In 2011, OHCHR continued to work in Africa through its 23 field presences and with the support of a small team of approximately 19 professional staff at headquarters. The presences are composed of four regional offices or centres (West, Central, East and Southern Africa); three country offices (Guinea, Togo and Uganda); six Human Rights Advisers (HRAs) within United Nations Country Teams (UNCTs) (Chad, Great Lakes Secretariat (Burundi), Kenya, Madagascar, Niger and Rwanda); and 10 human rights components within UN peace or political missions (Burundi, Central African Republic, Côte d’Ivoire, Darfur (Sudan), Democratic Republic of the Congo (DRC), Guinea-Bissau, Liberia, Sierra Leone, Somalia and the Republic of South Sudan). OHCHR has continued providing support to the UN Office for West Africa (UNOWA). From headquarters, the Africa Branch provided substantive, technical and administrative support to all the presences. It also supported the work of the Independent Experts on the human rights situations in Côte d’Ivoire, Somalia and the Sudan as well as the Independent Commission of Inquiry established by the Human Rights Council to investigate the
facts and circumstances surrounding the allegations of serious abuses and violations of human rights committed in Côte d’Ivoire following the presidential elections of 28 November 2010.

Throughout the year, OHCHR worked to promote and protect human rights in an environment which includes a wide range of countries that share many similar human rights experiences and challenges, yet also have fairly significant differences. While a few countries continued to make steady progress towards democratization and the consolidation of human rights during this period, there were ups and downs in some, with noticeable deterioration in others. Among the common human rights challenges and trends were: a) profound violence against civilians and other vulnerable groups, often associated with conflict; b) sexual and gender-based violence (SGBV), including in the context of armed conflict; c) the suppression of freedoms and rights, usually in connection with political contests and elections; d) persistent patterns of discrimination on the basis of ethnicity, gender and religion; e) arbitrary arrests, detentions and extrajudicial killings; f) absence of the rule of law and lack of due process; and g) denial of basic economic and social rights. In several countries in the region, the impact of the global economic and financial crises added to already high levels of poverty and the denial of economic and social rights with high levels of unemployment, cutbacks in basic social services and deepening of poverty and inequality. In the Horn and Eastern Africa, the prolonged drought and food crises further aggravated the situation.

In parallel, progress has been achieved towards the establishment of regional and subregional human rights and justice institutions and in the implementation of decisions in a number of important cases. Many Governments increased their engagement with OHCHR and the treaty body system. Several of these Governments created interministerial committees to coordinate their treaty body reporting which enabled them to make progress in fulfilling their reporting requirements. The impact of these achievements will largely depend on progress made in implementation. The Universal Periodic Review (UPR) process continued to raise the profile of human rights among many States. While this is a welcome trend, the implementation of recommendations and their impact on the ground will have to be measured over time.

### Country Offices

**Guinea (Conakry)**

<table>
<thead>
<tr>
<th>Year established</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff as of 31 December 2011</td>
<td>5</td>
</tr>
<tr>
<td>Expenditure in 2011</td>
<td>US$1,295,978</td>
</tr>
</tbody>
</table>

**Background**

In 2011, the situation in Guinea was marked by several political developments, especially the beginning of a transition to a new Government expected to tackle challenges such as impunity, poverty, corruption, national reconciliation and human rights abuses. As part of this political transition, it was envisaged that the 2010 Presidential elections would be followed by parliamentary elections and that Parliament would then undertake the necessary institutional and legislative reforms. Parliamentary elections, however, have not been held because of disagreements between the governing party and the main opposition parties over the timetable for legislative elections and related issues. Nevertheless, the human rights situation in Guinea has improved since the post-electoral crisis that took place at the end of 2010. The Government has taken some steps towards reform of the security and judicial sectors and general institutional reform.

Notwithstanding this progress, some of the structural and institutional impediments remain in place, including the persistence of impunity and weaknesses in the judicial sector as well as more generally in the national human rights protection framework.

The OHCHR Office in Guinea has a comprehensive mandate which covers technical cooperation, monitoring and protection functions throughout the country. The Office is comprised of headquarters in Conakry and one subregional office in Nzerekore. The major areas of activities include technical support in the establishment of a national human rights institution (NHRI), a Truth and Reconciliation Commission, security sector reform, administration of justice and engagement with human rights mechanisms. To this end, the Office closely cooperated with the Government by providing technical assistance and organizing seminars to build the capacity of actors and stakeholders. It also ensured the presence of a human rights-based approach in the Common Country Assessment and the United Nations Development Assistance Framework (CCA/UNDAF). In order to respect its monitoring mandate, the Office monitored and reported on the human rights situation of the country.
Results

National laws, policies and institutions (EA 1)

Security forces in five regions of the country have shown an improvement in crowd control techniques which has led to less confrontation with the population and a reduction in casualties caused by law enforcement agents. OHCHR has contributed to this improvement by training 250 police, gendarmes, customs officers and soldiers on human rights and law enforcement. Participants have continued restitution in their various units and a human rights component has been included in the courses of some military schools.

The Conseil National de la Transition reviewed draft legislation on the establishment of a NHRI. OHCHR provided technical assistance, made comments on the draft law and organized a workshop for actors and stakeholders on the process of establishing a NHRI based on the Paris Principles. The draft legislation incorporated the recommendations of the workshop and has been submitted to the President for promulgation into law. It is expected that the law will be adopted in 2012.

Access to justice and basic services (EA 4)

Through grants received from the UN Voluntary Funds for Victims of Torture (UNVFVT), three local non-governmental organizations (NGOs), namely; Association des victimes et des parents du massacre du 28 septembre 2009 (AVIPA); Même droits pour tous (MDT) and Centre Mère et Enfants (CME), were able to provide assistance to victims of torture. AVIPA is currently assisting victims, including girls and women who were raped by soldiers in the stadium and in captivity in the camp, to find revenue-generating activities that can help facilitate their reintegration into the society. The Centre Mère et Enfants offers medical and psychosocial care to victims of sexual violence. Several victims of the September 2009 events still suffer from physical and mental trauma. The project provides medical tests for rape victims, hospitalization and treatment. OHCHR was instrumental in assisting these NGOs to apply for and secure the funds from the UNVFVT.

Participation (EA 5)

The National Reconciliation Commission began its transitional justice processes with consultations. OHCHR-Guinea provided technical advice to the Commission and organized capacity-building workshops for civil society in Labe, Nzerekore and Mamou, where participants were trained on international human rights standards and methods of monitoring and reporting on human rights violations. A closer partnership with civil society enabled a continuous flow of accurate information and reports, especially from the interior of the country where OHCHR does not have a presence.

State engagement with human rights mechanisms (EA 6)

The plan of action to implement UPR recommendations has been adopted and will be disseminated across the country in 2012. This plan of action takes into consideration recommendations issued by human rights treaty bodies. It also incorporates the country’s national plan of action for the promotion and protection of human rights for the period 2012-2015. OHCHR organized several workshops during which the plan of action was drafted.

Responsiveness of the international community (EA 10)

The Office regularly briefed the diplomatic corps and other international partners on the human rights situation in the country. The information enabled members of the diplomatic corps to assist the victims of the September 2009 massacre and allowed the international community to provide the Government with strategic advice for the implementation of recommendations stemming from the Commission of Inquiry’s report.

Challenges and lessons learned

The persistence of impunity constitutes a major challenge to the respect for human rights in Guinea. The International Commission of Inquiry dispatched by the Human Rights Council in December 2009 recommended that the perpetrators of human rights violations on 28 September 2009 be brought to justice. Despite the Government’s appointment of a pool of three judges, none of the alleged
perpetrators cited in the Commission’s report have been prosecuted. Numerous challenges remain for the judges and OHCHR is advocating for a continuation of the investigations.

The transitional justice process, which was expected to gather speed after several declarations by the President, appears to have stalled. OHCHR provided technical assistance to the Provisional National Reconciliation Commission and expects a better commitment to the process of national reconciliation in 2012. This is expected to improve the tense political dialogue that took place during the year. The transition process has also been delayed as a result of a political impasse between the Government and the opposition and due to divisions between the parties on the modalities for holding of legislative elections.

In addition, the Government has expressed its will to establish an independent, statutory NHRI in accordance with internationally recognized standards for national human rights institutions. This will require further monitoring and assistance by the Office in 2012.

Guinea: Expenditure in 2011

<table>
<thead>
<tr>
<th></th>
<th>Regular budget expenditure in US$</th>
<th>Extrabudgetary expenditure in US$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel and related costs</td>
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</tr>
<tr>
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<td>Official travel</td>
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<td>Supplies &amp; materials</td>
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<td>Seminars, grants &amp; contributions</td>
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<td>41,000</td>
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<tr>
<td>Subtotal</td>
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<tr>
<td>Programme support costs</td>
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<td>149,095</td>
</tr>
<tr>
<td>GRAND TOTAL</td>
<td>-</td>
<td>1,295,978</td>
</tr>
</tbody>
</table>

Togo

<table>
<thead>
<tr>
<th></th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year established</td>
<td>2006</td>
</tr>
<tr>
<td>Staff as of 31 December 2011</td>
<td>7</td>
</tr>
<tr>
<td>Expenditure in 2011</td>
<td>US$1,477,667</td>
</tr>
</tbody>
</table>

Background

The peace and reconciliation process that was initiated in 2006 with the Global Peace Agreement (GPA), which aimed at putting an end to the political and ethnic tensions and repeated outbursts of violence, stayed on course despite many challenges. The work of the Truth, Justice and Reconciliation Commission (TJRC) made notable advances, including the conclusion of the phase of the public audiences in all parts of the country by the end of 2011. Its final report is due in March 2012. The constitutional and institutional reform process and the modernization programme of the justice system have yet to be completed. The local elections initially planned for 2011 were postponed until 2012. Advances in the field of human rights and financial and economic areas allowed the Government of Togo to benefit from renewed engagement with its main development partners as well as major debt relief, encouraging the Government to work towards poverty reduction and the attainment of the Millennium Development Goals (MDGs).

Constitutionally guaranteed freedoms of assembly and the press are generally respected. Civil society organizations (CSOs) freely engage in human rights activities and the Government has acknowledged their constructive contribution. The harmonization of national legislation and policies with human rights norms and building the necessary capacity of State entities and civil society actors remain critical tasks.

The OHCHR Office in Togo focused its interventions on several priority areas. It continued to provide the TJRC with substantial technical advice and training and encouraged the strong involvement of civil society. It closely cooperated with the Government to prepare Togo’s report under the UPR mechanism, assisting with training on the drafting of the national report in a broad and participatory process. The Office also coordinated a common submission of the UN system in Togo and extended guidance to CSOs for the drafting of a joint stakeholder contribution. It participated in the justice modernization programme through the organization of two comprehensive training programmes on human rights norms in the administration of justice. In line with its mandate, the Office continued monitoring the human rights situation, shared its concerns with authorities and trained national non-governmental organizations.
National laws, policies and institutions (EA 1)

In May 2011, a draft law on public gatherings and demonstrations was adopted by Parliament and signed by the President of the Republic. The first draft text proposed by the Government after a workshop co-organized with the Office in December 2010, which included a restricted number of participants, caused significant public criticism. A second workshop held in March 2011, which included the broad participation of CSOs and political parties as suggested by the Office, resulted in a largely consensual draft. The Office maintained that the Law should be in line with the principles and provisions of the International Covenant on Civil and Political Rights (ICCPR) and take into account the concluding observations issued by the Human Rights Committee after its examination of Togo’s fourth periodic report. The new Law guarantees the right to public gatherings, provided that the authorities are informed at least five days ahead of the event, instead of the previous practice of requiring authorization through a ministerial decree. The Law does not exclude normal workdays for such initiatives.

As a result of separate funding received from the Regular Programme of Technical Cooperation, the Office, in collaboration with the Justice and Security Ministries, carried out a training programme for magistrates and criminal investigative police officers on human rights norms in the administration of justice. An average of 40 participants participated in six 4-day sessions in the five regions of Togo, the last of which was held in the capital Lomé. This programme was the first of its kind to bring together magistrates and criminal investigative police officers to jointly discuss the daily challenges faced in the performance of their duties and the need to apply correct legal procedures in compliance with human rights law. These trainings contributed to enhancing the capacity of magistrates and criminal investigative police officers to apply human rights norms in their work.

To address the backlog of criminal cases awaiting trial, three special sessions of the Cour d’Assises were held thanks to the financial support of the Office to the Ministry of Justice. The Cour d’Assises is a special, non-permanent court with the competence to judge criminal offenders with two seats in Lomé (18 and 15 cases) and one in the Kara (15 cases) region. The Court generally only sits once a year in each region.

Justice and accountability mechanisms (EA 3)

While the authorities were generally open and cooperative in 2011, the Office did not gain access to the nine detainees being held in relation to the 2009 coup attempt at the National Intelligence Agency (ANR); despite a series of initiatives that were undertaken at the local and headquarters levels, particularly in light of repeated allegations of torture. In May 2011, the Office participated in a meeting of human rights defender organizations with the Ministers of Human Rights and Justice regarding the torture allegations. The issue of torture was also raised, respectively, by the Committee against Torture and the Human Rights Committee in March 2011. The trial took place in October 2011 and was closely monitored, documented and analysed by Office staff. Among the defendants, all of those who had been held briefly or throughout their detention at the ANR indicated they had been submitted to various forms of bad treatment or torture. As a result of the systematic torture allegations raised during the trial, the Government asked the National Human Rights Commission (CNDH) to conduct an investigation. The report was issued in February 2012.

Over 60 individual complaints were received by OHCHR-Togo and several of them were resolved through legal advice or the good offices of OHCHR with relevant authorities. The Gendarmerie, justice and security ministries regularly extended their cooperation to the Office, although by the end of 2011, some particularly emblematic cases were still pending (Agbobli/2008, Tudzi/2005 and others).

Although not at the pace anticipated, the TJRC achieved significant progress during the year. Based on the accounts of witnesses and received testimonies, the TJRC carried out investigations and organized public and private audiences throughout the country. Altogether, 424 public hearings were conducted, including 28 behind closed doors, 51 in private and five through video conferencing. Several factors made the work of the TJRC particularly challenging, notably the refusal of the political opposition to support its work and its inability to summon witnesses by subpoena or grant amnesties.

Throughout the year, the Office continued to provide advice and guidance to the TJRC on strategies, planning, administration, implementation and multifaceted training. It also
supported the important civil society platform established to support Togo’s transitional justice process, particularly in view of the ongoing political tensions. The Office provided substantial training to TJRC staff recruited for the analysis of more than 20,000 collected testimonies, those recruited for the subsequent investigations and TJRC members in preparation of the public hearings. Ahead of the hearings outside the capital Lomé, the Office mobilized, sensitized and trained regional civil society networks, including by involving local radio stations to ensure the broadest possible popular awareness and participation in a challenging political environment. At the end of November, the Office provided major assistance to the TJRC in the organization and implementation of a three-day workshop on the issue of reparations for victims of political violence and human rights violations. More than 60 representatives from Government, State institutions and CSOs participated.

**Participation (EA 5)**

Approximately 30 NGOs in Togo’s northern and southern regions monitored public protest demonstrations and observed trials, mainly in the capital Lomé, following two 3-day workshops during which the Office trained NGOs on the techniques of human rights monitoring. During the demonstrations and trials, NGO representatives wore jackets provided by the Office to allow them to be clearly identifiable as human rights observers.

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

In 2011, Togo successfully participated in the Universal Periodic Review (UPR) process. Togo accepted most of the 133 recommendations made by Member States, except those recommending ratification of the Rome Statute of the International Criminal Court and calling for the decriminalization of same-sex relations. The Government prepared the national UPR report with broad participation from civil society, including those from the interior of the country. The Office and the Human Rights Ministry co-organized various sensitization and information workshops, including with the media and CSOs. Two workshops were organized outside Lomé in order to solicit contributions from local CSOs and other actors for the national report. A two-day national validation workshop took place in June. The Ministry also benefited from a five-day review workshop with an expert team dispatched by the *Organisation Internationale de la Francophonie* in May 2011.

The Office engaged in follow-up on the recommendations of the UPR which were used as a guidance tool for the elaboration of the annual workplan 2012.

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

The Office ensured that UN agencies applied a human rights-based approach in planning their programmes. To this effect, OHCHR-Togo continued to lead the UNDAF working group on the promotion of good governance and human rights.

**Challenges and lessons learned**

While the political environment and its limited mandate did not facilitate the work of the TJRC, it did demonstrate the importance of overcoming past injustices and abuses and the need to strengthen the rule of law and democracy. The Government’s support for the TJRC has been an essential factor in this context. In its final report, the Commission is expected to establish responsibilities, suggest forms of reparations for victims and formulate proposals on how to promote reconciliation and peaceful development, including constitutional and institutional reforms. The full engagement of the Office in support of the TJRC has been an important contribution to the results achieved, including by facilitating broad-based civil society involvement. In a context of protracted political tensions, with brief periods of time between the elections that regularly revive them, it is challenging to create a sustainable human rights-sensitive environment and measure the effective impact of OHCHR’s interventions.

<table>
<thead>
<tr>
<th>Togo: Expenditure in 2011</th>
<th>Regular budget expenditure in US$</th>
<th>Extrabudgetary expenditure in US$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel and related costs</td>
<td>-</td>
<td>568,018</td>
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<td>Consultants</td>
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<td>GRAND TOTAL</td>
<td>-</td>
<td>1,477,667</td>
</tr>
</tbody>
</table>
Uganda

Year established 2005
Staff as of 31 December 2011 50
Expenditure in 2011 US$2,950,449

Background

The 2011 general election in Uganda was conducted in relative peace, marking an improvement over past elections. Legal and technical shortcomings and voter bribery, however, affected the freeness and fairness of the process. The post-electoral period was marked by a protest named “Walk to Work,” in response to the rising cost of living in Uganda. The protests were declared unlawful and security forces responded with excessive use of force resulting in violations of the right to life, liberty and security of the person.

Uganda was reviewed under the Universal Periodic Review (UPR) in 2011 with many civil society organizations (CSOs) as well as the United Nations Country Team (UNCT) submitting stakeholder reports. The Government presented its report to the Human Rights Council with voluntary pledges, including the creation of a follow-up mechanism and the development of a national human rights action plan.

In Northern Uganda, the Government and international actors are discussing a second phase of the Peace Recovery and Development Plan. Key issues regarding the enjoyment of the right to health, education, housing and access to land for returnees and remaining internally displaced persons (IDPs) are still of concern and linked to major problems in access to justice and the effective implementation of Government programmes. During 2011, the Justice Law and Order Sector implemented consultations on a transitional justice policy to respond to the rights of victims to reparation, truth and justice.

In Karamoja, the Uganda People’s Defence Force (UPDF) is gradually handing over law enforcement operations to the Uganda Police Force. Nevertheless, the Office continues to document cases of arbitrary detention, torture and extrajudicial killings, which remain as serious human rights concerns. In 2011, the UPDF, in order to comply with a 2009 Constitutional Court ruling, issued a directive to cease trials of civilians in court martial. While a positive development, the transfer of cases to the ordinary justice system presents several challenges.

The OHCHR-Uganda Country Office mandate was renewed in October 2011. The Office, which is headquartered in Kampala and has four sub-offices in Northern Uganda, is monitoring the human rights situation and acts as a link between national actors and the international human rights system by enhancing knowledge and raising awareness about international human rights standards, sharing best practices on the promotion and protection of human rights and extending technical assistance and capacity-building to national actors, especially the Uganda Human Rights Commission (UHRC).

Results

National laws, policies and institutions (EA 1)

- Target not achievable within the biennium: The UPDF and police increasingly comply with international human rights standards in handling civil and political rights (personal security, bodily integrity and public freedoms), including in relation to the Karamoja Disarmament process and the political context before, during and after elections. Through various trainings on human rights protection, law enforcement and monitoring during elections, the UPDF and police have begun to comply with international human rights standards in handling civil and political rights (personal security, bodily integrity and public freedoms), including in relation to the Karamoja Disarmament process and the political context before, during and after elections. The UPDF in Karamoja is now rolling out its own training for Local Defence Units (LDUs) and UPDF command based on material provided by OHCHR and UHRC.

- Target: Legislation or policies in three areas (law enforcement, in particular torture, public order management; non-discrimination, in particular disability, HIV, gender, lesbian, gay, bisexual and transgender (LGBT) issues; and social development and health) which are increasingly compliant with international human rights standards. In the area of law enforcement, OHCHR provided legal analysis on human rights compliance of both the Prohibition and Prevention of Torture Bill and the Public Order Management Bill. The Anti-Torture Bill complies with international standards as a result of a drafting process and consultations led by the National Coalition against Torture, comprised of CSOs and the UHRC. The Public Order Management Bill tabled by the Government generally fails to comply with international human rights standards on public freedoms and the use of force and firearms. The Bill was tabled in Parliament without previous consultation. OHCHR provided comments to the Parliamentary Committee and expects the Bill to be amended upon second reading. OHCHR analysed and provided comments on the
compliance with international standards of the three
discrimination-related laws pending before
Parliament, namely the Anti-Homosexuality Bill, the
HIV/AIDS Bill and the amendment of the Disability
Act. The Anti-Homosexuality Bill is contrary to the
principle of non-discrimination as it criminalizes
sexual orientation and gender identity, imposes the
death penalty for aggravated homosexuality,
criminalizes by association the interventions of
human rights defenders and conflicts with the
international treaty obligations of Uganda. The draft
amendment of the Disability Act largely took into
account key aspects of protection, personal
autonomy and confidentiality principles.
The Draft Bill on Mental Health was substantially
reviewed based on the recommendations of
OHCHR and civil society.

