dowry-related violence, offenses against the family and harassment, among other violations. Due to advocacy from traditional leaders, however, the criminalization of female genital mutilation (FGM) was excluded from the Bill. OHCHR provided technical support to the Independent National Commission on Human Rights during the drafting and consultation process. This support led to the establishment of the Working Group on FGM, which is advocating for the adoption of legislation on FGM that is currently being reviewed by the Parliament.

A5

UN efforts for the rule of law, justice, counter-terrorism and accountability put human rights at the core.



UN Human Rights continued to engage with UN entities working on counter-terrorism to ensure due consideration for human rights. These included conversations with the UN Office of Counter-Terrorism (OCT) on implementing the UN counter-terrorism travel programme and highlighting key human rights concerns in specific countries; with the Counter-Terrorism Committee Executive Directorate (CTED) in relation to supporting their country assessments with human rights analysis; and with UNODC on developing UN strategies regarding prosecution, rehabilitation and the reintegration of persons allegedly associated with terrorist groups. UN Human Rights also provided inputs to the CTED for the Secretary-General's tenth report to the Security Council on the threat posed by ISIL/Daesh, covering the period from July to December, and to the OCT for the Secretary-General's report mandated by resolution A/RES/73/305 on victims of terrorism. In September, UN Women finalized the Guidance Note on gender mainstreaming principles, dimensions and priorities for preventing and countering violent extremism, to which UN Human Rights contributed.

In consultation with the Office of the UN Resident Coordinator, UN agencies and NGOs in **Myanmar**, the Office supported the establishment of a regular monthly early warning reporting system. The overarching objective was to facilitate communication and information sharing within the UN Country Team (UNCT), making sure that concerns regarding human rights developments are flagged, while also suggesting early actions to address and mitigate these developments. The first early warning report was issued in October. Since then, the early warning monthly reporting system has helped to ensure that human rights are maintained as a standing item for discussion on the UNCT agenda.

In May, the Office of the State Inspector was established in **Georgia**, following five years of advocacy efforts by UN Human Rights in co-operation with the national human rights institution and NGOs. The Office of the State Inspector has been designated as the independent institution responsible for the investigation of serious human rights abuses allegedly committed by law enforcement agencies. The investigatory function of the State Inspector's Office was formally launched in November, when the Office received sufficient funds from the State. In 2020, OHCHR will focus on building the capacity of the newly hired investigators and monitor the performance of the Office.



Assistant Secretary-General Andrew Gilmour meets with Nicaraguan human rights defenders in San Jose, Costa Rica, in October 2019. © OHCHR

OUR SILENCE IS THEIR PROTECTION

This is the motto of the Toufah Foundation, which was established in July 2019 by Fatou “Toufah” Jallow, a 23-year-old women’s rights and anti-rape activist from the Gambia.

In June, following the publication of a report by Human Rights Watch and TRIAL International, documenting sexual crimes committed by former president Yahya Jammeh, Toufah decided to speak out publicly, breaking the culture of silence around sexual violence in her country. Her story inspired many in the Gambia and a movement was started by young activists, #IamToufah, which is similar to the #MeToo campaign. Later in the year, Toufah organized an historic women’s march against rape in the Gambia that saw many women and men take to the streets to say no to sexual violence. On 31 October, she testified for more than five hours in front of the Truth, Reconciliation and Reparations Commission (TRRC), which was set up to deal with human rights violations of the former president, who ruled the Gambia for more than 22 years.

OHCHR is working closely with Toufah to amplify her message of saying no to sexual violence, to ensure that the voices of victims are heard and to fight against impunity. In this context, the Office supported Toufah’s participation in a panel discussion that was organized for Human Rights Day, in New York, with the UN Secretary-General. Alongside other young human rights defenders from around the world, Toufah reiterated

her message and called on young people to take steps to “sit and get heard at the table. And if the tables need to change, create [your] own tables.” In addition, UN Human Rights has supported the TRRC since its inception to strengthen the institutional framework so that victims of serious human rights violations, including victims of sexual violence, like Toufah, can tell their stories in an environment that is safe and respects their dignity.



Fatou “Toufah” Jallow (second from right) with OHCHR staff at the West Africa Regional Office. © OHCHR