Target not achievable within the biennium:
District authorities incorporate a human
rights-based approach (HRBA) in the formulation
of their district plans.

Following the training and advocacy work by
OHCHR, by the end of 2011, officials in 21
districts had committed themselves through
declarations and action points to integrate human
rights norms and principles in their district
development plans and programmes. Follow-up
to activities showed progress in the integration of
HRBA. Due to training provided by OHCHR,
CSOs developed their capacity to monitor the
human rights aspects of district plans and
committed themselves to participate in the
planning process.

Target: The Professional Standards Unit is
functioning to some extent in the area of
investigation in cases of human rights violations.
OHCHR sensitized the specialized Units of the
police on the importance of investigating human
rights violations committed by the police. The
Professional Standard Unit (PSU) of the Uganda
Police Force (UPF) was created in 2007 as an
internal disciplinary administrative mechanism.

Though the PSU does not yet have the tools or
resources to address human rights violations, a
human rights desk has been tasked with opening
internal investigations on reported human rights
violations.

Following allegations of human rights violations,
OHCHR established regular monitoring of the
Rapid Response Unit (RRU) of the UPF and
liaised with the RRU authorities on the progress
of the cases of the detainees, facilitated access to
medical treatment, the release of foreign citizens
and communication between family members,
lawyers and consulates when requested.

Target: Increased compliance of the local
council courts (LCCs) with international human rights
standards.

OHCHR monitored the functionality and procedures
applied by LCCs and piloted a mapping exercise of
21 local council courts in northern Uganda, Lango
Karamoja and Teso. As a result of training on
applicable human rights standards provided by
OHCHR in Lango, the quality of LLC cases that are
heard on appeal by the Magistrates Courts has
improved. In particular, in four districts in Lango
and Teso, the local Government took action to fulfil
their role with regard to LCCs.

Justice and accountability mechanisms (EA 3)

Target not achievable within the biennium: The level
of compliance of one institution (the International
Crimes Division) with international human rights
standards has significantly improved.

A Technical Task Force on Witness Protection
Guidelines was established under the International
Crimes Division (ICD). OHCHR elaborated the first
draft of the Witness Protection Guidelines and
provided technical assistance with the help of an
international consultant. The draft is under revision.

Beyond the specific target, OHCHR achieved
progress on the planned result (“Relevant
practices, laws and policies establishing
reparations, reconciliation and victims and witness
protection are in compliance with international
human rights standards”) in the following areas:

- The Uganda Law Reform Commission
  (ULRC) convened, with OHCHR, two key
  workshops on witness protection targeting
  practitioners and high-level Government
  representatives of the justice sector. These
  forums provided inputs into the current
draft Witness Protection Bill which was
developed and validated by stakeholders at
a national event.

- In addition, OHCHR partnered with the Justice
  Law and Order Sector and the Judicial Studies
  Institute to convene a judicial colloquium on
  witness protection in a transitional justice
context. A taskforce on witness protection has been created as a result of the conference.

- The Uganda Human Rights Commission carried out field consultations in collaboration with OHCHR on reparations and remedies for victims of the armed conflict. The thematic report was launched in 2012 and will contribute to national discussions on transitional justice. The Northern Uganda Coalition on Truth Telling and Reparations was established and civil society revised the National Reconciliation Bill. OHCHR funded the Coalition and provided training and technical assistance to conduct consultations with victims on the impact of the conflict on the life of survivors and develop a report and strategy for an advocacy campaign. OHCHR provided input into the National Reconciliation Bill.

**Target not achievable within the biennium:** The judiciary and traditional justice mechanisms increasingly address rights protection needs for Internally Displaced Persons, especially extremely vulnerable individuals (EVIs, women and juveniles) in accordance with international human rights standards. Awareness was raised within the District Human Rights Promotion and Protection Subcommittee (DHRPP), District Coordination Committee (DCC), Child Protection and Gender-Based Violence Working Group on the need for traditional justice mechanisms to address the right to protection of IDPs, EVIs, women and juveniles. OHCHR contributes regularly to these stakeholder meetings with technical advice, guidance and advocacy on human rights issues. In particular, the following results can be mentioned:

- After a meeting with the Lango Cultural Foundation, the rights of children subjected to forced marriage were raised. An outreach strategy for sensitization of the communities is now underway.
- The Grade II Magistrates in Soroti and Lira granted the unconditional release of, respectively, 15 out of 22 and two out of seven street children, following a joint intervention of OHCHR and UHRC on arbitrary detention of children.

**Result for which no target was set:** In September 2011, the UPDF administration announced the end of trials of civilians in Uganda’s military courts and issued a directive to transfer all pending cases to civil courts. OHCHR had raised the issue on several occasions. A total of 367 cases from the court martial system were handed over to the ordinary justice system. An inter-institutional task force has reportedly been established to oversee the transition process, and will consist of the UPDF legal directorate, the court martial administration, Uganda police, the Directorate of Public Prosecutions and the prisons service. As the transfer is still being rolled out, certain procedural questions and concerns remain. This represents a timely opportunity for OHCHR and UHRC to undertake a joint project in 2012 to monitor the transfer process, assess its compliance with due process guarantees and recommend good practices.

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

- Result for which no target was set: The Ministry of Gender, Labour and Social Development (MGLSD) developed culturally accessible communications on key recommendations from the Committee on the Elimination of Discrimination against Women (CEDAW). OHCHR designed and implemented this project with the Ministry in three districts. MGLSD is developing a programme for action which should strengthen coordination of the implementation of CEDAW recommendations. OHCHR provided technical support to this process. The initial State Party report under the International Covenant on Economic, Social and Cultural Rights (ICESCR) was elaborated (24 years overdue) and is now in its final phase under the lead of MGLDS and the Ministry of Foreign Affairs. OHCHR participated in the process for several years and provided technical assistance on data collection and reporting guidelines.

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

- Result for which no target was set: OHCHR assisted in the submission of communications to special procedures of the Human Rights Council and gathered relevant information on the basis of its monitoring mandate.

### Responsiveness of the international community (EA 10)

- Result for which no target was set: The international community, Resident Coordinator of the UNCT and civil society actively engaged with the Government to hold accountable those police officers accused of committing human rights violations during the Walk to Work protests. OHCHR contributed to this result by publishing two press statements immediately after the events on the observed human rights concerns and held high-level meetings with the Government (UPF, MFA) and members of the international community (Ambassadors, the Justice Law and Order Sector, Development Partner Working Group). The public visibility of OHCHR-Uganda
while monitoring the Walk To Work protests, combined with the clear policy position of the Office on the events, strengthened the relationship with civil society.

Challenges and lessons learned

OHCHR found that there is a legal and policy gap in holding security forces accountable for human rights violations, in particular with reference to the use of force. Legislative reform is needed to clearly indicate accountability mechanisms, define substantive areas of accountability and provide for the effective investigation of, and sanctions for, human rights violations. In particular, although the Government acknowledges human rights violations occurred during the Walk to Work events and granted OHCHR access to information, police investigations have not focused on human rights violations and have rendered few results.

OHCHR will work to build stronger partnerships with Parliament and the media to deliver key messages on international human rights standards more effectively and link such messages to national objectives related to good governance, the rule of law, development, democracy and human security.

While lead Ministries increasingly committed themselves to working on treaty body reporting, important gaps remain in terms of communication and inter-institutional coordination for the collection and evaluation of information, the integration of human rights-relevant indicators in planning tools and follow-up on recommendations. The UPR is a key tool to assist the Government in achieving further progress.

Uganda: Expenditure in 2011

<table>
<thead>
<tr>
<th>Category</th>
<th>Regular budget expenditure in US$</th>
<th>Extrabudgetary expenditure in US$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel and related costs</td>
<td>1,517,405</td>
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</tr>
<tr>
<td>Consultants</td>
<td>101,714</td>
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</tr>
<tr>
<td>Official travel</td>
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<tr>
<td>Contractual services</td>
<td>86,430</td>
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<tr>
<td>General operating expenses</td>
<td>412,340</td>
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<tr>
<td>Supplies &amp; materials</td>
<td>181,260</td>
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<tr>
<td>Seminars, grants &amp; contributions</td>
<td>204,776</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
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<td></td>
</tr>
<tr>
<td>Programme support costs</td>
<td>339,432</td>
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<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>2,950,449</strong></td>
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</tbody>
</table>

Regional Offices and Centres

United Nations Centre for Human Rights and Democracy in Central Africa/OHCHR Central Africa Regional Office (Yaoundé, Cameroon)

<table>
<thead>
<tr>
<th>Category</th>
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<tbody>
<tr>
<td>Year established</td>
<td>2001</td>
</tr>
<tr>
<td>Staff as of 31 December 2011</td>
<td>14</td>
</tr>
<tr>
<td>Expenditure in 2011</td>
<td>US$1,751,556</td>
</tr>
</tbody>
</table>

Background

The year 2011 was an electoral year in the subregion, with local, legislative and presidential elections being conducted in Cameroon, the Central African Republic, Chad, the Democratic Republic of Congo, Gabon and Sao Tomé and Principe. Although most of the elections took place in a relatively calm atmosphere, they were also characterized by the reinforcement of existing regimes in power, voter apathy and low turnouts, as well as alleged irregularities. Discrimination continued to be a major problem in the subregion, including against sexual minorities, persons with disabilities and indigenous peoples (IPs). Human rights activists working on issues related to sexual orientation faced arbitrary arrests and detention, discrimination, intimidation and harassment, as well as violations of their right to privacy.

During the reporting period, many countries of the subregion engaged in strengthening implementation of their international human rights commitments. All Central African States participated in the Universal Periodic Review (UPR) process, and in several States, national follow-up processes have been adopted as best practices in other regions. Efforts to implement UPR recommendations included the establishment of national dialogue with civil society, the identification of priority actions and the creation of new partnerships with United Nations Country Teams (UNCTs) and bilateral development partners. Countries in the subregion also considerably increased their collaboration with the special procedures of the Human Rights Council.

By virtue of its unique dual mandate (human rights and democracy), the Regional Office for Central Africa (CARO) works for the promotion and protection of human rights and democracy through advocacy, lobbying, dialogue, technical assistance and advisory services extended to Governments, parliaments, national human rights institutions
(NHRIs), election management bodies, UNCTs, civil society organizations (CSOs) and the media. Though the Office covers the 10 Member States of the Economic Community of Central African States (Angola, Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Sao Tomé and Principe) and Rwanda, it has focused its activities on the countries in the subregion without human rights field presences, namely: Cameroon, Congo, Equatorial Guinea, Gabon and Sao Tomé and Principe, as well as Chad (after MINURCAT’s withdrawal).

The Office forged strong working relations with the newly established United Nations Office for Central Africa (UNOCA) in Gabon and continued close cooperation with UNCTs in Cameroon, Congo, Equatorial Guinea, Gabon and Sao Tomé and Principe, including within the framework of various United Nations Development Assistance Framework (UNDAF) processes which reflected human rights and human rights-based principles to ensure maximum impact of the work of UN agencies, funds and programmes.

Results

National laws, policies and institutions (EA 1)

- Target not achievable within the biennium: Institutionalization of human rights training for law enforcement professionals and prison administration officials in some countries of the subregion.

In Cameroon, the National Police Training Institute and the National Prison Administration Institute institutionalized human rights training in their curricula, following the Office’s advocacy, technical advice and training of trainers. Similar discussions are underway in Equatorial Guinea.

- Target: The NHRI works in conformity with international standards in Cameroon to a high degree.

The Office facilitated and funded technical advisory services and training for Cameroon NHRI commissioners and staff to, inter alia, more effectively address individual cases alleging human rights violations. As a result, commissioners and staff of the NHRI acquired skills in human rights monitoring and have a better knowledge on how to handle and respond to individual complaints.

- Target: NHRI works in conformity with international standards to some extent in Gabon, the Republic of Congo and Sao Tomé and Principe.

Thanks to advocacy efforts by the Regional Office for Central Africa, Gabon has undertaken important steps to operationalize its national human rights commission. The members of the Commission have been appointed and a review of the law establishing the Commission is envisaged to make it compliant with the Paris Principles. In Congo, CARO organized a seminar for NHRIs to sensitize stakeholders on the steps needed to ensure compliance of their NHRI with
the Paris Principles (currently accredited with “B” status). As a result, the Government has taken steps to review the current law establishing the Commission to ensure its full compliance with the Paris Principles. With the technical assistance from, and advocacy efforts by, the Office, the Government of Sao Tomé and Principe has taken steps to establish an independent national human rights commission that is compliant with the Paris Principles.

**Target not achievable within the biennium: Increased compliance of legislation/policy with international human rights standards in relation to economic, social and cultural rights (ESCR).**

The Office’s work in the area of economic, social and cultural rights began in 2011. Civil society organizations and public administration officials from seven Central African countries were trained in ESCR and the application of a human rights-based approach (HRBA) to budgeting and monitoring, including in relation to women’s rights. It is anticipated that national follow-up activities in 2012 in at least two countries of the subregion will lead to institutional, legal and/or policy changes at the national level.

**Target: The level of compliance of two institutions (election management body and Parliament) with international standards in the area of elections has significantly improved in Cameroon.**

The national elections management body (Elecam) remained under the control of the Government and its independence and credibility were consequently questioned during the elections. Following OHCHR’s joint advocacy efforts with Sightsaver, Elecam undertook a number of initiatives on behalf of persons with disabilities (PWDs), including by establishing and managing a number of pilot polling stations that provided access for PWDs and enabled them to vote with dignity.

**Target: Compliance of legislation/policies with international human rights standards improved significantly in five human rights areas (disabilities, indigenous peoples, migrants, women and victims of trafficking), including from a gender perspective, in Cameroon, Congo, Equatorial Guinea, Gabon and Sao Tomé and Principe.**

Following advocacy and technical support provided by the Office in Cameroon, a national law on the rights of indigenous peoples is being drafted. In addition, a national study on indigenous peoples was validated as a step towards the adoption of a national law protecting the rights of indigenous peoples. OHCHR, in collaboration with other actors, including ILO, succeeded in ensuring that the participation of IPs in the electoral process was placed on the agenda of political parties. Efforts were also undertaken to sensitize civil society and the media. Following joint advocacy efforts by and technical advice from the Office, the Special Rapporteur on indigenous peoples and the UNCT, a national law on the rights of indigenous peoples was adopted in Congo. The law is fully compliant with international human rights standards and is the first of its kind in Africa. The Office raised awareness of the human rights-based approach to migration and trafficking through advocacy and subregional workshops. Initiatives are underway at the subregional and national levels to ensure that legislative and policy frameworks integrate the principles and guidelines concerning human rights and trafficking in persons in Cameroon, Congo, Equatorial Guinea and Gabon. Following a subregional dialogue on migration and human rights organized by the Office, the Ministry of Territorial Administration of Cameroon has requested specialized training on human rights and migration for immigration officials. Training on human rights and migration for Equatoguinean security forces was postponed until 2012. Thanks to advocacy efforts undertaken by the Office, the United Nations Standing Advisory Committee on Security Questions in Central Africa (UNSAC) placed the issue of trafficking in persons on its agenda.

In Gabon, a workshop was organized with Disabled People’s Organizations in order to build their capacity on the content of the Convention on the Rights of Persons with Disabilities (CRPD) and the role of its treaty body. The Gabon NHRI was proposed as a coordination organ. In Cameroon, PWDs were sensitized about the importance of their political participation and as a result of CARO’s advocacy efforts, the Election Management Body made some polling stations accessible for PWDs during the October 2011 elections.

CARO built the capacity of Heads of field presences and gender facilitators on gender integration in the Central Africa subregion as well as for the staff of the Cameroon Ministry of Women’s Empowerment and Family Affairs. During a general training on reporting procedures for Congo’s Interministerial Committee in charge of reporting to the treaty bodies, information was presented on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), its Optional Protocol and its monitoring Committee. The issue of gender responsive budgeting was presented during the subregional workshop on the application of a human rights-based approach to policymaking and budgeting (Cameroon) for representatives of the Cameroon vo multi partner gender thematic group and members of the...
Government, CARO also advocated for the use of gender responsive budgeting as a tool to realize women’s human rights during the High-level Global Meeting on Increasing Accountability and Development Effectiveness through Gender Responsive Planning and Budgeting in Rwanda. In Cameroon, attention was systematically drawn to the issue of women’s political participation, particularly in relation to activities targeting a large audience or civil society. Finally, throughout these events, CARO raised awareness on multiple forms of discrimination faced by indigenous women, women living with disabilities and elderly women.

Ratification (EA 2)

- Results for which no target was set: Thanks to advocacy and sensitization efforts undertaken by the Office, Cameroon ratified the African Charter on Democracy, Elections and Governance. The Government of Cameroon also committed itself to ratifying the CRPD following joint systematic advocacy efforts undertaken by the Office, Sightsavers and PWD organizations.

Participation (EA 5)

- Result for which no target was set: Human rights civil society organizations in Cameroon produced reports on elections from a human rights perspective following training and documentation provided by the Office.
- Result for which no target was set: Organizations of persons with disabilities, indigenous peoples’ organizations and women’s groups participated as observers in the elections in Cameroon as a result of OHCHR’s training and a publication on elections and human rights. Media professionals were able to cover elections from a human rights perspective following the Office’s training and mentoring programme on human rights in the context of elections.

State engagement with human rights mechanisms (EA 6)

- Target not achievable within the biennium: By 2011, at least five countries increasingly followed up on recommendations of international and regional human rights mechanisms, particularly UPR.

OHCHR advocated for the establishment of an interministerial committee to follow-up on all recommendations issued by human rights mechanisms. As a result, Government officials and representatives of CSOs from Cameroon, Gabon and Sao Tomé and Principe received relevant training. A national road map to implement such recommendations was adopted in Cameroon, Congo, Gabon and Sao Tomé and Principe. In Gabon, a national mechanism for the implementation and monitoring of the CRPD through interministerial action was established following a national training workshop organized by the Office.

- Target: In Cameroon, three visit requests from the special procedures of the Human Rights Council resulted in a visit (pending the availability of the mandate-holders).

Advocacy efforts of the Office led to the invitation by Cameroon of three special procedures mandate-holders (Water and Sanitation, Press Freedom and Minorities). Regrettably, these missions did not take place during the period under review due to the limited availability of the mandate-holders.

- Target: In Congo, one visit request by special procedures resulted in a visit within 12 months. In 2011, a delegation from the Working Group on enforced or involuntary disappearances visited the country. The Working Group made a number of recommendations to the Government of Congo, including ratification of the International Convention for the Protection of All Persons from Enforced Disappearance as soon as possible.

Challenges and lessons learned

Implementation of the subregional mandate of the Regional Office remained a challenge insofar as ensuring balanced and equitable engagement with Governments of the subregion, in particular in relation to those without a human rights field presence. The Office’s experience showed that strategic partnerships were essential for making an impact in a diverse subregion while only being based in one country. Dedicated and committed partners in countries without a human rights field presence contributed to the sustainability of activities and their follow-up. Maintaining an active presence in various UNCTs as a non-resident UN system partner was not possible. The identification of a UNCT member as CARO’s human rights focal point was useful for facilitating its activities in that country.

CARO’s efforts to revitalize its Memorandum of Understanding with the Economic Community of Central African States (ECCAS) and cooperate with the subregional organization proved challenging and failed to ensure substantive engagement during the reporting period.

<table>
<thead>
<tr>
<th></th>
<th>Regular budget expenditure in US$</th>
<th>Extrabudgetary expenditure in US$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel and related costs</td>
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<tr>
<td>Consultants</td>
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<tr>
<td>Official travel</td>
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<td>Contractual services</td>
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<td>General operating expenses</td>
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<td>Supplies &amp; materials</td>
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<td>Seminars, grants &amp; contributions</td>
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<td>268,865</td>
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<td><strong>Subtotal</strong></td>
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<td><strong>430,032</strong></td>
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<tr>
<td>Programme support costs</td>
<td>-</td>
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<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>1,265,619</strong></td>
<td><strong>485,937</strong></td>
</tr>
</tbody>
</table>

### Regional Office for East Africa
(Addis Ababa, Ethiopia)

- **Year established**: 2002
- **Staff as of 31 December 2011**: 7
- **Expenditure in 2011**: US$998,533

### Background

Increased public spending and foreign direct investment supported economic growth in many countries across Africa, while rising food prices and high unemployment created uncertainty about the continent’s long-term trajectory of economic recovery. Unstable macroeconomic indicators were compounded by environmental factors and the severe drought in the Horn of Africa dramatically increased food insecurity and negatively affected the population’s coping capacities. In certain areas of the subregion, the situation was further exacerbated by persistent conflict, leading to mass displacement with serious security and public health concerns.


In the area covered by OHCHR’s East Africa Regional Office (EARO), human rights challenges included: legislative restrictions on civil society; the application of anti-terrorism legislation to charge journalists and opposition party members; discriminatory regulations on political participation; the prevalence of sexual and gender-based violence, including female genital mutilation and domestic violence; killings of persons with albinism; as well as forced labour and trafficking.

In 2011, EARO, which is based in Addis Ababa, actively engaged with regional organizations such as the AU and the UN Economic Commission for Africa (UNECA) and with Djibouti, Ethiopia and Tanzania. Within the framework of the Ten-Year Capacity-Building Programme and its Memorandum of Understanding (MoU) with the African Union, EARO continued to strengthen the African Union Commission. At the national level, EARO provided technical cooperation related to the application of a human rights-based approach to the work of United Nations Country Teams (UNCTs), built the capacity of national human rights institutions (NHRIs) and provided technical cooperation to national partners for reporting to the Universal Periodic Review (UPR) and the international human rights treaty bodies.

The Office organized the first strategic consultation for all human rights field presences in Central Africa in January 2011. The consultation facilitated discussion on trends in the subregion with human rights implications, the sharing of information related to the respective contexts, perspectives and priorities for 2011 and the identification of substantive human rights issues of common interest.

During the year under review, the Office celebrated its 10th anniversary. On this occasion, the Office launched an online survey, targeting all its partners in the subregion and beyond, to receive feedback on its current programme and suggestions for its strategic planning process.

The results of the survey showed that CARO’s capacity-building activities and the dissemination of international and regional human rights and democracy standards were considered as the most important and useful activities. The Documentation Centre, the fellowship programme and the CARO’s public information and outreach activities were also considered to be highly relevant activities. The survey identified the main impact of CARO to be the strengthening of national capacities of Governments, national human rights institutions, civil society organizations and the media in the area of human rights. CARO’s role in increasing public awareness and knowledge of international and human rights standards was also underlined.

Feedback from the survey further suggested that CARO should strengthen its activities in the areas of human rights education and democracy, legal reform and in relation to its cooperation with civil society organizations, the media, administration of justice professionals and security forces.
Results

National laws, policies and institutions (EA 1)

- **Target for Tanzania: Extent to which a NHRI has been established and worked in conformity with international standards (Paris Principles).**
  
  In October 2011, Tanzania’s Commission on Human Rights and Good Governance (CHRAGG) was reviewed by the International Coordinating Committee of National Human Rights Institutions, as a result of which the CHRAGG maintained its “A” status. Although the CHRAGG has never presented a parallel report to the human rights treaty bodies, it has benefited from exposure to the work of treaty bodies through a study trip funded by EARO and other UN agencies. EARO also conducted targeted trainings on human rights monitoring and reporting to CHRAGG’s investigation officers. Following EARO’s capacity-building initiatives in relation to UPR, the CHRAGG was able to submit its stakeholder report to the UPR and successfully organized a side event during the UPR session in Geneva.

- **Target for Tanzania: One selected institution (police investigation units from all 22 districts) is significantly more compliant with international human rights standards.**
  
  EARO, UNICEF and the UN Resident Coordinator’s Office, within the context of the ONE UN in Tanzania and in cooperation with the CHRAGG, provided training on human rights and the administration of justice for Tanzania’s high court judges from 6-8 December 2011 in Bagamoyo. EARO will continue to follow up on this initiative through a 2012 review of the recommendations drafted by participants at the end of the workshop.

Ratification (EA 2)

- **Target for Tanzania: Ratification of one human rights treaty (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)).**
  
  During the reporting period, Tanzania did not ratify CAT or its two Protocols. EARO continued to advocate with the Government for their ratification, including during UPR preparatory events and processes related to the National Human Rights Action Plan. During the UPR Working Group Interactive Dialogue on Tanzania, the Head of the Tanzanian Delegation indicated that Tanzania is considering their ratification. While torture is prohibited under the Tanzanian Constitution, public opinion remains divided on the abolition of the death penalty, which is still carried out in the country.

- **Target not achievable within the biennium for Djibouti: Ratification of three human rights treaties (International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT)).**
  
  In April 2011, the Government of Djibouti deposited the instruments of ratification for the two Optional Protocols of the Convention on the Rights of the Child (CRC) as well as the African Union Convention on Internally Displaced Persons. This result was partly due to EARO’s advocacy efforts. During the UPR process, the Government of Djibouti committed to ratifying the core human rights instruments.

State engagement with human rights mechanisms (EA 6)

- **Target for Tanzania: 100 per cent of the reports submitted by Tanzania (UPR and International Covenant on Economic, Social and Cultural Rights (ICESCR)) are in compliance with guidelines.**
  
  In October 2011, Tanzania submitted its national report under the UPR in compliance with the guidelines. EARO provided technical training, advisory services and financial support to the organization of several workshops for the Government, civil society and the UNCT, which prepared the relevant stakeholders for the submission of the reports under the UPR.

- **Target for Tanzania: One out of two priority treaty bodies’ recommendations (50 per cent) will be substantially implemented (national plan of action).**
  
  The Committee on the Elimination of Discrimination against Women recommended the adoption of a national plan of action to combat violence against women and children (2008) and the Committee on the Rights of the Child (2006) called for the elaboration of a comprehensive national plan of action for the full implementation of the rights enshrined in the Convention. In its recent concluding observations, the Human Rights Committee (2009) also urged the State to adopt a national action plan on trafficking. Through the ONE UN, EARO provided technical assistance, advisory services and funding for the preparation of the National Human Rights Action Plan (NHRAP) and participated in the validation workshop with relevant stakeholders. During the workshop, the technical Committee of the NHRAP finalized the first draft of the NHRAP as per the pre-defined workplan.
Target for Djibouti: 100 per cent of reports submitted by Djibouti (ICESCR, CAT, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), International Convention on the Elimination of All Forms of Discrimination (ICERD), International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and Peoples’ Rights (ACHPR)), in conformity with the guidelines on treaty body reporting.

Djibouti submitted reports to all UN treaty bodies due in part to EARO’s financial and technical support to the Djibouti Interministerial Committee responsible for the drafting of overdue reports. As a result of time constraints, the Government was not able to address overdue reports for the ACHPR and their preparation has been postponed until 2012.

Target for Djibouti: Two out of four (50 per cent) priority outstanding UPR recommendations have been substantially implemented.

With respect to the UPR recommendation, “Seek assistance from the international community and request OHCHR to positively respond to its expressed needs in the area of capacity-building and provision of the needed human, financial and technical resources and to provide the necessary training to officials in the various concerned departments and ministries and to the National Human Rights Institution and to provide assistance in the area of human rights education so as to spread a culture of human rights in Djibouti within the framework of the national strategy of the Government for the promotion and protection of human rights,” a Presidential Decree was adopted in 2011, amending the Decree creating the National Human Rights Commission N2008-1 03/PRE and stipulating that the “National Human Rights Commission is independent and does not receive instructions from any authority.”

The amended Decree also provides the corresponding immunities to its staff in the context of their functions and the possibility for the Commission to receive funding from other organizations. The National Human Rights Commission was previously part of the Ministry of Justice and Human Rights and shared the same office space, president and staff. The NHRI office was subsequently relocated outside of the Ministry, the president of the NHRC was detached from the Ministry and use of the equipment of the office that was funded by UNDP. With support from EARO, the National Human Rights Commission was able to prepare its first three-year action plan and develop promotional materials on the rights of women and children for public distribution in Djibouti.

With respect to the UPR recommendation, “Seek the assistance of the international community in promoting conditions of development favourable to the enhancement of human rights and work on the reinforcement of capacity-building for civil society actors as well as the media in their neighbourhood actions related to..."
awareness-raising and information on human rights.” EARO organized a workshop on human rights for journalists in November 2011, in partnership with UNESCO’s Regional Office and the Ministry of Culture and Communication, as well as the National Human Rights Commission. The workshop aimed at preparing journalists to cover news related to human rights. As a result of this workshop, the participants decided to create an Association of Journalists on Human Rights which will focus on the coverage of issues such as women’s rights, child rights and the situation of migrants, among others.

Target not achievable within the biennium for Ethiopia: The National Human Rights Action Plan is finalized following large and inclusive consultations with all stakeholders and is in compliance with international human rights standards.

In 2010, the Government of Ethiopia ratified the Convention on the Rights of Persons with Disabilities (CRPD) and signed the Optional Protocol to the CRC on the involvement of children in armed conflict. The process of developing a national human rights action plan, also an accepted UPR recommendation, is underway. EARO provided technical support to the Ethiopian Human Rights Commission (EHRC) for the establishment of an Interministerial Committee to develop a national human rights action plan. OHCHR is part of the Ad Hoc Coordination Team as well as the National Coordination Committee and has committed to sharing good practices in the development of human rights action plans. It is important, however, to ensure and strengthen national ownership and leadership by the Government over the process.

Human rights mainstreaming within the United Nations (EA 11)

Target for Tanzania: Tanzania’s United Nations Development Assistance Plan (UNDAP) integrates human rights standards and principles. Many sections of the UNDAP have significantly followed human rights-based approach considerations, including through a quality assurance process that has been undertaken from a human rights standpoint. As a result, the UNDAP planning documents integrate human rights activities and make reference to international human rights standards and principles. EARO provided technical expertise in the context of the ONE UN in general and the UN Human Rights Working Group in particular.

Target for Djibouti: The United Nations Development Assistance Framework (UNDAF) integrates human rights standards and principles to some degree. The Djibouti UNDAF complies with international human rights standards to a substantial extent. In the area of governance, reference is made to applicable international standards and human rights principles are applied to define expected results. OHCHR contributed to the Djibouti UNDAF by increasing the knowledge of staff from five UN agencies involved in the conceptualization and elaboration of the document through basic training and one-on-one coaching on specific issues. In the context of the UN joint programme on human rights, EARO, together with the UN Staff College, provided training on the human rights-based approach, results-based programming and gender to the UNCT and relevant partners in Djibouti. The training was requested by the UNCT with a view to building its capacity to mainstream human rights and gender issues in preparation of the UNDAF.

Target for Ethiopia: Ethiopia’s UNDAF integrates human rights standards and principles. Although the UNDAF planning documents 2012-2015 integrate human rights standards and principles, especially in the Governance Section, the East Africa Regional Office noted some weaknesses in terms of the human rights-based approach. The main focus of the UNDAF is economic development and the document fails to identify the needs of vulnerable groups. In addition, although the UNDAF recommends the implementation of international human rights instruments in its Governance Section, these same recommendations have not been included in other parts of the UNDAF. EARO contributed to the preparation of the UNDAF (2012-2015) by providing human rights expertise in the preparation of planning documents and co-chairing the UN Governance and Democracy Working Group.

Challenges and lessons learned

In 2011, EARO redressed the balance between national and regional programmes. As a result of EARO’s outreach to and engagement with the African Union and the Economic Commission for Africa, these institutions gained a critical understanding of the role of international human rights standards and principles. EARO’s contribution to the AU-UN Governance Sub-Cluster, as well as to the Sub-Cluster for Peace and Security proved instrumental in mainstreaming human rights in the political role of the African Union.

EARO’s engagement with the UNCTs in Djibouti, Ethiopia and Tanzania led to new partnerships with UN agencies and joint activities in the field of human rights. A critical benchmark for the mainstreaming of human rights into the work of UNCTs is the extent to which planning documents integrate a human rights-based approach and the political will to do so.

EARO seeks to manage high levels of expectations from partners at country and regional levels with limited resources. The Office therefore privileged the strengthening of national protection systems, in particular national human rights institutions, to ensure national ownership of human rights programmes.

Regional Office for East Africa
(Addis Ababa, Ethiopia): Expenditure in 2011

<table>
<thead>
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<th>Regular budget expenditure in US$</th>
<th>Extrabudgetary expenditure in US$</th>
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<td>Personnel and related costs</td>
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<td>Official travel</td>
<td>-</td>
<td>68,637</td>
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<tr>
<td>Contractual services</td>
<td>-</td>
<td>(1,580)</td>
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<tr>
<td>General operating expenses</td>
<td>-</td>
<td>51,133</td>
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<tr>
<td>Supplies &amp; materials</td>
<td>-</td>
<td>4,335</td>
</tr>
<tr>
<td>Seminars, grants &amp; contributions</td>
<td>-</td>
<td>155,118</td>
</tr>
<tr>
<td>Subtotal</td>
<td>-</td>
<td>883,658</td>
</tr>
<tr>
<td>Programme support costs</td>
<td>-</td>
<td>114,875</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td>-</td>
<td><strong>998,533</strong></td>
</tr>
</tbody>
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Regional Office for Southern Africa
(Pretoria, South Africa)

- **Year established**: 1998
- **Staff as of 31 December 2011**: 7
- **Expenditure in 2011**: US$907,392

Background

The Southern African region is characterized by great diversity and includes some of the richest and poorest countries in Africa. In 2011, positive developments were noted with several countries holding peaceful elections and experiencing democratic handovers of power. Efforts were made to establish national human rights protection systems and standing invitations were issued to special procedures of the Human Rights Council. In some countries, however, weak democratic institutions, combined with high poverty rates, exacerbated by the rising cost of staple goods, contributed to political crises and violence. Most countries in the subregion lack effective institutions or an organized civil society to hold States accountable for the protection of human rights. In some instances, human rights defenders have become increasingly at risk.

Human rights challenges in the subregion include inequality, discrimination, xenophobia, HIV/AIDS prevalence, as well as widespread sexual and gender-based violence. Inhabitants of the subregion also struggle to realize their rights to work, housing, land and food. Access to justice and the lack of independence of the judiciary are cause for concern and, at the subregional level, the suspension of the Southern African Development Community (SADC) Tribunal and reluctance of SADC leaders to set up a
subregional human rights commission are worrying developments.

The Regional Office for Southern Africa (ROSA) works with Governments, United Nations Country Teams (UNCTs), national human rights institutions (NHRIs) and civil society organizations (CSOs) to advance the realization of human rights in 14 countries, namely: Angola, Botswana, Comoros, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Zambia and Zimbabwe. In the course of 2011, OHCHR deployed a Human Rights Adviser to the UNCT in Madagascar. ROSA also works with regional and subregional organizations and their institutions. In 2011, ROSA focused its efforts on strengthening NHRIs; increasing the engagement of national stakeholders with the international human rights system; addressing discrimination; and integrating a human rights-based approach in UNCT’s programmes.

Results

National laws, policies and institutions (EA 1)

► In 2011, the Zimbabwe Human Rights Commissioners made strategic interventions before the Human Rights Council, formulated comments on the draft NHRI legislation and called for its compliance with the Paris Principles, chiefly as a result of support from OHCHR/ROSA. Discussions on the draft bill are ongoing and concern has been expressed that the final law may not be compliant with the Paris Principles.

► In November 2011, the Parliament of Comoros adopted the Law on the establishment of a National Commission for Human Rights and Liberties, which was drafted with the substantive input and support of ROSA, UNICEF and UNDP.

► In Zambia, the understanding of human rights and capacity of the newly appointed Commissioners of the NHRI to effectively carry out their functions was strengthened, thanks to an induction course organized by the Network of African National Human Rights Institutions and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law. ROSA participated in the training.

► The capacity of the South African Human Rights Commission (SAHRC) to combat discrimination, with an emphasis on the rights of non-nationals, was strengthened through a one-year grant from OHCHR. The project included monitoring places of detention for migrants, community outreach, and capacity-building initiatives to prevent and address xenophobia in South Africa.

► A declaration outlining the way forward for African NHRIs in addressing the rights of elderly persons and persons with disabilities was adopted at the Biennial Conference of African NHRIs in October 2011, hosted by the SAHRC with OHCHR/ROSA’s support.

► In light of numerous challenges related to economic and social rights and the limited knowledge of duty-bearers and rights-holders in addressing these rights, OHCHR/ROSA has started a process to build capacity in the subregion. An expert workshop organized in Mozambique in December 2011, with the support of the UNCT and the Government of Mozambique, was the first attempt at bringing together practitioners, facilitating a dialogue and creating a network equipped to advocate for economic, social and cultural rights.

Ratification (EA 2)

► The Parliament of Comoros ratified the Convention on the Rights of Persons with Disabilities (CRPD) and the Rome Statute in November 2011, following a training on international human rights instruments by ROSA in Moroni in October 2011.

Justice and accountability mechanisms (EA 3)

► As a result of ROSA’s substantive engagement and support to the Department for Political Affairs and the Resident Coordinator in Madagascar, reference to serious human rights violations and the establishment of transitional justice institutions were included in the road map, which seeks to end the political crisis and sets out parameters for the peaceful return to democracy in the country. For more information, please refer to the section on Madagascar.
State engagement with human rights mechanisms (EA 6)

- Zimbabwe submitted its combined second to fifth periodic reports to the Committee on the Elimination of Discrimination against Women (CEDAW) for consideration at its 51st session in February 2012. ROSA encouraged the engagement of the Government and other stakeholders with CEDAW.

- The Government of Seychelles started working on its reporting obligations to treaty bodies following a mission from ROSA to the Seychelles in March 2011 and discussions with senior Government officials, including the Minister for Foreign Affairs. With support from the EU and through a UNDP-administered project, Seychelles has begun preparing its initial reports under the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

- OHCHR organized a subregional seminar on follow-up to concluding observations of the Committee on the Elimination of Racial Discrimination (CERD) in Pretoria, South Africa, in June 2011. Over 30 participants from five countries in Southern Africa (Botswana, Namibia, South Africa, Zambia and Zimbabwe), including Government officials, representatives from NHRI and non-governmental organizations (NGOs) participated. The seminar deepened delegates' understanding of specific issues relating to racial discrimination as defined in the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Participants committed to following up on recommendations made by the CERD Committee and affirmed the importance of exchanging achievements, challenges and good practices in the implementation of CERD recommendations.

- Partly as a result of ROSA's advocacy and training, all countries in the subregion actively engaged in the Universal Periodic Review (UPR) process. In October 2011, Swaziland and Zimbabwe became the last countries in the subregion to complete the first UPR cycle. Mauritius was the first country in the subregion to voluntarily submit a mid-term progress report on the implementation of the recommendations of the Human Rights Council, following the UPR in February 2009. OHCHR provided technical guidance to a number of Governments, UNCTs and civil society organizations in the subregion in their preparation of respective UPR submissions.

Human rights mainstreaming within the United Nations (EA 11)

- Human rights and social inclusion were incorporated as key areas of the UNCT's work in Mauritius and Seychelles. UNCTs in Angola, Comoros, Madagascar and Mozambique reiterated their commitment to include human rights in joint programmes and the UN framework, where applicable. In Comoros, the UNCT reinforced human rights as a cross-cutting issue and included the establishment of a NHRI and the ratification of international human rights instruments into the ONE UN programme and the UNDAF. In Mozambique, the United Nations Development Assistance Framework (UNDAF) 2012-2015, which was finalized during 2011, includes the establishment of a national human rights commission and the ratification and implementation of the ICESCR.

- In reaction to allegations of serious human rights violations committed against migrants workers from the Democratic Republic of Congo (DRC) and following OHCHR's advocacy and a visit by the Special Representative of the Secretary-General on sexual violence in conflict, the UNCT in Angola adopted the protection of the right to life as a priority area. This is expected to result in the appointment of a Protection Adviser to the UNCT in 2012 by UN Action, with the support of OHCHR.

- In Madagascar, OHCHR was appointed as co-chair of the human rights and gender working group, together with UNFPA. OHCHR provided substantive support and input to a joint project with UNDP, UNFPA and UNICEF analysing the deficit in access to justice in Madagascar and proposing measures for judicial reform, including transitional justice elements. This study informed the planning of UNCT activities following the signature of the SADC-sponsored road map on 17 September 2011, which ended a three-year long political crisis in the country.

- Through its participation in UNCT planning processes across the subregion, ROSA has contributed to the integration of human rights in programmes of UN partners.

Challenges and lessons learned

In several countries in the subregion, the lack of dialogue between Government and civil society, sometimes combined with restrictive legislation for NGOs and the intimidation of human rights defenders, can prevent rights-holders from claiming their rights. ROSA has sought to overcome this by inviting a cross-section of stakeholders to its trainings and workshops.

ROSA's strategic involvement and efforts to keep human rights on the agenda in countries facing
political crises, such as Comoros and Madagascar, has proven to be effective, as both countries have regained stability and identified the protection of human rights as a key priority for the Government.

In 2011, Malawi was the latest country to face a political and human rights crisis following the July 2011 protests. ROSA shifted its focus to the country and worked closely with UN agencies and the Malawi Human Rights Commission (MHRC), which provided valuable insight into the evolving situation following the days of protests.

The increase in requests by Governments and UNCTs for technical assistance obliges ROSA to prioritize specific themes and countries in order to avoid overstretching its limited resources, while also maintaining sufficient flexibility to adapt to critical developments in the subregion. ROSA has undertaken a thorough strategic planning process to define its priorities for the biennium 2012–2013. The audit of ROSA by the Office of Internal Oversight Services provided useful recommendations in this regard.

Regional Office for West Africa (Dakar, Senegal)

<table>
<thead>
<tr>
<th>Year established</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff as of 31 December 2011</td>
<td>12</td>
</tr>
<tr>
<td>Expenditure in 2011</td>
<td>US$1,050,913</td>
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</table>

Background

The West African subregion witnessed progress made towards greater stability and peace with the completion of the transition processes in Guinea and Niger and the end of the election crisis in Côte d’Ivoire. Successful democratic elections were held in, inter alia, Benin, Cape Verde and Nigeria. Moreover, efforts have been undertaken to further mainstream human rights and gender into policy responses to regional threats to peace and security, such as food and nutritional crises, climate change, migration and trafficking in persons. Fundamental freedoms, such as the freedoms of speech and assembly, improved in many countries of the subregion and significant efforts have been undertaken to promote the equal participation of women and men in public affairs in Benin, Cape Verde, Guinea, Mali and Senegal.

In a number of election processes, concerns were raised regarding irregularities in voter registration and the certification of results. In some countries, such as Liberia, this resulted in tensions and human rights violations. Moreover, the socioeconomic landscape of West Africa, characterized by widespread poverty, increasing inequality and marginalization of segments of the population, continues to pose a serious threat to peace and security. The growing presence of terrorist groups, mainly Boko Haram in Nigeria and Al-Qaeda in the Islamic Maghreb in the Sahel region, has led to growing insecurity and a deterioration of the humanitarian and human rights situation in some parts of the subregion. This has in turn triggered a renewed political drive in order to increase regional cooperation to stabilize the subregion and the Sahel area.

The achievements of the OHCHR Regional Office for West Africa in 2011 include assisting countries with Universal Periodic Review (UPR) follow-up and reporting to treaty bodies; advocating for the ratification of international human rights instruments, such as the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR); assisting the United Nations Country Teams (UNCTs) to integrate human rights into policy documents; and encouraging Member States of the Economic Community of West African States (ECOWAS) to...
address issues of impunity, especially improving access to justice for women. It has also provided support to, and cooperated extensively with, the eight human rights field presences based in the region.

Results

National laws, policies and institutions (EA 1)

In Senegal, the National Observatory on Parity was created in March 2011 by Decree to monitor the implementation of the Parity Law which was adopted in 2010. This Law was created to ensure access to justice for women who have been subjected to gender-based violence (GBV) in particular, and for the protection of women's rights in general. During 2011, Senegal continued to develop draft laws to reform the penal and criminal procedure codes, including by strengthening the penalties for GBV. These draft laws are largely compliant with international human rights standards. WARO provided advocacy and training on women’s rights and gender to the Economic and Social Council to ensure that compliance with international human rights standards would be included in recommendations to the Head of State, the Government and Parliament. The draft laws are currently blocked at the governmental level and WARO will continue to advocate for their adoption.

The Ministry of Gender in Senegal made propositions for the reform of the Family Code. The propositions aim to harmonize the Family Code with the international human rights instruments which Senegal has ratified, mainly the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), and make explicit reference to these standards.

WARO substantially contributed to the drafting of these propositions by supporting the Ministry in carrying out a study on harmonizing national legislation on women's rights with international human rights instruments ratified by Senegal. The main conclusions of the study will be used in 2012 as an advocacy tool for the adoption of a new Family Code that is fully compliant with international human rights instruments.

Ratification (EA 2)

The OP-ICESCR was signed by Cape Verde in September 2011. Steps have been taken towards its ratification in Burkina Faso, Mali and Senegal. OHCHR contributed to this through awareness-raising and advocacy activities on economic, social and cultural rights. In addition, the Office organized a regional training seminar on the justiciability of these rights for judicial actors. As a concrete outcome of this training, participants committed to continue advocating for the ratification of OP-ICESCR.

Cape Verde signed the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) in September 2011. WARO advocated...
for the ratification of the core human rights instruments with the Government during a technical mission in July 2011.

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

- WARO assisted the Association des Juristes Sénégalaises (AJS) by substantially organizing a “free consultation day” for judicial help and assistance at their Centre. During this activity, 134 people (76 women and 58 men) received legal advice related to different fields of law. The AJS offers legal consultations to women and men on a regular basis and will continue to follow up on these cases.

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

- In Cape Verde, the national report to the CEDAW Committee was drafted in 2011 and includes several recommendations regarding access to justice by women that have been subjected to GBV. WARO provided input through desk reviews. It is expected that once the CEDAW Committee has issued recommendations on the report, Cape Verde will take steps to adapt its legislation to improve women’s access to justice. The Office will support the efforts of national stakeholders to promote respect for women’s rights and reduce impunity for violence against women.

- As of the end of 2011, Cape Verde, the Gambia and Senegal had not yet submitted their reports to the Committee on Economic, Social and Cultural Rights. All three countries had, however, begun the drafting process. OHCHR significantly contributed to this process by: organizing a workshop on reporting to treaty bodies (the Gambia); recruiting and coaching the drafting consultant; and organizing a validation workshop in the Gambia and Senegal. All three countries are expected to submit their reports in 2012.

- A national action plan to follow up on the recommendations of the UPR and other human rights mechanisms was drafted and validated in Burkina Faso and Cape Verde. The action plans take into account all UPR recommendations, as well as those of the treaty bodies and special procedures and include a timetable and budget. WARO contributed to the development of these action plans through: coaching of drafting consultants; preparing desk reviews of the draft plans; undertaking technical missions; and supporting validation workshops. The final action plans are expected to be distributed in early 2012. WARO will support Mali and Senegal in a similar way in 2012.

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

- Human rights have been integrated in the United Nations Development Assistance Framework (UNDAF) of Burkina Faso, Cape Verde, the Gambia and Senegal. The analysis informing these UNDAFs took into account the recommendations of the international human rights treaty bodies. WARO substantially contributed throughout the drafting process by providing input on a human rights-based approach and quality support and advice to the UNCT, as well as by participating in the UNDAF validation workshop in the Gambia in June 2011. WARO provided similar support to the Senegal UNDAF, including onsite during the formulation of the UNDAF narrative document, matrix and monitoring and evaluation plan and by participating in the validation workshop. Moreover, WARO contributed to the desk review in Burkina Faso to ensure that human rights standards were taken into account in the annual review of the UNDAF.

**Challenges and lessons learned**

Due to a volatile political and socioeconomic climate in the subregion, the Office often had to adjust its plans. During 2011 for instance, the social unrest and subsequent change of Government in Burkina Faso, the electoral processes in Cape Verde and the cabinet reshuffles in the Gambia led to delays in carrying out some activities. The Office had to re-establish a dialogue with the new authorities before it could continue its planned work.

The High Commissioner’s visit to West Africa in March 2011 strengthened OHCHR’s profile in the subregion. Her public support for WARO’s activities and her meetings with several counterparts gave a boost to its work, especially in Senegal. One concrete result of these meetings was the adoption of the decree to implement the Parity Law in June 2011, following the Government’s promise to the High Commissioner that it would do so.

The ratification of the OP-ICESCR did not occur in 2011. Following regular exchanges with its partners, the Office understood the need for broader consultation and awareness-raising on the Protocol and the justiciability of economic, social and cultural rights among all stakeholders. Several initiatives were therefore undertaken which has resulted in the signature of the OP-ICESCR by Cape Verde and growing support for ratification in all targeted countries.
Human Rights Components in UN Peace Missions

United Nations Integrated Office in Burundi

<table>
<thead>
<tr>
<th>Year established</th>
<th>1995 (since 2006 as part of the United Nations Integrated Office in Burundi)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff as of 31 December 2011</td>
<td>20</td>
</tr>
</tbody>
</table>

**Background**

The effects of the 2010 elections in Burundi are still being felt and have resulted in tense relations between the Government and the opposition. The latter withdrew from the elections after alleging massive fraud and irregularities and formed a coalition named Alliance démocratique pour le changement-Ikibiri (ADC-Ikibiri). Prominent opposition leaders were forced to flee for fear of harassment and arrests and the Government accused members of civil society of collaborating with the opposition. Calls for dialogue to end the deadlock were ignored. The year was also marked by fears of a potential rebellion and numerous attacks staged by unidentified armed groups resulted in many casualties. These events had a profound impact on the human rights situation which has been characterized by the persistence of extrajudicial executions, torture and ill-treatment; restrictions on the right to freedoms of expression, peaceful assembly and association; as well as arbitrary arrests and the detention of members of opposition parties. The activities of non-governmental organizations (NGOs) were severely restricted and judicial authorities frequently summoned journalists and members of civil society. The arrest and detention of lawyers, including the president of the Burundi Bar Association, was also noted.

In December 2010, the United Nations Office in Burundi (BNUB) was established to replace the UN Integrated Office in Burundi (BINUB) in accordance with UN Security Council resolution 1959 (2010). The Human Rights and Justice Section (HRJS) within BNUB is mandated to: support efforts to fight impunity, particularly through the establishment of transitional justice mechanisms; strengthen national unity; promote justice and reconciliation within Burundi’s society; and provide operational support to the functioning of these bodies. HRJS also aims to promote and protect human rights, including by strengthening national capacities in that area, as well...
as civil society. The Office works in close collaboration with UN human rights mechanisms, including the Independent Expert on the situation of human rights in Burundi.

**Results**

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

- The Law creating the Independent National Human Rights Commission (INHRC) was adopted on 5 January 2011. Seven commissioners, elected by Parliament, officially took up their functions on 7 June 2011 during a ceremony presided over by the President of the Republic. The activities of the Commission were officially launched on 16 December 2011. BNUB has continued to assist in the establishment of the INHRC. A sensitization campaign was organized with the help of BNUB on INHRC activities in all of Burundi's provinces. The Commission's workplan for 2011 was also drafted with the assistance of BNUB.

- On BNUB's recommendation, the Minister of Defence re-launched the capacity-building programme for members of the armed forces. This programme was elaborated by BNUB and the training of military focal points in human rights was conducted after informal consultations with the Ministry. A retreat was organized in collaboration with high-ranking officers of the military on the application of international human rights standards and humanitarian law by the military and their role as supervisors. It was decided that the programme would be integrated into the overall development of the security sector to continue strengthening the capacity of the leadership of the armed forces to protect human rights.

- In 2011, the Ministry of Justice's strategic plan 2011-2015 was developed and includes reforms pertaining to judicial independence and accountability. The document fails to take into account, however, the legislative reforms that are necessary to ensure the effective independence of justice (Law on the Superior Council of Magistrates, Law on the Status of Magistrates). Nevertheless, following BNUB's advocacy work, two key activities were included: the organization of a National Conference on Justice which will serve as a platform for recommendations on different issues related to judicial independence and a study on the capacity-building plan for the Supreme Council of Magistrates, which will serve as a preliminary step for wider reforms.

- The development of a strategy on combating corruption and abuses within the judicial system has been postponed until the adoption of the national strategic plan by the Ministry of Justice.

The BNUB Justice Unit contributed to the development of the national strategy on good governance and fight against corruption which was adopted by the Council of Ministers.

**Justice and accountability mechanisms (EA 3)**

- The Government took steps towards the establishment of a Truth and Reconciliation Commission (TRC). A Technical Committee, which was appointed by Presidential Decree, submitted its report to the President and BNUB in October 2011. The report includes a draft law on the establishment of transitional justice mechanisms, particularly the Truth and Reconciliation Commission. BNUB and OHCHR provided substantive technical and logistical support to the Committee. Following an analysis of the report, the UN recommended that the Government take into account the conclusions of the national consultations, views of civil society and relevant international standards in the creation of a Truth and Reconciliation Commission.

**Participation (EA 5)**

- As part of the preparatory activities for the establishment of a Truth and Reconciliation Commission (TRC), BNUB undertook a nationwide sensitization campaign, in partnership with three NGOs, which included mobile theatre performances (plays) and public debates on University campuses. More than 24,801 people were sensitized through 56 plays that were performed in 55 communities across the country. The debates organized in eight universities and institutes in Burundi involved the participation of 868 university students. Furthermore, following four regional workshops on transitional justice by BNUB, 51 trainees created a network named *Forum national des relais communautaires en justice transitionnelle* (FONAREC/JT). Civil society is now expecting to be formally involved in a consultation process on the draft law on the establishment of the TRC.

**Challenges and lessons learned**

Throughout 2011, OHCHR and BNUB continued to provide technical assistance to authorities towards the establishment and functioning of transitional justice mechanisms in accordance with international norms and principles. OHCHR reiterated the importance of the inclusive participation of civil society throughout the process. In November 2011, OHCHR, OLA and BNUB provided joint comments on the draft law to ensure compliance with the conclusions of the national consultations and relevant Security Council resolutions.
United Nations Integrated Peacebuilding Office in Central African Republic

<table>
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<th>Year established</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Staff as of 31 December 2011</td>
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**Background**

After several postponements, presidential and parliamentary elections were held on 23 January 2011. Due to the post-conflict situation, the general human rights situation in the Central African Republic (CAR) remains fragile. Ongoing insecurity facilitates constant abuses in the north, ranging from summary and extrajudicial killings, illegal arrests and detention, as well as sexual and gender-based violence, to witchcraft accusations, restrictions on movement and extortion. The abuses are reportedly committed both by State and non-State actors, including Government forces, rebel groups and other armed elements. Furthermore, the situation in the north, with various clashes and acts of banditry, has caused the internal displacement of entire villages. In the south-eastern provinces, attacks from the Lord’s Resistance Army (LRA) pose grave challenges for the effective protection of civilians.

OHCHR implements its human rights programme in CAR through the Human Rights and Justice Section (HRJS) of the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA), established on 1 January 2010. The HRJS has a broad mandate to support efforts to promote, protect and implement human rights in the country. In addition, the HRJS provides capacity-building support to national institutions and other partners in the peace process. BINUCA has three regional offices in Bouar (covering the western prefectures), Bossangoa (covering the north-western prefectures) and Bambari (covering the northern and eastern prefectures). These offices monitor the human rights situation by conducting regular visits to the field and interacting with local, judicial and administrative authorities.

**Results**

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

- On 22 December 2011, the Law on the Principles governing the CAR Penitentiary System was adopted by National Assembly, partly as a result of the HRJS’s advocacy. The Commission of Home, Administrative Affairs and Law examined the draft law. HRJS took this opportunity to engage in frank discussions and exchanges on the CAR penitentiary system. While commending the national authorities for having drafted a law which is in conformity with the international standards, HRJS stressed that the CAR penitentiary system needs to be adjusted and configured according to the State budget.

- The process of drafting a law on the establishment of a National Commission on Human Rights and Fundamental Freedoms is ongoing. The HRJS conducted briefing sessions with the Government to discuss the draft and call for its compliance with the Paris Principles. Once the draft law is before Parliament, HRJS will advocate for the reformulation of provisions which are contrary to international human rights standards.

- The CAR Minister of Justice, as well the military hierarchy (the Gendarmerie National and the police), awarded the HRJS with permanent authorization to carry out monitoring visits in prisons and other detention centres, thus highlighting the Government’s efforts to ensure transparency. This standing authorization has enabled OHCHR to carry out regular visits of 20 prisons and police holding cells in remote areas.

**Ratification (EA 2)**

- On 20 April 2010, the Government of CAR ratified ILO Convention No. 169 on indigenous and tribal peoples. HRJS supported the sensitization campaigns of the State High Commissioner for Human Rights and Good Governance.
Participation (EA 5)

Efforts to enhance the capacity of civil society organizations to promote and protect human rights had some positive results. A local network of human rights groups was selected for funding by the Assisting Communities Together Project, a joint UNDP and OHCHR initiative. The HRJS had been active in supporting the creation and development of the network, including by holding human rights education sessions on a weekly basis and organizing joint human rights promotion activities. For the first time, the network will obtain a small grant to carry out a human rights advocacy campaign. The campaign seeks to fight discrimination against women and minority groups, mainly the Peuhl minority, through theatre performances and radio broadcasts.

Challenges and lessons learned

The high level of impunity enjoyed by perpetrators of human rights violations is a key challenge to efforts aimed at instilling a culture of human rights and the rule of law in CAR. As a result of many years of conflict and neglect, several areas in the country lack functional justice systems and institutions to guarantee the rule of law. Numerous cases have not been subject to investigations by relevant authorities partly because of the absence of both logistical capacity and human resources, and partially due to the reluctance of some officials to hold perpetrators accountable. Moreover, the high level of insecurity has prevented judicial officers from residing and working in the country.

Despite the openness of national authorities to discuss sensitive human rights issues, it is very difficult to respond to human rights challenges in an environment where the institutions and the capacity to deliver are very weak. In this respect, constant and constructive dialogue with national authorities have oriented the national human rights strategy towards the design of coherent human rights legal frameworks as well as the building and consolidation of national institutions capable of promoting and protecting human rights. These priorities have been included in strategic frameworks such as United Nations Development Assistance Framework Plus and the Second Poverty Reduction Strategy Paper. Another lesson learned has been the use of special procedures, particularly the urgent appeals, which have frequently facilitated dialogue with national authorities on sensitive human rights issues.

United Nations Operation in Côte d’Ivoire

Year established 2004
Staff as of 31 December 2011 52

Background

In 2011, little improvement was observed in the overall human rights situation in Côte d’Ivoire. Notwithstanding the successful legislative elections on 11 December 2011, the security situation is still stabilizing, refugees and internally displaced persons are yet to return to their places of origin, judicial proceedings are criticized for favouring only one side and political violence is still evident in the streets. Continuing human rights violations include killings, illegal detention, ill-treatment, torture, rape, armed robbery and racketeering practices involving unidentified armed elements, Dozos (traditional hunters), as well as members of the Forces républicaines de Côte d’Ivoire (FRCI).

Within the framework of its protection work, the Human Rights Division (HRD) of the United Nations Operation in Côte d’Ivoire (UNOCI) advocated for the adoption and implementation of a national strategy to fight against sexual exploitation and gender-based violence. The HRD played a catalytic role in the designation of two human rights focal points within the Ministries of Defense and of the Interior that were appointed to review human rights violations, including sexual violence cases perpetrated by the FRCI, police and gendarmerie elements and to draw Government attention to the importance of prosecuting the perpetrators. With a
view to enhancing greater respect and accountability for human rights, the Division developed and implemented training programmes for police students, military commanders, the gendarmerie, the navy, customs officials and police officers.

Results

National laws, policies and institutions (EA 1)

Free and fair legislative elections were held on 11 December 2011. Through training and support material from the HRD, law enforcement officials were equipped with techniques and tools to uphold human rights while securing the legislative elections. Civil society groups, media practitioners, members of political parties, as well as the general electorate, were sensitized on critical human rights norms related to elections, their importance and how to advocate for their respect.

The HRD focused its training programmes and briefing sessions on police and gendarmes as well as FRCI elements (700). In total, 25 human rights training sessions were held across the country reaching out to at least 1,500 Ivorian Military, more than 1,500 police and gendarmerie officers, 500 civil society activists and 50 journalists.

The Government adopted a National Development Programme (PND) based on the revised Poverty Reduction Strategy Paper (PRSP) and other existing strategic documents. The HRD, through the United Nations Country Team, advocated that such programmes be based on human rights principles and standards. It will continue to monitor these aspects in the implementation phase.

Justice and accountability mechanisms (EA 3)

The combined effects of the breakdown of law enforcement and justice structures and the post-elections crisis made it difficult to secure proper judicial proceedings. In the course of 2011, at least 50 alleged perpetrators of serious human rights violations were identified and prosecuted, mostly in the context of the elections and post-elections crisis.

States engagement with human rights mechanisms (EA 6)

In September 2011, the Ministry of Family, Women and Children organized a workshop on the Universal Periodic Review, in which the HRD participated. The HRD will continue its technical assistance to build the Government’s capacity to prepare periodic reports under the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Elimination of All Forms of Racial Discrimination, while also equipping civil society with the knowledge and skills to submit shadow reports.

Civil society engagement with human rights mechanisms (EA 7)

At least 10 reports were issued by national non-governmental organizations (NGOs) on the human rights situation in Côte d’Ivoire. This is due in part to the training workshops organized by the HRD on human rights investigation techniques and reporting for more than 100 representatives of civil society groups and NGOs. Sensitization and awareness-raising campaigns focusing on the rights of women and children gathered over 1,000 participants, including traditional leaders and representatives of women’s organizations and local authorities.

Challenges and lessons learned

Due to the tenuous security conditions in the immediate aftermath of the November 2011 elections, most UNOCI staff was evacuated. As a result, the operational capacity of the Human Rights Division was greatly reduced. During this period, which coincided with the deterioration of the human rights situation, the Division was prompted to focus all its available capacity on monitoring and documenting massive and serious human rights violations and abuses. Only in June 2011 did the situation return to some normalcy and the Division was able to resume its other activities.

The Human Rights Call Centre set up by UNOCI to register allegations of human rights violations that occurred during and after the elections.
At that point, amendments had to be made to adjust the workplan in accordance with the new realities on the ground, such as the reconciliation process and reform of the army. As the lead agency on transitional justice, OHCHR and the HRD had to ensure that the Dialogue, Truth and Reconciliation Commission would be in conformity with international human rights standards, that a comprehensive transitional justice strategy was adopted and implemented and that Human Rights Council resolution A/HRC/17/21 was implemented.

African Union-United Nations Hybrid Operation in Darfur

<table>
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<tbody>
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*Background*

In 2011, two positive developments occurred that will have a bearing on the human rights situation in Darfur in 2012 and beyond. The first was the review of the Sudan under the Universal Periodic Review (UPR) and the second was the May 2011 signing of the Doha Document for Peace in Darfur (DDPD) between the Government and one of the rebel movements in Darfur, the Liberation and Justice Movement (LJM). The DDPD contained substantive provisions on human rights and provided for the establishment of human rights and justice institutions, such as the National Human Rights Commission, the Darfur Truth and Reconciliation Commission and the Special Criminal Courts to address widespread impunity in Darfur. Both developments have opened up opportunities for the Human Rights Component to advance the human rights agenda in Darfur through technical cooperation, capacity-building and advocacy.

Challenges, however, remain. Impunity for past and current violations of human rights and humanitarian law is a recurring concern. Public confidence in law enforcement and the administration of justice remains low, especially in relation to sexual violence offences. The ongoing state of emergency has restricted space for the exercise of civil and political rights. Expectations abound that the implementation of the DDPD will facilitate the fight against impunity and allow for an enabling environment in the exercise of fundamental rights and freedoms.

The Human Rights Section (HRS) continues to implement the human rights mandate of the African Union - United Nations Hybrid Operation in Darfur (UNAMID). Its human rights initiatives contribute to the mission’s advocacy on the protection of civilians from a human rights perspective. The HRS also undertakes human rights capacity-building initiatives, specifically with State institutions such as law enforcement, security and defence. Capacity-building, notably on sexual and gender-based violence (SGBV), is also facilitated by the HRS for the national police’s Family and Child Protection Unit, as well as medical and social welfare personnel.

*Results*

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

- The Government of the Sudan responded positively to 10 out of 11 cases of human rights violations raised by the HRS, including: (i) three cases involving minors and the principles of juvenile justice; (ii) three interactions regarding conditions of detention in three prisons; (iii) the issue of the death penalty imposed following a riot by prison inmates in the main prison in Darfur; and (iv) three cases of arbitrary arrest and detention of UNAMID national staff. On the other hand, HRS’s continued advocacy with the Government regarding access to detention facilities and detainees remained unsuccessful.

- Some components of the justice system have taken steps to monitor, investigate and ensure redress for violations of civil and political rights, such as the judiciary and police. Yet service delivery has been slow due to human resource constraints (judiciary), lack of technical capacity of personnel (law enforcement and corrections), and irregular reporting to the police about civil and political rights violations and/or incidents of abuse. The HRS, at times with relevant partners, undertook a total of 40 human rights capacity-building initiatives during 2011 to strengthen State institutions. In west and south Darfur, improved responses of law enforcement began to be observed towards the end of 2011.

**Participation (EA 5)**

- Women in Darfur have had some success in placing SGBV laws and policies on the agenda under the auspices of the State Committees for Combating Violence against Women. The HRS supported the State Committees in implementing their annual workplans and built the capacity of Committee members and women’s groups to improve their understanding of, and advocacy on, SGBV issues to enable them to engage in effective dialogue with authorities.
Internally displaced persons and human rights defenders were represented in the civil society track of the Doha peace process. The HRS advised the Joint Mediation Support Team regarding civil society participation in the Doha peace talks and collaborated with UNAMID Civil Affairs Section to apply a human rights-based approach to the participant selection process and by briefing civil society participants on human rights and justice issues prior to the peace talks.

State engagement with human rights mechanisms (EA 6)

- By September 2011, the Government had implemented 26 of the 44 recommendations formulated by the Group of Experts on Darfur in 2007. The HRS facilitated the implementation of recommendations pertaining to the judiciary, law enforcement, security and SGBV.
- Sudan submitted its report to the UPR in May 2011 and presented it in September 2011. The HRS provided technical advice to the Government.

Civil society engagement with human rights mechanisms (EA 7)

- Civil society actors submitted a report on the human rights situation in the Sudan, including Darfur, to the UPR. Advice on reporting was provided by the HRS.

Human rights mainstreaming within the United Nations (EA 11)

- Human rights have been included in the peace process, largely as a result of the advocacy work and active engagement by the Human Rights Component of UNAMID. The outcome document, the Doha Document for Peace in Darfur, which was signed in May 2011 by the Government of the Sudan and the LJM, fully integrates human rights and justice concerns.
- UNAMID and the UNCT in Darfur applied human rights-based approaches to the conceptualization, development, implementation, monitoring and evaluation of the Integrated Strategic Framework (ISF) for Darfur. The HRS participated at every stage of the ISF, providing technical advice and reporting on the implementation of activities.

Challenges and lessons learned

Key factors that affected the implementation of the human rights mandate in Darfur in 2011 include: (i) the unpredictable security situation that impedes the HRS’s ability to monitor and report on the human rights situation in affected areas in a timely manner; (ii) the capacity deficit of national actors on human rights issues due to the absence of a culture of human rights and an independent national human rights institution that could effectively monitor, investigate and advocate for judicial redress for human rights violations; (iii) the weak and unbalanced presence of law enforcement and judicial institutions resulting in low reporting, access to justice challenges for rights-holders and related impediments to the exercise of the right to a fair trial; (iv) continuing impunity and lack of accountability for crimes and human rights violations resulting in few prosecutions and low reporting rates; (v) the lack of an enabling environment that fosters the full enjoyment and exercise of civil and political rights, free from fear, intimidation and reprisals; and (vi) the unequal enjoyment of economic and social rights.

The combined advocacy of UNAMID, UNICEF and the Joint Chief Mediator resulted in the Supreme Court of Sudan rejecting a decision of the Nyala Special Court (Lower Court) for lack of due process and recognition of the three accused persons as “minors.” This led to the commutation of their sentences from “death penalty” to “reformatory.”
United Nations Joint Human Rights Office in the Democratic Republic of the Congo

Year established | 1996 (as a stand-alone office) and 2008 (integration with the Human Rights Division of DPKO)
Staff as of 31 December 2011 | 104

Background

The human rights situation in the Democratic Republic of Congo (DRC) is worrying. The year 2011 began with mass rapes and other grave violations of international law against civilians in Bushani and Kalambahi in North Kivu province on 31 December 2010 and 1 January 2011. These violations were attributed to units of the DRC Army (the FARDC) and reported on by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the High Commissioner for Human Rights in July 2011. In eastern DRC, the FARDC undertook military operations against foreign and Congolese armed groups. Armed groups in turn committed reprisal attacks and looting to dissuade or punish communities perceived to be cooperating with the FARDC.

Accountability for human rights and humanitarian law violations remain of concern, although military courts have progressively handed down judgments against middle-rank army and police officers who were deemed responsible for violations. Some notable cases of impunity continued to evade justice, including the Mai-Mai Cheka militia group, responsible for mass rapes in Walikale, North Kivu in August 2010. In a number of trials of FARDC officers identified by the UN Security Council for involvement in sexual violence, courts handed down legally unsound verdicts in favour of the suspects.

A high number of human rights violations were committed against journalists and human rights defenders in the lead-up to DRC’s November 2011 presidential elections. While some improvements were noted among elements of the police in the pre-electoral period, the use of security services against opposition political parties was a concern. The electoral period witnessed instances of inter-ethnic conflict that was fanned by incitement among political contenders and resulted in instances of mass displacement of civilians.

The United Nations Joint Human Rights Office (UNJHRO) of MONUSCO contributes to strengthening respect for human rights and combating impunity by investigating and publicly reporting on human rights violations; accompanying judicial officials in joint investigations to urge the prosecution of perpetrators; protecting human rights defenders, victims, and witnesses; and strengthening access to justice for victims of sexual violence. UNJHRO also strengthens MONUSCO’s peacekeepers in providing protection to communities at risk of conflict and supports implementation of the UN policy which makes UN support to the DRC Army contingent upon the latter’s compliance with human rights standards.

Results

National laws, policies and institutions (EA 1)

On 28 November 2011, the DRC held presidential and legislative elections. During the electoral process, acts of violence and human rights violations, including incidents of inter-ethnic incitement, were committed by the security forces. On the whole, however, the scale of violence was less than that seen in 2006. In the build-up to elections, UNJHRO focused on ensuring respect for human rights, inter alia, through: releasing a public report on human rights violations committed in the months preceding the elections; increased monitoring of human rights abuses related to the electoral period by its field offices; providing resources to partner non-governmental organizations (NGOs) to conduct monitoring; and undertaking high-level preventative missions with the MONUSCO leadership to electoral conflict hot-spots to discourage the use of violence. As of the eve of the elections, UNJHRO offices had trained over 2,000 Congolese police officers on standards for crowd control and public liberties in an electoral period and conducted outreach activities that reached 6,875 participants including State officials, politicians, police, civil society and the media. During the period immediately preceding the vote and the weeks thereafter, the UNJHRO provided material support and technical assistance to the toll free number of the Réseau National des ONG des Droits de l’Homme de la République Démocratique du Congo (RENADHOC) and put in place a free hotline, manned by UNJHRO staff, to receive calls and information related to alleged human rights violations or acts of violence.

The UNJHRO deployed seven joint investigation teams (comprised of UNJHRO human rights
officers, DRC civilian or military prosecutors and judicial police officers) in order to: gather information on incidents which would enable the opening of criminal investigations and prosecutions; and provide material/logistical support for the holding and observance of the proceedings of 30 court hearings (including mobile court hearings) across the DRC. As a result of these trials, 276 judgments were handed down by Congolese courts; 22 of which were convictions for serious crimes under international law, including war crimes and crimes against humanity.

**Justice and accountability mechanisms (EA 3)**

- In 2011, specialized units were established within the Prosecutors’ Offices to investigate and prosecute crimes of sexual violence and will be followed by a project in 2012 (within which UNJHRO plays an advisory role) to deploy women prosecutors and magistrates to selected courts in eastern DRC. The UNJHRO delivered a major training programme to judicial police officers and provided material support to the Specialized Police Units for Crimes Against Women and Children.

- In March 2011, OHCHR sent a high-level delegation to the DRC to consult with the DRC Government, UN system and other stakeholders on follow-up measures to the OHCHR Report in the DRC: Mapping human rights violations 1993-2003. The Mission shared OHCHR’s comments on a bill drafted by the Ministry of Justice to establish a specialized court to try crimes such as those documented in the Mapping Report. The Mission also outlined OHCHR’s approach to ensuring follow-up to the report which entails: ensuring broad-based consultations, including with civil society; providing leadership and coordination for national and international actors interested in supporting transitional justice in the DRC; and providing substantive support to specific transitional justice undertakings, such as the establishment of the Specialized Court and vetting of DRC’s security sector institutions.

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

- During the year, there was an increase in the number of victims, in particular of sexual violence, who were able to seek legal redress, in part due to legal assistance provided by legal clinics and free legal consultation bureaus run by bar associations. Victims and witnesses of human rights violations whose perpetrators had been charged for crimes were also able to participate in a number of trials. This was due to protection and advocacy measures offered by UNJHRO, which ensured they were not subjected to harassment, intimidation or reprisals and that the trials were not conducted in a manner that would compromise the security and dignity of victims and prosecution witnesses. In 2011, JHRO extended its Programme on Access to Justice for Victims of Sexual Violence from two provinces (North and South Kivu) to an additional seven provinces, bringing the programme’s coverage to nine out of DRC’s 11 provinces. The expansion of the programme resulted in a substantial increase in the number of legal clinics assisting victims of sexual violence and the number of victims of sexual violence who received legal redress. In the seven provinces to which the programme was extended, UNJHRO supported a total of 39 legal clinics which provided legal assistance in judicial proceedings to 2,263 victims of sexual violence out of 12,311 individuals who visited the clinics with a complaint. Of the 2,263 victims assisted in court, 719 cases resulted in a judicial verdict or judgment. Only 14 of these judgments are, however, actually being executed. Through both the Protection Programme and the Programme on Access to Justice for Sexual Violence Victims, the UNJHRO enabled the participation of victims and witnesses in court proceedings who would otherwise have been absent due to travel costs and fears of reprisals from perpetrators. In sexual violence cases, the participation of 1,491 victims and witnesses was supported in 28 mobile court hearings during which 319 cases were tried. The UNJHRO’s Protection Programme also offered protection to victims and witnesses in major trials, such as the criminal trials of the five FARD officers identified by the UN Security Council for involvement in sexual violence.
**State engagement with human rights mechanisms (EA 6)**

- With UNJHRO’s assistance, the Government presented a 60-page ‘Plan de mise en œuvre des recommandations des droits de l’homme’ to the Human Rights Council’s session in 2011. The Plan identified outstanding recommendations, Government departments (and partners) responsible for their implementation and tentative time and cost estimates. The plan, however, has limitations in terms of concrete targets, deadlines and a commitment of resources towards its achievement. The Government failed to take immediate steps to implement the plan following its presentation to the Council.

- The Government’s Interministerial Committee responsible for preparing State Party reports to the international human rights treaty bodies prepared the overdue 16th, 17th and 18th reports to the Committee on the Elimination of Racial Discrimination. UNJHRO supported the convening of the Committee to prepare a first draft of the consolidated report and to review/validate the draft report, which should be ready for submission in 2012.

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

- Human rights concerns and approaches are strongly reflected in the DRC’s United Nations Development Assistance Framework (UNDAF) (2012-2017) which was developed in 2011. Two of the UNDAF’s six outcomes are human rights-focused, namely: “DRC’s institutional framework and civic structures are strengthened to promote human rights and development in the DRC” (Governance Outcome) and “All of DRC’s regions register significant progress in the protection of civilians in armed conflict, respect for human rights and the reduction of conflicts” (Peace and Stabilization Outcome). During the UNDAF prioritization workshop, UNJHRO served as the lead resource on mainstreaming a human rights-based approach (HRBA) into the UNDAF, delivering a substantive presentation on HRBA and auditing the draft UNDAF results frameworks.

- In mid-2011, the UNJHRO deployed the first OHCHR-funded human rights officers to a peacekeeping mission dedicated to the protection of civilians in eastern DRC which continues to face intense armed conflict. The deployment of nine international human rights officers to perform these tasks was only completed in late 2011. Thus far, UNJHRO has increased its participation in various Protection of Civilians Missions in eastern DRC, in particular for at-risk or ‘Must-Protect’ areas that have been identified as needing priority measures to protect civilians at risk of armed conflict. UNJHRO has also strengthened MONUSCO’s decision-making process for monitoring the effective implementation of recommendations made to peacekeepers for the protection of civilians.

- With regard to integrating human rights into UN peacekeeping, global developments took place in 2011 emanating from UNJHRO/MONUSCO’s work in relation to conditioning UN support to national security forces based on the latter’s compliance with human rights standards. Although this global development is not directly attributable to UNJHRO’s work, the DRC served as a noteworthy test case of human rights-based conditionality by the UN. On 13 July 2011, the Secretary-General’s Policy Committee adopted a UN-wide Human Rights Due Diligence Policy (Decision No. 2011/18), which requires that UN support to non-UN security forces is consistent with international law obligations to respect and protect human rights and international humanitarian law.

**Challenges and lessons learned**

A number of factors impeded progress achieved towards establishing a State-owned mechanism to vet and remove personnel in the security sector based on their past or current human rights conduct, including the following: the Government of DRC showed little inclination to engage in multilateral comprehensive security sector reform and instead gave preference to bilateral arrangements to provide ad hoc assistance to parts of its security sector; MONUSCO’s mandate, as re-defined in the transition from MONUC to MONUSCO in UN Security Council resolutions 1925 (2010) and 1991 (2011) did not retain the vetting of security forces as a mission objective as had previous resolutions; and transitional justice, which deems the vetting of public institutions, including the security services, as a fundamental pillar, also registered limited progress.

Following the late 2010 release of the OHCHR Report, “DRC: Mapping human rights violations 1993-2003” (which recommended vetting among transitional justice mechanisms), the DRC Government’s follow-up measures exclusively focused on the potential for the prosecution of perpetrators through a specialized court rather than other measures, such as vetting. In August 2011, the DRC’s Senate rejected a draft bill to establish the Specialized Court, citing: concurrent legislation which would grant jurisdiction over these crimes to different courts; the granting of a special status to the Court’s judges that was different from the rest of the
Congolese judiciary; and the presence of international judges on the proposed Court. The Senate also objected to the Court being exempted from current Constitutional privileges which limit the types of courts before which holders of high public office (the President, Cabinet members, Members of Parliament) may be tried. This development underscored the need for consultations with Government, civil society and donors to build broad-based support for transitional justice.

Structural weaknesses in the rule of law are an underlying challenge to improving DRC’s human rights situation. Even when military courts charge those responsible for serious crimes, they are impeded by military commanders who protect their subordinates. It appears that until military operations end in eastern DRC, the alliances forged by the central Government will continue; keeping local warlords in power, within the army and out of the reach of justice.

The DRC witnessed an extraordinarily high number of organized prison escapes, often committed with the complicity of poorly paid prison staff. In a single jailbreak in Katanga province, over 300 inmates escaped, including persons convicted for war crimes and crimes against humanity. These recurrent escapes from prisons meant that victims and witnesses who had testified against the fugitives, and the prosecutors and judges who tried them, were at serious risk of reprisals. Gains achieved in addressing impunity by convicting perpetrators of sexual violence were often wiped out by these escapes. MONUSCO’s Corrections Section is working to address this concern.

A significant lesson learned in 2011 was the importance of working closely (within a peace mission) with all other mission components to mitigate and prevent human rights violations during an electoral period. UNJHRO’s close interaction with the leadership and other parts of the mission, including UN police and the public information and political divisions, was critical to preventing and investigating human rights violations.

United Nations Peacebuilding Support Office in Guinea-Bissau

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<th>Year established</th>
<th>1999 (as the Human Rights Section of UNOGBIS; as an integrated mission since 2010)</th>
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Background

Guinea-Bissau has started implementing recommendations emanating from the Universal Periodic Review (UPR) through: ratifying international and regional human rights treaties; submitting reports to treaty bodies; adopting laws prohibiting female genital mutilation (FGM) and human trafficking; preparing for the adoption of new laws (domestic violence and witness protection); revising key legislation, including a partial revision of the Code of Penal Procedures; and preparing for the revision of other legislation. In addition, Guinea-Bissau has issued an open invitation to special procedures and two visits by special rapporteurs are scheduled for 2012. Progress has also been achieved with regard to strengthening the capacity of the National Human Rights Commission and Members of Parliament, security and defence forces and enhancing the administration of justice through the adoption of a national policy for the justice sector.

Serious human rights challenges nevertheless remain, such as the need for security sector reform that incorporates principles of human rights and gender equality; continued justice sector reform, including a constitutional review and the enacting of important legislation; strengthening the national legal framework; enhancing the independence of national human rights institutions (NHRIs) according to the Paris Principles; and strengthening the implementation capacity of State institutions and civil society organizations (CSOs).

The main human rights violations in Guinea-Bissau include arbitrary and illegal arrests and deterioration of detention conditions; widespread sexual and gender-based violence; child abuse and rape; domestic violence; harmful traditional practices; abuse of power by security and military authorities; lack of independence of the judiciary and systematic use of traditional justice as a result of the lack of effective State institutions as well as the centralization of State administration.
The current format of the Human Rights Section was created in January 2010, with the establishment of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNIOGBIS) as an integrated mission, and represents OHCHR in the country. Based on Security Council resolutions 1876/2009, 1949/2010 and 2030/2011, the Section is mandated to undertake human rights promotion, protection and monitoring activities and support the institutionalization of respect for the rule of law and the fight against impunity. OHCHR has supported all aspects of the implementation of the mandate, including in relation to UPR recommendations and the fight against impunity. It has also contributed to the implementation of security sector and justice sector reform and the strengthening of the capacity of the National Human Rights Commission, Members of Parliament, security and defence forces and CSOs.

Results

National laws, policies and institutions (EA 1)

- As a result of the UPR process which started in 2010, the Government has domesticated several international and regional human rights treaties (the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)), adopted laws against FGM and human trafficking and is in the process of adopting new laws on domestic violence and witness protection. OHCHR provided inputs to the draft laws prohibiting FGM and human trafficking and a National Policy on Gender Equality and Equity which is to be adopted in early 2012.

- OHCHR also contributed, together with other partners, to strengthening coordination among national institutions responsible for the administration of justice. Due to a coordinated approach, violators of the newly adopted law on FGM were brought to justice and prosecuted; demonstrating that impunity is no longer tolerated.

- A study on violence against women was prepared and published with the support of UN Women, UNFPA and UNIOGBIS/OHCHR. The study enabled national authorities to measure the problem of gender-based violence, revise strategic documents, readjust the draft Policy on Gender Equality and Equity, as well as the draft law on domestic violence. OHCHR facilitated coordination among UN Gender Thematic Group members who dealt with matters related to women’s empowerment, women’s rights and sexual and gender-based violence. OHCHR also supported training on violence against women and assisted with the preparation of the women’s economic and social empowerment project funded by the Peacebuilding Fund under the “Gender Promotion Initiative.”

- OHCHR helped strengthen the capacity of law enforcement officials, including in the penitentiary system, through training, monitoring, reporting and advising respective authorities on necessary measures. This contributed to a significant reduction of arbitrary detentions and ill-treatment in prisons and detention centres and prompted the creation of an interdisciplinary committee to provide support to authorities for the adequate management of the penitentiary system.

- Training was provided to defence forces throughout the country and resulted in improved awareness of international human rights standards, the role of the military in human rights promotion and protection and better knowledge of the Economic Community of West African States (ECOWAS) Code of Conduct and national legislation that is applicable to the military. The trainings also contributed to the establishment of a military judiciary police and allowed military institutions, such as the Military Prosecutor and the Superior Military Court, to work more autonomously. As a result of the advocacy and training of the Human Rights Component, the need for a military justice code and a code of military discipline was identified. Both instruments are currently under discussion and likely to be issued in 2012. In addition, the training-of-trainers manual for the military has become a tool for mainstreaming human rights into security sector reform.

Justice and accountability mechanisms (EA 3)

- A Guardian system within the Office of the Prosecutor General to protect against child abuse was established, partly as result of the Human Rights Component’s advocacy in terms of fundraising and technical support. The Human Rights Component also strengthened the coordination and oversight role of the Guardian ad litem system over the judiciary police with regard to child protection.

- The Human Rights Component facilitated the creation of an interdisciplinary committee to ensure compliance of prisons and detention centres with international standards for detention. The Committee is made up of Government departments in charge of the penitentiary system (Ministries of Justice, Interior and Health), the
Office of the Prosecutor General, courts, ICRC, non-governmental organizations (NGOs), the European Union and the Human Rights Working Group. As a result of monitoring findings in the area of the administration of justice, the Government agreed to the creation of an integrated structure for the administration of the corrections system. OHCHR provided technical support for the drafting of the terms of reference of the structure, which is expected to be created in early 2012.

The role of civil society in human rights protection and monitoring was enhanced through the creation of a national forum for coordination and information sharing among CSOs with regard to cases of human rights violations, joint monitoring and reporting, assessments and training activities. Civil society and the NHRI issued public statements on violations of human rights and the rule of law.

Human rights mainstreaming within the United Nations (EA 11)

Gender was mainstreamed in the Second Poverty Reduction Strategy Plan (PRSP II) and the United Nations Development Assistance Framework (UNDAF). OHCHR contributed to the identification of the elements to be integrated into the PRSP II and the formulation of a human rights dimension. As a member of Outcome Group II and leading partner for the implementation of Benchmark II of the UNDAF Plus, OHCHR provided technical support to the Strategic Planning Group to ensure the integration of human rights into the UNDAF Plus. As a result, the Poverty Reduction Strategy Paper includes, for the first time, a human rights dimension as a cornerstone for peace consolidation, poverty reduction and stability. In addition, human rights have been integrated in Outcome Group IV as a basis for security and justice sector reform.

Challenges and lessons learned

Sustained reinforcement of the capacities of national institutions and civil society organizations is required to enhance human rights protection, coordination among all stakeholders, monitoring and reporting.

One of the lessons learned was that the strong engagement of Government, State institutions, civil society organizations, including belief groups, combined with a well-coordinated approach and joint strategy among all partners, is most likely to yield tangible results. Proof of this position is the adoption of two important new laws on FGM and human trafficking.
United Nations Mission in Liberia

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</table>

**Background**

Encouraging progress was achieved in Liberia, including through instilling human rights in the security sector, the development of a national human rights action plan and the promotion and protection of the rights of disempowered persons, such as women, children and persons with disabilities. A number of human rights challenges nevertheless remain, such as deficiencies in the administration of justice, pervasive sexual and gender-based violence and the lack of fulfilment of economic and social rights.

OHCHR carries out its activities in Liberia through the Human Rights Component of the United Nations Mission in Liberia (UNMIL). In 2011, the Human Rights and Protection Section (HRPS) prepared for the planned UNMIL draw-down by developing the capacity of Government authorities to fulfil their human rights obligations and equipping civil society with the knowledge and tools to claim their rights.

On the eve of the run-off election, however, Liberia’s security forces reportedly used excessive force while responding to protestors from the Congress for Democratic Change (CDC). This resulted in the death of at least one person, with several others sustaining injuries and bullet wounds. HRPS monitored detention and health facilities and followed up with relevant stakeholders, including the Special Independent Commission of Inquiry established by the President to investigate the circumstances surrounding the events and identify those responsible.

The post-electoral crisis in Côte d’Ivoire prompted a massive influx of refugees into Liberia, triggering human rights, humanitarian and security concerns and exerted immense pressure on the resources of host communities. HRPS took the lead on the question of the internment of suspected Ivorian armed elements.

In 2011, HRPS achieved significant results in increasing broad-based participation in the Government’s development processes. It also ensured the United Nations Country Team (UNCT) applied a human rights-based approach (HRBA) to its programming, including in relation to Liberia’s Second Poverty Reduction Strategy Paper (PRSP II 2012-2017).

**Results**

National laws, policies and institutions (EA 1)

- In June, the Liberia Legislative Staff Human Rights Association was established with the objective of promoting the domestication of international human rights instruments. HRPS contributed to its establishment through technical support. Technical and financial gaps were identified in the process and an agreement was reached to address these gaps through international cooperation.

- HRPS, together with national and UN partners, participated in the development of the Children’s Act, a child justice curriculum and ethical guidelines for professionals working with children in conflict or in contact with the law. HRPS’ input included ensuring that human rights were mainstreamed in relevant legislation and policies. The comprehensive and human-rights compliant Children’s Bill was signed by the President in February 2012.

- The Senate adopted the Decent Work Law in 2011. In collaboration with ILO, HRPS provided technical advice to the Ministry of Labour on a capacity development plan to oversee the implementation of the Law and monitor its compliance with international human rights standards.

- HRPS also provided technical support to the National Human Rights Action Plan (NHRAP) Steering Committee and its subcommittees which initiated consultations with State and civil society actors. A first outline of the plan was formed during the consultation workshops. HRPS provided technical support to data analysis related to the National Human Rights Survey, capacity development of the Liberia Institute of Statistics and Geo-Information Services (LISGIS) on human rights statistics and the formulation of human rights indicators for the NHRAP and national development policies.

- In addition, HRPS provided technical advice to the Independent National Commission on Human Rights and the newly created National Commission on Disabilities. HRPS assisted them with the formulation of their respective strategic plans in line with international standards for human rights institutions. HRPS also advised the Human Rights and Disability Task Force which helped civil society organizations to view disability from a human rights perspective and advocated for the establishment of the National Commission on Disabilities.

- Human rights training has become an established practice in the Liberia National Police, the Bureau of
Immigration and Naturalization and the armed forces of Liberia, following efforts by HRPS during which instructors promoted human rights standards and peer-monitoring of personnel. A training programme was conducted for personnel of the Special Security Service to integrate human rights standards into their training and operations systems.

The Ministry of Planning and Economic Affairs (MPEA) hosted a national workshop to familiarize its staff with the concept of HRBA to mainstream human rights in Liberia’s PRSP II 2012-2017 with technical advice and training from HRPS and UNDP. The workshop enhanced dialogue between the MPEA and civil society on the monitoring of local development processes and the rights of persons with disabilities. As a result, a briefing paper analysing the Liberian National Budget for 2011-2012 from a human rights perspective was presented to the legislature by civil society organizations.

The National Investments Commission (NIC) endorsed a Ten Principles Framework on Business and Human Rights. The Framework enumerates business and human rights standards for NIC when negotiating and developing concession agreements and monitoring and advising business operations. This came about following training sessions conducted by HRPS on the subject for departmental staff of NIC. As a result of HRPS’s technical support, stakeholders in the public and private sectors and civil society, including the Liberia Chamber of Commerce, undertook initiatives to promote the adoption of human rights standards by business enterprises.

Participation (EA 5)

Civil society networks were able to gather data and monitor the implementation of a human rights-based approach in Liberia’s Poverty Reduction Strategy and County Development Agendas in relation to health, education and the rights of persons with disabilities in five counties, with technical support provided by HRPS.

Results of a pilot project on the new Freedom of Information Law, the County Development Fund (CDF) and Social Development Fund (SDF), implemented in three counties, with support from the World Bank, included the: (i) establishment of a civil society human rights and budget network for budget monitoring and advocacy on various sectors, including health, at county level; (ii) production of a booklet to enhance the capacity of local civil society organizations to monitor accountability and transparency of CDFs and SDFs; and (iii) creation of a database containing over 300 active civil society organizations in 15 counties in order to strengthen civil society engagement in.
the 2012 PRSP II nationwide consultation processes. HRPS provided technical support and played a facilitating role in the project.

- A briefing paper analysing Liberia’s National Budget for 2011-2012 from a human rights perspective was presented to the legislature by civil society organizations. The process began with the MPEA hosting a national workshop on mainstreaming human rights in Liberia’s PRSP II 2012-2017 to which HRPS and UNDP provided technical advice and training. A dialogue was then established between the MPEA and civil society on the need to monitor development processes which led to inputs from civil society on Liberia’s national budget. Civil society networks also monitored the implementation of Liberia’s Poverty Reduction Strategy and County Development Agendas in the areas of health and education.

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

- Following its review under the Universal Periodic Review (UPR) mechanism, the Government began implementation of its recommendations (see above).

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

- A human rights-based approach to monitoring and evaluation was included in the United Nations Development Assistance Framework (UNDAF). The Monitoring and Evaluation Technical Support Group to the Inter-Agency Programming Team (IAPT) collaborated with UN agencies on mainstreaming human rights, gender and results-based management in UNCT projects and programmes. As a result, a database is being developed as a common tool and reference for individual agencies and to facilitate joint programming. HRPS spearheaded these initiatives as the lead organization on mainstreaming human rights into the work of the United Nations.

- Human rights were integrated in the justice sector and human rights capacity was enhanced, including through the Pre-trial Detainees Taskforce which is mandated to address issues concerning pre-trial detainees. Thanks to the efforts of the Taskforce, among other factors, the percentage of pre-trial detainees decreased in 2011. The HRPS, together with other partners, contributed to this result by monitoring activities and advising the Government on the establishment of appropriate mechanisms for the appointment of judges, magistrates and public defenders, effective record keeping and improved coordination between police and prosecutors.

**Challenges and lessons learned**

There has been continued progress in building a foundation of knowledge and capacity among a range of State actors to promote and protect human rights. A sustainable initiative has been undertaken in the security sector by trained human rights instructors to promote human rights standards through training of their peers. There is a need, however, to focus on the Emergency Response Unit (ERU) and the Police Support Unit (PSU), the only armed elements within the Liberia National Police (LNP), as they showed weaknesses in performing according to human rights standards during student demonstrations in March 2011 and events in November 2011 at the CDC Party headquarters.

Another challenge has arisen due to the fact that the recently established national human rights institution has not met the expectations of the Liberian people due to internal disputes. The HRPS has had to revise its originally projected programme of technical assistance to the institution.

**A vegetable farm in Lofa County helps young vulnerable women live dignified lives**

In Lofa County, the number of young women living in extreme poverty is high. Typically, many are undereducated and face numerous economic and social challenges. Some of these women are not supported by their families and have been abandoned by their partners. As job opportunities in Lofa are scarce, especially for illiterate young women, they are left vulnerable to sexual exploitation and gender-based violence. As a last resort, some have become engaged in exploitative prostitution.

The Young Women Empowerment Sustainable Organization (YWESO) is a grassroots civil society organization in Voinjama created by a few educated young Liberian women who were affected by the plight of their less fortunate sisters. Their objective is to save vulnerable women from sexual exploitation. They address the root causes of exploitative prostitution which include poverty, lack of education and unemployment. OHCHR supported the establishment of a vegetable farm near Voinjama by providing funds for farming tools, vegetable seeds and the initial cleaning of the farmland. The farm is managed by YWESO and provides training in farming skills and alternative livelihood opportunities for 25 vulnerable women. It is an opportunity to promote economic and social rights in a rural environment and develop the capacity of the women to realize and fully enjoy their rights.
United Nations Integrated Peacebuilding Office in Sierra Leone

| Year established | 1998 |
| Staff as of 31 December 2011 | 8 |

**Background**

Sierra Leone has made progress in building capacity for the promotion and protection of human rights. An active multiparty democracy has evolved and the enactment of crucial laws in 2011, including the Persons with Disability Act, improved the legal framework which protects vulnerable persons. Customs and traditions, however, still promote harmful practices and discrimination that prevent the full implementation of these laws. The Human Rights Commission of Sierra Leone (HRCSL) made substantial progress in 2011, culminating in the awarding of “A” status by the International Coordination Committee of National Human Rights Institutions (ICC). The country actively engaged in the Universal Periodic Review (UPR) process and the implementation of UPR recommendations has begun. The socioeconomic conditions remain extremely challenging and the increasing presence of extractive industries in the north is creating serious human rights concerns. Power-sharing and land disputes led to unrest in certain communities. Financial and capacity constraints negatively impacted on the administration of justice and created room for impunity. The upcoming 2012 elections represent one of the major challenges that the country is facing and serious cases of political violence have already been registered. Disproportionate use of lethal force by the police, lack of mechanisms for transparent internal investigation and an indefinite blanket ban on political activities (recently lifted) resulted in multiple violations of fundamental human rights. The constitutional review process and the implementation of crucial recommendations made by the Truth and Reconciliation Commission, including the abolition of the death penalty, have been postponed until after the elections.

OHCHR has been involved in Sierra Leone since 1998 as part of successive UN missions. The field presence engaged with the Government and Members of Parliament in promoting human rights legislation and was instrumental in the achievements of the Human Rights Commission of Sierra Leone (HRCSL). The United Nations Integrated Peacebuilding Mission in Sierra Leone (UNIPSIL) Human Rights Section (HRS) was essential in ensuring the active participation of all relevant actors in the UPR process and built the capacity of civil society to advance human rights in the country. The Section also engaged in training and advocacy activities with a wide range of stakeholders, has continuously monitored the human rights situation and intervened when required. In response to monitoring findings, for instance, new strategies were put in place to enhance coordination between justice sector institutions.

**Results**

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

- The HRCSL made substantial progress in 2011 and as noted above, was awarded “A” status by the ICC in July. The Commission established a Monitoring and Research Directorate to effectively monitor and report on human rights issues. The HRS provided financial and technical support to the implementation of crucial recommendations made by the Truth and Reconciliation Commission, including the abolition of the death penalty, have been postponed until after the elections.

- Several chiefdoms have now formed Chiefdom Human Rights Subcommittees to promote and protect human rights in rural communities. The Section contributed to this result through constant engagement with civil society, and in particular by supporting the District Human Rights Committees.

- In 2011, eight district justice sector coordination fora were held in the area of administration of justice. Their aim is to provide a platform for justice sector stakeholders to discuss monitoring findings and devise practical strategies, including advocacy measures, to improve justice delivery.
The fora resulted in tangible successes, such as the improvement of detention conditions; the release of juveniles detained with adults; the fast-tracking of cases blocked in court; a reduction in the delay of sexual and gender-based violence (SGBV) cases in court (30 SGBV cases that had been awaiting hearings before the High Court for two to three years were finally heard); and the ceasing of arbitrary arrest and detention of people by police without bail. The HRS played an important role in the promotion of these fora.

In a landmark decision, during its first (quasi-judicial) tribunal hearing in June, the Human Rights Commission of Sierra Leone ruled in favour of 235 ex-servicemen of the Sierra Leone Armed Forces (RSLAF) who had been compulsorily retired after having been categorized as “chronically ill” and “mentally unbalanced,” and urged the Government to pay their end of service benefits and issue new discharge cards. The HRS provided technical advice to the HRCSL. Support was also provided by partners of the UN Joint Vision Programme. Supporting the HRCSL’s quasi-judicial function is particularly important because, despite a strong mandate, both the Government and judiciary are reluctant to provide the necessary support to the Commission in this area.

A post-graduate programme in human rights and conflict resolution at the University of Sierra Leone was developed with the support of HRS and a number of its partners. The programme was launched in September 2011 and will be delivered by the University of Sierra Leone in partnership with Scuola Superiore Sant’Anna, in Pisa, Italy.

A draft Gender Equality bill was drafted and submitted to the Government through the Office of the Attorney General. The Section provided technical and advisory services to the Government, in particular to the National Committee on gender-based violence and civil society organizations. In collaboration with the UNIPSIL Political Affairs Section, HRCSL hosted several consultative meetings.

Access to justice and basic services (EA 4)

Training delivered by the HRS in collaboration with HRCSL on SGBV, engaging State agents and utilizing existing mechanisms in cases of violations resulted in the formation of support groups made up of women and men from strategic sectors that disseminate this knowledge in their respective communities, monitor implementation of the laws and provide support to victims wishing to access justice.

In reports of a number of recent cases of SGBV, State actors performed their roles correctly and victims were duly protected. In cases where this did not occur, victims held the authorities accountable. Monitoring and sensitization activities by the HRS helped ensure this result.

Participation (EA 5)

The Section has delivered or supported training to a large number of actors in the justice sector. The participants later shared their knowledge with their own communities, Sierra Leonean peacekeepers, civil society organizations and journalists. The latter immediately made use of the acquired skills in their daily work which contributed to improving the quality and accuracy of reporting the news from a human rights perspective.

As a result of an engagement that began in 2010 and was reported on last year, the Government of Sierra Leone enacted the Persons with Disability Act 2011, which largely fills the gap between Sierra Leone’s international obligations and its national legal framework. Accessibility of persons with disabilities to basic services nevertheless remains a challenge. The Section conducted extensive research on the rights of persons with disabilities which looked into, inter alia, access to health, employment and other economic and social opportunities. It published a public report following this research in order to support the Government in its efforts towards the implementation of the Act. The Government responded positively to some of the recommendations, in particular fast-tracking the establishment of the National Commission on Persons with Disability. In January, a Steering Committee began meeting every two weeks to prepare a plan and time frame. As indicated in the Act, all members of the future Commission will be part of the Steering Committee.

A draft bill on securing a 30 per cent quota for women in decision-making positions has been tabled. The HRS, in collaboration with the UNIPSIL Political Affairs Section, provided technical support and participated in the deliberations leading to this result. Currently, pressure is mounting for the draft bill to be enacted in early 2012 to ensure that the 30 per cent quota will be respected in the upcoming general elections in November 2012.

State engagement with human rights mechanisms (EA 6)

The Government of Sierra Leone, with the support of OHCHR, was able to meaningfully participate in the UPR process. A total of
129 recommendations were issued and the Government accepted all of them except the recommendation related to sexual orientation. The Section’s high-level strategic engagement with the Government continued after the adoption of the report with the organization of a national conference to review the outcome of the UPR. In following up on the outcome report of the conference and the conference resolution, the Office of the President wrote to all relevant ministers and departments directing the mainstreaming of the UPR recommendations into their programmes.

The significant attention paid to the UPR process partially explains why achievements in treaty reporting have been slow and limited to the submission of the common core document. After an intense engagement, the Section succeeded in re-energizing the National Reporting Strategy, triggering high-level commitment and delivering training in treaty body reporting to ministerial focal points. Concrete steps have not yet been taken to follow up on the training. Parallel to this engagement with the Government, HRS provided training to civil society organizations on ‘shadow reporting’ to the treaty bodies.

Civil society engagement with human rights mechanisms (EA 7)

With the support of HRS, the Human Rights Commission played an outstanding role in the UPR by actively participating in the process in Geneva, holding regional consultations with stakeholders ahead of the adoption of the report and organizing a national conference to review the outcome of the UPR for Sierra Leone. Participants included the President of Sierra Leone as well as the Vice-President, cabinet ministers and Members of Parliament, civil society and international development partners.

Important results from the two-day event included a conference resolution, an outcome report with priorities, tasks and responsible actors for follow-up and an agreement to hold another national conference in 2013 to review progress in the implementation of UPR recommendations.

Human rights mainstreaming within the United Nations (EA 11)

In December 2008, UNIPSIL and the UNCT adopted a UN Joint Vision (UNJV) under which they agreed to combine their efforts to further the consolidation of peace. UNIPSIL and the UNCT have established common facilities and services such as joint regional offices, a multi-donor fund, a joint strategic unit, a medical facility, security services and a vehicle repair shop to enable the UN to deliver its services holistically by maximizing synergies and avoiding duplication and overlapping interventions.

The Section observed that in the past, the UN directly supported the Government in producing reports to the treaty bodies. While this support was instrumental in achieving submission of the reports to the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women, it did not take into consideration the existing national reporting strategy which is valid for all State Party reports to the treaty bodies and establishes the Human Rights Secretariat of the Ministry of Foreign Affairs and International Cooperation as the lead agency. UN agencies dealt directly with relevant ministries, thereby sending contradictory messages and jeopardizing HRS’s capacity-building efforts in this sector. In addition, UN agencies previously recruited consultants to write the reports rather than building the capacities of national actors to do so. The Section raised this issue at the UNCT level and sought better coordination on treaty reporting. As a result, UNIPSIL and the Human Rights Secretariat of the Ministry of Foreign Affairs are actively involved in the production of the next periodic report to the Committee on the Rights of the Child.

The coordination among partners of the UNCT through its UNJV Programme 2 on “Access to Justice and Human Rights” was strengthened by pooling resources in joint activities ranging from trainings to support in launching a post-graduate university programme in human rights and conflict resolution and the publishing of a joint newsletter on human rights entitled “2gether.”
Challenges and lessons learned

In response to coordination flaws in justice sector institutions, UNIPSIL promoted the establishment of coordination fora among justice sector institutions. The successes of this initiative have shown that promoting regular exchange of information and enhanced coordination among key actors at local levels can contribute to addressing profound challenges with few resources.

In terms of treaty reporting, achieving the Section’s expected accomplishments proved challenging. Partly due to the Government’s focus on the UPR, the undertaking of concrete steps on treaty body reporting started late in the year. In addition, capacity constraints in the Government undermined efforts to work consistently on this objective. Thus, despite the support of UNIPSIL and the Government’s overall commitment, results are limited.

### United Nations Political Office in Somalia

<table>
<thead>
<tr>
<th>Year established</th>
<th>2008</th>
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<tbody>
<tr>
<td>Staff as of 31 December 2011</td>
<td>9</td>
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</table>

### Background

While the regions of Somaliland and Puntland enjoy relative stability, south-central Somalia continues to be plagued by armed conflict characterized by violations of human rights and humanitarian law. The famine that affected the Horn of Africa in 2011 resulted in massive displacement and aggravated the human rights crisis in Somalia. It also created acute protection concerns, such as the emergence of sexual violence against internally displaced women and girls.

In 2011, armed extremists were responsible for massive human rights violations. Due to a climate of heightened insecurity, certain categories of people were singled out for targeted assassinations, including journalists, traditional and religious leaders, as well as Government officials and judges. On the other hand, arbitrary arrest and detention by the Somali authorities on suspicion of linkages to insurgents, lack of due process and substandard detention conditions are widespread. Democratic space is restricted, as indicated by the frequent arrest and incarceration of journalists in all parts of the country on charges of defamation and slander.

Minimum core elements of economic and social rights, including the rights to health, food and education, remain unmet. Discrimination, in particular against women and minority clans, remains a serious concern. Somali institutions lack the capacity and resources to meet their responsibilities vis-à-vis human rights.

In 2011, military offensives by the Transitional Federal Government (TFG) and the African Union Mission in Somalia (AMISOM) combined with tactical withdrawals by Al Shabaab led to territorial gains for the TFG and made possible the redeployment into Somalia of the United Nations Political Office for Somalia (UNPOS), which had been organizing its operations in Somalia from Nairobi. While opportunities for progress in the area of human rights have opened up, the security situation remains volatile and the political situation unstable as the transition period approaches its end in August 2012.

The Human Rights Unit (HRU) was created within UNPOS in 2008 with the broad mandate to carry out monitoring and capacity-building in the area of...
human rights. Somalia engaged actively in the Universal Periodic Review (UPR) process in 2011 and the UPR recommendations chart a comprehensive vision for improving the human rights situation in Somalia. Following the adoption by the Human Rights Council of several resolutions calling on OHCHR to support the Somali authorities through technical cooperation in the area of human rights and at the request of the TFG, a Memorandum of Understanding is expected to be signed in 2012.

Results

National laws, policies and institutions (EA 1)

- Security sector development was identified as a priority for Somalia in the September 2011 Roadmap to End the Transition. The Human Rights Unit supported the Somali authorities in trying to bring an end to rampant impunity by mainstreaming human rights in security sector development and the rule of law. The Human Rights Unit contributed to the work of the Military and Police Technical Working Group and the Joint Security Committee to ensure attention to key issues such as accountability of security forces, civilian oversight and the treatment of ex-combatants in accordance with international standards.
- The adoption of a new Constitution for Somalia was identified as a second priority in the Roadmap. The HRU contributed to the Constitution-making process by promoting two dialogues in Mogadishu that provided an opportunity for Somalia-based human rights defenders, civil society groups and Government officials to review the text from a human rights perspective and provide their comments to the Federal Constitutional Commission. The draft Constitution is expected to be adopted in 2012.

In Somaliland and Puntland, progress was achieved towards the establishment and functioning of regional human rights institutions. Legislation establishing the Somaliland National Human Rights Commission is based on a legislative framework that, although not fully compliant, is close to the spirit of the Paris Principles. In Somaliland, the Unit assisted the Somaliland Human Rights Commission in carrying out an assessment of its strengths and weaknesses as a baseline for the development of its future strategy. In Puntland, legislation was passed establishing the Office of the Human Rights Defender. The Human Rights Unit advocated for compliance with the Paris Principles by commenting on the draft law for the regional human rights institution and organized a series of consultations for civil society and regional authorities on the role and functions of human rights institutions.
- In December 2011, the TFG established a Task Force, reporting directly to the Prime Minister of Somalia, to adopt measures to prevent and
address gender-based violence. This was partly the result of a monitoring project of the Human Rights Unit which documented cases of sexual violence against women and girls in camps for internally displaced persons (IDPs). A strategically planned visit by the Special Rapporteur on violence against women contributed further to placing the question of gender-based violence on the Government’s agenda.

**Justice and accountability mechanisms (EA 3)**

▶ In the area of the rule of law, the Human Rights Unit chairs the Justice and Corrections Technical Working Group, which seeks to strengthen cooperation among key national and international actors in the administration of justice. The right to a fair trial, access to justice for discriminated groups, the independence of the judiciary, and international standards for detention have been placed on the agenda thanks to the advocacy and leadership of the Human Rights Unit.

▶ The Unit collaborated with UNICEF and UNODC for an assessment of the corrections system. In Somaliland, the Unit trained 30 prison officials from the Somaliland Custodial Department of the Ministry of Justice. Partly as a result of this engagement, the Ministry of Justice of Somaliland established an internal monitoring mechanism which conducts periodic visits to all prison facilities in the region.

▶ The Human Rights Unit trained law lecturers from Mogadishu University, East African University, Puntland State University and Hargeisa University on human rights in the administration of justice in order to strengthen their legal skills, increase understanding of their critical role in developing a human rights culture and facilitate a unique exchange across different regions and legal traditions of Somalia. The trainees are expected to train other legal practitioners in 2012.

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

▶ In the course of 2011, the TFG presented its national report to the Human Rights Council in the context of the UPR and accepted, in full or in part, all 155 recommendations. OHCHR and the Human Rights Unit supported this engagement by organizing a workshop to familiarize senior TFG officials (including its current Prime Minister) with human rights, extend technical cooperation to the TFG in the drafting of the national report, and facilitate the Government’s participation in the UPR discussion in Geneva in May 2011. The Unit has translated into Somali and published UPR-related documentation to promote awareness of recommendations and commitments made in the country.

**Challenges and lessons learned**

Several external and internal challenges in 2011 continued to hinder the promotion and protection of human rights in Somalia.

The armed conflict, coupled with widespread armed violence, often along clan lines, make large parts of Somalia unsafe for humanitarian or human rights work. Security restrictions prohibit access to south-central Somalia, and in Mogadishu, subordinate movement to heavy security measures, such as armed escorts. Activities in the areas of monitoring and investigation are complicated further by witness and victim protection considerations.

In spite of the volatile security environment, the Human Rights Unit was able to carry out most of its activities inside Somalia in 2011.

The de facto division of areas of Somalia that are not under the control of armed extremists into three regions (Mogadishu, Puntland and Somaliland) with distinct authorities, needs and demands for technical assistance, present other challenges for the Human Rights Unit which finds itself thinly spread between the three regions. In Mogadishu, internal strife within the transitional federal institutions, accompanied by frequent changes in cabinet and leadership, make it difficult to identify a clear duty-bearer. In the complex political environment of Somalia, a key lesson learned is the importance of working with the Somali authorities in a collaborative manner that ensures their participation in setting the human rights agenda and guarantees national ownership with accountability for commitments undertaken.

Another key challenge is the small size of the Human Rights Unit in comparison to the vastness and complexity of the issues faced in Somalia. The integration of the Human Rights Component in UNPOS, in accordance with established policy and practice, provides numerous advantages to the Human Rights Unit, notably in the areas of security, logistical and administrative support. Some stakeholders, however, have criticized the Unit’s integration into a political mission, which may be perceived as compromising the Unit’s independence and impartiality.

Notwithstanding these challenges, in a conflict-afflicted and highly polarized society, the inclusion of human rights in the political process and the promotion of core elements of civil, cultural, economic, political and social rights are key to achieving sustainable peace. Existing military and political strategies must therefore be accompanied by increased engagement in the area of human rights.

<table>
<thead>
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<th>Year established</th>
<th>2005 (UNMIS); 2011 (UNMISS)</th>
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<tr>
<td>Staff as of 31 December 2011</td>
<td>102</td>
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Background

The year under review witnessed significant political developments in the Sudan, the most notable of which was the peaceful referendum in January 2011 that led to the independence of the Republic of South Sudan on 9 July 2011.

In 2005, Security Council resolution 1590 mandated the Human Rights Section of the United Nations Mission in Sudan (UNMIS) to assist in the implementation of the Comprehensive Peace Agreement (CPA) which ended more than 20 years of conflict between the Government of the Sudan and the Sudan People’s Liberation Movement/Army (SPLM/A). The mandate of UNMIS covered north and southern Sudan and expired in July 2011 with the conclusion of the CPA's interim period.

The Sudan continues to face numerous human rights challenges. While some progress has been made in legislative and institutional reforms, overall democratic transformation remained precarious. Parts of the legal framework, such as the National Security Act and the Criminal Act, infringe on fundamental rights and freedoms. The harmonization of national laws with international human rights principles, as envisaged by the CPA, has advanced at a slow pace. Restrictions on civil and political rights and the curtailment of the freedoms of expression and the press persisted. Increasing demands for reforms by political opposition groups, civil society organizations (CSOs) and students have been met with arrests and detention by the security forces. Human rights defenders continue to face difficulties and impunity for human rights violations remains a recurring problem.

Following the independence of South Sudan, the Security Council established the United Nations Mission in South Sudan (UNMISS) in 2011 with a mandate to consolidate peace and security in South Sudan and help establish conditions for the development of the country. The Human Rights Division (HRD) of UNMISS has a robust mandate that includes monitoring, investigating and reporting on human rights and potential threats against the civilian population, as well as violations of international humanitarian law. In addition, the HRD undertakes capacity-building activities, in close collaboration with the South Sudan Human Rights Commission and UN agencies, funds and programmes, aimed at developing sustainable national capacity for the promotion and protection of human rights.

The Transitional Constitution of the Republic of South Sudan (TCSS) includes far-reaching provisions in its Bill of Rights which guarantee civil, political and socioeconomic rights to citizens of the Republic. Notable among these provisions is affirmative action for the participation of women in political and public life. Despite progress achieved by the Government to create a society in which respect for human rights and democratic principles is ensured, profound challenges remain. An inadequate legal framework and many outstanding international human rights instruments that have not yet been ratified makes it difficult for the State to be held accountable and contributes to a climate of impunity. The new Government of South Sudan has demonstrated a lack of tolerance for political opposition and the press by frequently restricting freedoms of expression and the press and subjecting those who hold contrary political views to harassment, arbitrary arrest and detention. The human rights situation worsened in part due to insecurity caused by the activities of rebel militia groups (RMGs) during the post-independence period. In addition, numerous inter-ethnic clashes resulted in many deaths and the abduction of a large number of women and children. Finally, the combined impact of the arrival of returnees and refugees from the Sudan, drought, and overburdened resources has deepened the humanitarian crisis.

Results

National laws, policies and institutions (EA 1)

- In the Sudan, some progress has been achieved through legal and legislative reforms, as well as institutional arrangements. Implementation of the referendum law, for instance, allowed for the exercise of the right to self-determination that paved the way for the independence of South Sudan and a number of reforms. Reform of legislation that impacts on human rights is still needed, including for the National Intelligence and Security Service (NISS) Law, the Criminal Procedure Law and the Press and Publications Law. The Human Rights Component of UNMIS provided advice and commentaries to the National Assembly.

- In South Sudan, the adoption of the TGSS opened a space for political pluralism and paved the way for democratization. The Bill of Rights under the
TCSS recognizes international human rights treaties ratified by South Sudan as national law. The UNMISS Human Rights Division provided technical support for the drafting of the TCSS and in relation to the anticipated ratification of international treaties. Most of the comments provided by the Human Rights Component on the South Sudan Nationality Act of 2011 were incorporated into the Act. The right to housing was added to the Bill of Rights during the constitutional review process. This amendment is highly welcome in the context of rapid urbanization.

- In South Sudan, the Sudan People’s Liberation Army (SPLA) is undergoing a conversion from a guerrilla force into a professional and disciplined armed force designed to operate under democratic civilian control. Compliance with human rights standards improved in part as a result of human rights trainings held by the Human Rights Component of UNMISS for division commanders and military personnel.

- Significant progress has also been made in strengthening the capacity of the South Sudan National Human Rights Commission. UNMISS’ Human Rights Division established a strong working relationship with the Commission as the major partner for the implementation of programming in the new country through training, technical and advisory services and joint programmes. The Commission has not yet adopted its internal complaints mechanism, rules of procedure or strategic plan; all of which were developed with the technical assistance of a consultant under an OHCHR-sponsored project.

- In South Sudan, a consultative meeting organized by the Human Rights Division of UNMISS with justice-sector institutions in Northern Bahr el Ghazal to examine the issue of prolonged detention resulted in an agreement to undertake a review of detentions in the State. At the end of the exercise in October 2011, 103 detainees were released because their arrest warrants had expired, due to an absence of diligent prosecution or following a determination that they were being detained for civil matters.

- In Lakes State, South Sudan, the standard operating procedure (SOP) for response to and prevention of gender-based violence was agreed to by relevant Government ministries, justice sector departments, traditional and community leaders, UN agencies, international non-governmental organizations (NGOs) and local civil society organizations. The SOP recognizes all forms of gender-based violence as criminal and obliges all stakeholders, including community leaders, to cooperate with justice sector departments to bring alleged perpetrators to justice. The UNMISS Human Rights Component participated in the advocacy that led to the adoption of the SOP.

- Human rights have been identified as a cross-cutting issue under the Fifth Pillar of the Development Plan for South Sudan. In close collaboration with UNDP, UNMISS’ Human Rights Division will strengthen the capacity of the South Sudan Human Rights Commission to advocate and promote civil and political rights, as well as economic, social and cultural rights.

- In South Sudan, a Human Rights Forum was established but has not yet begun to meet on a regular basis. The Human Rights Forum provides a platform for dialogue and exchange of information on human rights concerns between the Government, the United Nations and other stakeholders.

**Justice and accountability mechanisms (EA 3)**

- In South Sudan, as a result of a report issued by UNMISS Human Rights, the President of the Republic ordered a high-level inquiry into allegations of human rights violations by the Southern Sudan Police Service (SSPS) at the Rajaf Police Training Centre. The report documented a pattern of serious human rights violations by senior police officers, including arbitrary detention, torture and rape of police recruits at the Centre. The Minister of the Interior has taken steps to address some of the human rights concerns raised in the report. The SSPS, however, continues to face significant challenges in becoming an effective, accountable and professional law enforcement authority that operates in compliance with human rights standards. The Division provided trainings and manuals for trainers to equip police educators with capacity-building tools.

**Participation (EA 5)**

- More awareness of human rights in both the Sudan and South Sudan has resulted from sensitization at the State level, establishment of human rights clubs in schools, State-level human rights forums, the South Sudan Human Rights Forum, radio programmes and promotional campaigns in commemoration of international human rights days. More Sudanese and South Sudanese are asserting and demanding their rights than ever before. The Southern Sudan referendum witnessed a record number of Southern Sudanese exercising their right to vote (approximately 99 per cent of registered voters).

- Some progress has also been noted with regard to women’s rights and gender empowerment in South Sudan. Women have been elected to national and State assemblies, while women
exerted their civil and political rights by voting in significant numbers in the referendum. The UNMISS Human Rights Division observed an increase in the number of sexual and gender-based violence cases reported to the SSPS.

State engagement with human rights mechanisms (EA 6)

In 2011, the Government of Sudan submitted its report to the Human Rights Council under the Universal Periodic Review (UPR). The support provided by the UNMIS Human Rights Division during the preparatory process was publicly acknowledged and commended by the Minister of Justice during his statement at the Human Rights Council in Geneva. More than 50 Government officials were trained by the Human Rights Component.

Civil society engagement with human rights mechanisms (EA 7)

An exceptionally high number of civil society organizations from the Sudan submitted substantive reports to the UPR. The UNMIS Human Rights Component contributed to this result by training 450 civil society actors from over 200 organizations.

The UNMISS Human Rights Division participates in Rule of Law Forums which were established in all 10 states and two Civil Society Forums. These events bring civil society actors together on a monthly basis to discuss issues pertaining to the rule of law, accountability and administration of justice.

Challenges and lessons learned

In the Sudan, although much progress had been made in strengthening the relationship with the Government Advisory Council on Human Rights, the Ministry of Justice and the Human Rights Committee of the National Assembly, the abrupt, mid-year cessation of UNMIS activities in the Sudan eliminated the possibility of any further collaboration. In spite of a concerted engagement that included technical and advisory services, hopes of establishing an independent human rights commission were dashed with the closure of UNMIS.

In South Sudan, the political climate was tense between the ruling and dominant SPLM and opposition parties and during the politically motivated armed conflict between SPLA and breakaway fractions. Inter-ethnic conflicts contributed to large-scale loss of life, massive internal displacement and the proliferation of arms. The country still lacks the institutional capacity to promote and protect human rights and impunity remains rampant. One of the chief lessons of 2011 was recognition of the need for the Human Rights Division to continue to work assiduously with the Government, the national human rights institution, civil society and international partners to foster a culture of promotion and protection of human rights.

In spite of numerous challenges and a year of political transition in 2011, the Human Rights Components of UNMIS and UNMISS completed 87 per cent of all projected activities.
Human Rights Advisers to UN Country Teams

Chad

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Background

Despite signs of improvement, the security, humanitarian and political situation in Chad requires sustained attention. Approximately 262,000 Sudanese and 68,000 Central African Republic (CAR) refugees as well as 170,000 internally displaced persons are in need of humanitarian assistance. Legislative elections took place in February 2011 and the President’s party won by a large majority. The main opposition parties criticized the process and decided not to participate in the presidential elections in April 2011. As a result, the incumbent was re-elected with 88 per cent of the votes.

State institutions have limited capacities to address the needs of the Chadian population. The Government established a Ministry of Justice which lacks sufficient resources to effectively carry out its mandate. The National Human Rights Commission (NHRC) of Chad is neither operational nor compliant with the Paris Principles. In order to fight pervasive impunity for past human rights violations, efforts to harmonize national legislation and policies with the international human rights conventions must be strengthened.

Following the closure of MINURCAT in December 2010, OHCHR appointed a Human Rights Adviser (HRA) to Chad in 2011 to advise the United Nations Country Team (UNCT) on providing human rights support to the Government, national institutions and civil society. The HRA focused on mainstreaming human rights into the United Nations Development Assistance Framework (UNDAF) 2012-2015. The HRA also addressed protection gaps in the Protection Cluster; provided technical advice to encourage compliance of the NHRC with the Paris Principles; and helped review the national human rights plan of action to include recommendations issued by the Universal Periodic Review (UPR), treaty bodies and special procedures.

Results

National laws, policies and institutions (EA 1)

- The HRA advocated with the Ministry of Human Rights for the establishment of a standing body on the implementation of human rights instruments. On 12 December 2011, the Prime Minister published a decree establishing a Governmental Committee on the implementation of international human rights instruments. Its mandate is to follow up on the implementation of human rights instruments and draft national reports to comply with Chad’s reporting obligations to the international human rights treaty bodies and the African Union. The Committee is also responsible for disseminating these reports and formulating recommendations to harmonize national legislation with international human rights instruments. Even though the establishment of the Governmental Committee was not a direct result of the HRA’s advocacy, his intervention was instrumental in its operationalization.

Civil society engagement with human rights mechanisms (EA 7)

- The HRA worked intensely to ensure that civil society was actively involved in the reporting processes of the UN human rights mechanisms, including the UPR and the human rights treaty bodies. In particular, civil society organizations participated during the presentation of the State

Human rights mainstreaming within the United Nations (EA 11)
- Human rights gaps in the UNDAF 2012–2015 were filled and the recommendations of UPR, treaty bodies and special procedures, as well as international human rights standards, were reflected. The HRA was actively involved in the UNDAF process led by UNAIDS and developed a checklist on the human rights-based approach to the UNDAF.
- In addition, the HRA worked in coordination with UNDP to draft a joint project on justice, gender and human rights. As a result of inputs provided by the HRA, human rights issues relating to the fight against impunity and gender-based violence were successfully integrated into the Chad submission to the Peacebuilding Fund.

Challenges and lessons learned
Although the human rights situation in Chad continues to require sustained attention, people in Ndjamena, as well as in other parts of Chad, have shown commitment to the promotion and protection of human rights. This commitment to human rights could be an opportunity for increased partnership.

Great Lakes Region (Bujumbura, Burundi)

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<td>Staff as of 31 December 2011</td>
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Background
The Great Lakes Region continues to suffer from a complex and interconnected set of challenges. These include weak governance and democracy, monopolization of political power by individuals or ethnic groups, widespread corruption and deepening poverty. Many of these problems are regional in nature and have contributed to a spread of localized conflicts beyond national borders that negatively impact on the realization of human rights.

In addition, some of the main human rights challenges faced by the countries in the region include sexual violence, the inadequate protection of internally displaced persons (IDPs) and returning populations, the illegal exploitation of natural resources, widespread poverty and social inequality, pervasive impunity, the absence of transitional justice mechanisms and weak institutional and human capacity in the administration of justice and public service provision. These human rights challenges are addressed by the Security, Stability and Development Pact of the International Conference on the Great Lakes Region (ICGLR).

The Regional Human Rights Adviser (HRA) works with the ICGLR Secretariat, OHCHR field presence in the region and the United Nations Country Team (UNCT) to strengthen the integration of human rights into UNCT programmes, especially the rights of IDPs and returning populations, combat sexual violence, prevent genocide, promote economic, social and cultural rights (ESCR), address the exploitation of natural resources and fight against impunity. Furthermore, the HRA seeks to strengthen national systems for the promotion and protection of human rights, especially during the pre- and post-election process; and supports the implementation of the human rights dimension of the Security, Stability and Development Pact of the Great Lakes Region and the programme of the ICGLR.

Results
National laws, policies and institutions (EA 1)
- ICGLR observer teams participated in monitoring human rights in the context of elections in the Central African Republic and the Democratic Republic of Congo. These missions benefited from training by OHCHR prior to the elections and from information on the human rights situation before, during and after the election as provided by the OHCHR field offices and briefings of the HRA.
- National committees on the prevention of genocide were established in Congo, Kenya and Tanzania and include key human rights actors such as national human rights institutions (NHRIs), justice ministries, and national human rights non-governmental organizations (NGOs) and networks. OHCHR provided technical assistance in setting up these committees.
- The Burundi draft law on sexual and gender-based violence (SGBV) was presented to the Ministry of Gender by the ICGLR National Coordinator. It is compliant with the ICGLR Regional Protocol and includes specific provisions on harmful cultural practices. OHCHR provided funding and technical advice for the domestication of the Protocol on SGBV. As of the end of 2011, the draft law was still pending before Parliament.
- In the Central African Republic (CAR), a draft law on IDPs and sexual violence will be presented to an upcoming session of Parliament. OHCHR
provided funding and technical advice in the drafting of this law.

In Congo, the first law on the rights of indigenous peoples was adopted in January 2011, following a process initiated by the HRA in 2006, in cooperation with the Ministry of Justice, the ICGLR human rights network and indigenous peoples’ organizations.

Two workshops organized by OHCHR field presences, UNCTs and ICGLR staff on SGBV in Burundi and CAR and for the national consultations in preparation for the ICGLR Summit in CAR and Congo, respectively, helped Member States to incorporate and use regional and international human rights instruments and concepts in the elaboration of new policies and laws.

Participation (EA 5)

National consultations on SGBV in the Central African Republic and Congo were organized by the national women fora and the Experts and Ministers meeting in preparation of the Special Session of the ICGLR Heads of States on SGBV. This enabled successful fundraising with donors and the full participation of civil society in the process. The Special Session focused on prevention, the fight against impunity and assistance to victims. OHCHR provided technical support in the organization of these consultations.

In September 2011, ICGLR, the German International Cooperation (GIZ) and OHCHR jointly organized a workshop on the exploitation of natural resources and human rights in Goma, which was attended by national and regional networks of civil society actors and journalists. The latter play an important role in denouncing illegal exploitation and trade of minerals and related human rights abuses, including child labour, forced labour and sexual violence. The training workshop constituted a first step towards the establishment of an early warning system and the creation of a subregional network on human rights and natural resources.

State engagement with human rights mechanisms (EA 6)

A regional workshop on the Universal Periodic Review (UPR) was organized with the UNCT and the OHCHR Human Rights Adviser in Rwanda which helped Government officials and civil society to share best practices on UPR follow-up. The workshop facilitated the understanding of stakeholders on how the UPR can be used as a practical and tangible tool by Governments and other actors in the subregion to assess and analyse the human rights situation in their countries and facilitate greater engagement of Governments with international human rights mechanisms.

International and regional laws and institutions (EA 8)

The ICGLR’s Regional Committee on the Prevention of Genocide, War Crimes, Crimes against Humanity and All Forms of Discrimination adopted its workplan which includes policies and measures to guarantee the rights of victims of genocide, war crimes and crimes against humanity; and the rights to truth, justice and compensation, including gender-sensitive measures. OHCHR assisted the Committee by providing technical and financial support to its annual meetings; mobilized additional partners to attend and support the meetings, such as the Organisation Internationale de la Francophonie (OIF) and the Special Adviser on the Prevention of Genocide; and provided information on the human rights situations in the countries of the region. This information enabled the Committee to discuss situations which needed attention and provide relevant recommendations to Member States.

Human rights mainstreaming within the United Nations (EA 11)

OHCHR assisted the UNCTs in elaborating a subregional strategy on human rights. Participating UNCTs from Burundi, CAR, the Democratic Republic of the Congo (DRC) and Rwanda developed their capacities to integrate human rights in their analyses, plans and programmes, together with the National Coordination Mechanisms of ICGLR in Burundi, DRC and Rwanda.

Challenges and lessons learned

OHCHR provided technical and financial support to the ICGLR in setting up its Regional Committee on the Prevention of Genocide, War Crimes, Crimes against Humanity and All Forms of Discrimination. The Committee is the world’s first subregional body created specifically to prevent and punish mass atrocity crimes, a significant step in fighting impunity in this region.

OHCHR provided technical support for the establishment of a regional early warning mechanism through the creation of national and regional networks of civil society actors and journalists to strengthen the human rights dimension of the ICGLR Regional Initiative. The mechanism will be used to focus on the fight against the illegal exploitation of natural resources in the Great Lakes Region and related human rights abuses, including child labour, forced labour and sexual violence, especially in Burundi, DRC and Rwanda.
Kenya

Year established 2008
Staff as of 31 December 2011 2

Background

One of the priorities for the Human Rights Adviser (HRA) in Kenya during 2011 was to support the implementation of the new Constitution that was enacted on 27 August 2010. The Constitution contains an extensive Bill of Rights encompassing a wide range of civil and political rights, as well as enforceable economic, social and cultural rights. With the adoption of the new Constitution, it was necessary to build the capacity of civil society organizations (CSOs) to work on economic, social and cultural rights as most have traditionally focused on civil and political rights.

The new Constitution provides a solid framework for the realization of the rule of law in the country and various reforms were undertaken in the justice system, specifically in the judiciary. High-level appointments were made following a transparent vetting process that involved civil society organizations. Reforms also included the creation of a Witness Protection Agency and the inauguration of its Advisory Board. The agency has the potential of contributing to ending impunity by aiding investigations and prosecutions and protecting the witnesses and evidence of alleged crimes. OHCHR advised on the legal and institutional framework for these mechanisms. Specifically, the HRA facilitated a retreat which brought together academia, the judiciary, representatives of the legislature, civil society, Government institutions and development partners to reflect on a strategy for bridging the impunity gap in Kenya. The creation of the Witness Protection Agency to ensure the protection of witnesses of the 2007-2008 post-election violence was a key recommendation from the retreat.

The National Council on the Administration of Justice was established as a mechanism to ensure a coordinated approach to the administration of justice and achieve the independence and accountability of the judiciary. The HRA held a meeting with the Ministry of Justice, National Cohesion and Constitutional Affairs and the Commission overseeing the implementation of the Constitution to discuss the human rights aspects of such a mechanism. OHCHR’s comments and suggestions were reflected in the draft bill which was adopted by Parliament.

Justice and accountability mechanisms (EA 3)

The HRA advised on international standards in the development of legal and institutional standards for the Truth, Justice and Reconciliation Commission (TJRC). In 2011, the TJRC held thematic hearings on violations against women, children, disabled persons and marginalized communities. The TJRC was established in 2008.
with a mandate to investigate and establish an accurate record of gross human rights violations that occurred in the country between 2 December 1963 (when the country gained independence) and 28 February 2008 (which marked the end of Kenya’s post-election violence). Through a system of human rights focal points, the HRA supported and monitored the work of the TJRC. The HRA offered both financial and substantive support to the TJRC, for example, in the area of data collection.

**Participation (EA 5)**

- As the lead UN agency on transitional justice, OHCHR continued to coordinate the UNCT’s support to the TJRC process. Increasingly, national actors are meaningfully engaged on issues of transitional justice, partly as a result of the development and dissemination of human rights tools by the HRA in Kenya.
- Since the establishment of the TJRC, victims of the 2008 human rights violations have come forward to accuse the police and/or judiciary of failing to prosecute their cases. In 2011, the HRA worked closely with the victims’ assistance network, in particular the Civil Society Network (CSO-Network), based in Kisumu, and the Independent Medical Legal Unit (IMLU), based in Nairobi. In particular, the HRA contributed to discussions on mechanisms of redress and supported the participation of the CSO-Network in the victims’ forums. As a result, the CSO-Network was able to bring witnesses to testify during the TJRC hearings in Kisumu. During the hearings, victims of the post-election violence raised concerns over their exclusion by the Government in resettlement plans.
- The HRA also collaborated with the Legal Resources Foundation Trust (LRF) to consider ways that the Community Justice System (CJS) could play a role in addressing the post-election violence and historical injustices.

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

- The initial State Party report to the Committee on the Rights of Persons with Disabilities was drafted under the leadership of the Ministry of Gender, Children and Social Development, with the participation of key stakeholders from Government and civil society, and was finalized in September 2011. OHCHR organized the training during which the different stakeholders were brought together for the drafting process. This collaboration increased the understanding by Kenyan institutions of human rights obligations in the area of disabilities.

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

- Human rights standards and principles were integrated in the work of the UNCT, as well as in policies and programmes of the respective UN agencies. The HRA achieved this by working closely with the Resident Coordinator, participating in monthly UNCT meetings with a standing agenda item on human rights and by keeping members of the UNCT abreast of human rights developments in the country. In addition, the HRA established human rights focal points within the UNCT. The focal points were trained on the principles and techniques related to international human rights standards and the
human rights-based approach (HRBA), which enabled them to transfer their acquired knowledge to their own organizations. The Human Rights Focal Points participated in the monthly meetings of the human rights network and United Nations Development Assistance Framework review processes, thereby enhancing human rights mainstreaming. The focal points also ensured their own organization’s active participation and support for the UN’s human rights activities and programmes.

Challenges and lessons learned

Pulling together resources on the administrative front and relying on partners have proved important in light of the limited funds available to the Human Rights Adviser. For example, the mission of the Special Rapporteur on the human rights of internally displaced persons was made possible in Nairobi and the Rift Valley province as a result of effective collaboration between OHCHR, UNHCR and OCHA.

The establishment by the HRA of a human rights focal point network, composed of representatives from UN agencies, has proven instrumental in ensuring the engagement of UN agencies on human rights issues.

Madagascar

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Background

The political crisis brought on by a coup d’état in 2009 came to an end with the adoption of a road map (Feuille de route) by the main parties in September 2011 and the appointment of a new Government with broad political representation. The Government has been tasked with the creation of State institutions to manage free and fair elections in 2012 in accordance with human rights standards. The road map also provides for a transitional justice mechanism to address past human rights violations and promote a national reconciliatory process.

In spite of this positive development, human rights violations continue to be committed by the Malagasy security forces. Cases of arbitrary arrests and detention, prolonged detention without trial, as well as unlawful killings, excessive use of force, torture and other forms of ill-treatment have been reported. There have also been allegations of child exploitation and prostitution related to the tourism and mining industries. Throughout the political crisis that characterized Madagascar for the past few years, the enjoyment by the population of their economic and social rights was greatly undermined.

In June 2011, OHCHR deployed a Human Rights Adviser (HRA) to work with the Resident Coordinator’s Office in Antananarivo. OHCHR’s role will be critical in the new era that is unfolding in the country. The HRA has re-activated the Group on Human Rights and Elections, which includes the participation of members of the United Nations Country Team (UNCT) and representatives of the diplomatic community, as a forum for exchange and coordination to improve integration and monitoring of human rights issues during the upcoming electoral process.

Results

Transitional Justice Mechanisms (EA 3)

- The road map provides for a transitional justice mechanism to help address past human rights violations. The Transitional Assembly will adopt a law related to its establishment and OHCHR will provide technical assistance to ensure its compliance with international standards.

State engagement with human rights mechanisms (EA 6)

- The HRA is working with the Government on treaty body reporting and the implementation of Universal Periodic Review (UPR) recommendations. Training was carried out in August 2011 (the first since 2003) on international and regional human rights instruments and protection systems as well as treaty reporting techniques. OHCHR also provided support to the interministerial treaty reporting workshop held to finalize the periodic report on implementation of the International Covenant on Civil and Political Rights.

- In 2011, the HRA supported the development of a plan of action for the implementation of UPR recommendations. Efforts to raise awareness around the country and create a broad platform for the UPR human rights agenda are ongoing.

Civil society engagement with human rights mechanisms (EA 7)

- Given the limited human rights capacity in the country, the HRA carried out capacity-building programmes on human rights monitoring and reporting for civil society in December 2011. The main objective of these programmes was to increase their human rights awareness and knowledge of the international human rights instruments. Seventy-two civil society
representatives from seven regions of the island benefited from the training. According to the road map, the civil society network is expected to play a key role during the elections and in the post-conflict reconciliation period.

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

As a result of the HRA’s advice and training on a human rights-based approach, members of the UNCT have increasingly integrated human rights into their planning. The United Nations Development Assistance Framework (UNDAF) also includes key human rights principles. The UPR recommendations proved instrumental as a programme planning tool for UN agencies on the ground.

The HRA was requested by the UNCT to assess the human rights compliance of the mining company Rio Tinto/QMM before the UN engaged in any cooperation with the company to improve access by locals to basic social services, including water, housing, health and education. The report of the HRA provided suggestions for the company to improve its consultation procedures with the local communities and authorities. As a result, the UNCT agreed on a number of projects it would undertake with the mining company. It also emphasized that the engagement of the UN agencies and programmes will be continuously monitored through a human rights lens and that the UN will not participate in any programmes or projects that violate the rights and environment of the local communities.

**Challenges and lessons learned**

The absence of dialogue on critical human rights issues during the peak of the crisis was seen by the UNCT and the donor community as a serious gap in addressing human rights violations. Upon the initial deployment of the HRA, the Malagasy authorities were reluctant to engage in dialogue. This situation eased, however, following the launch of technical activities and the decision by the UN to commence its engagement with the transitional authorities.

Six months after the establishment of its presence in Madagascar, OHCHR has been able to significantly raise the profile of human rights in the country. The strong support and backing provided by the Resident Coordinator, the UNCT and the Organisation Internationale de la Francophonie (OIF) have played a key role in reinforcing the impact of the work of the Human Rights Adviser and constitute a good practice in effective collaboration and the mainstreaming of human rights.

**Niger**

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**Background**

Following the overthrow of the former President by the army in February 2010, a new Constitution was adopted in October 2010 and a new President was elected in April 2011. Since then, the human rights situation in Niger has significantly improved. The democratic process, however, remains fragile and reversible due to increasing insecurity in the north following the return of Nigerians from Libya. In addition, Niger’s precarious economic situation, compounded by the country’s vulnerability to natural disasters, is becoming a major source of conflict and violence among herders and farmers in certain regions. Poverty has worsened due to competition for dwindling natural resources, the food crisis, flooding and limited availability of basic services. Despite efforts undertaken by the authorities in the area of good governance, corruption remains a significant obstacle to the achievement of the Millennium Development Goals. The Government’s attempt to initiate judicial processes in relation to allegations of corruption was delayed by the fire set at the Ministry of Justice. Other human rights challenges include discrimination against women, the violation of children’s rights and contemporary forms of slavery.

In 2011, the Human Rights Advisor (HRA), deployed by OHCHR to the United Nations Country Team (UNCT), continued to provide support to authorities and civil society in the field of human rights. Inspired by the good results of the first three years in office, the HRA focused on: the establishment of a National Human Rights Commission; follow-up to Universal Periodic Review (UPR) recommendations; reporting to the international human rights treaty bodies; mainstreaming human rights in the work of the UNCT; and strengthening the capacity of Niger’s authorities and civil society to protect human rights.

**Results**

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

A plan for the creation of the independent National Human Rights Commission (NHRC) was developed and implemented following a participatory process involving the Government, civil society organizations (CSOs), unions, the media, the National Observatory for Human Rights and Fundamental Freedoms and the
UNCT. The process resulted in the drafting and validation of a draft law on the creation of a national human rights institution (NHRI) in conformity with the Paris Principles. The proposed law was validated at a workshop in October 2011 and is being transmitted by the Government to the National Assembly for adoption. The rights of women, children and vulnerable groups were taken into account in defining the mandate and composition of the future NHRC. The support provided by the HRA proved to be of critical value in mobilizing resources, advising on the Paris Principles and the sharing of good practices.

A total of 410 people, including 102 women, were trained in human rights and gender in various seminars and workshops organized throughout the year. Following these activities, civil society actors and the authorities were able to integrate human rights principles and a gender-based approach into their activities and policies.

State engagement with human rights mechanisms (EA 6)

The Government drafted and validated the core common document and its periodic report to the Committee on the Elimination of Racial Discrimination. The draft report to the Human Rights Committee is in the process of being finalized thanks to the technical assistance provided by the HRA to the Interdepartmental Committee in charge of drafting reports to the treaty bodies.

Niger successfully presented its UPR report to the Working Group and the Human Rights Council in 2011. The HRA supported the preparation process by organizing training for relevant stakeholders who were involved in the process. A total of 116 recommendations were formulated for Niger, of which 112 were accepted and 6 were rejected. UN agencies have begun discussing how they can support the implementation of these recommendations.

Challenges and lessons learned

In the framework of the inter-agency programme of support for human rights in Niger, certain constraints have been identified, including the difficulties in covering the national territory, delays in the execution of activities and insufficient personnel at the Directorate for Human Rights. The timely review and adoption by the Government and the National Assembly of legislation to establish the National Human Rights Commission is another challenge.

Collaboration between the different United Nations agencies made it possible to mobilize additional resources which strengthened OHCHR’s human rights programme in Niger. The effective collaboration between UN agencies also allowed for the sharing of relevant experiences. As a result, the Group on Gender and Human Rights is now better prepared to support human rights programmes in Niger and there is more collaboration between the Government, civil society and national institutions than in the past.

The systematic encouragement by the HRA of a participatory approach, notably in the UPR preparatory process and the process of creating a National Human Rights Commission, made it possible to successfully achieve results and improve national ownership and responsibility for human rights.
Rwanda

Year established 2007
Staff as of 31 December 2011 1

Background

In 2011, the Government of Rwanda made significant progress in complying with its obligations to report on implementation of the international human rights treaties it has ratified. It submitted periodic reports to the Committee on the Elimination of Racial Discrimination, the Committee against Torture and the Committee on the Rights of the Child. It also commenced the drafting process for initial reports under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) and the Convention on the Rights of Persons with Disabilities (CRPD). The Government of Rwanda further initiated consultations with a view to ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

In January 2011, Rwanda was reviewed under the Universal Periodic Review (UPR). During the process, a number of human rights challenges were highlighted, including restrictions to freedoms of expression and association and impunity for the harassment of journalists. The Government was urged to accelerate the process of legal reform and ensure that all discriminatory legislative provisions, especially those regarding women, were abrogated. Out of the 73 UPR recommendations, the Government of Rwanda accepted 67 and elaborated a road map for their implementation, together with development partners and members of civil society. A number of recommendations from the road map are already being implemented, such as the media review of the genocide ideology. The draft law on the registration of political parties is under review by the Rwanda Governance Board (RGB). The Law governing international non-governmental organizations (NGOs) is under review by the Senate and the Government has replaced the annual registration with one that is valid for five renewable years. National NGOs that requested and obtained permanent legal status would no longer need to renew their registration.

The Human Rights Adviser (HRA) in Rwanda continued to provide advice to the UN Resident Coordinator and the United Nations Country Team (UNCT) on strategies to strengthen and build national human rights capacities. In 2011, the HRA worked closely with the National Human Rights Commission on projects aimed at promoting and protecting human rights in the country. In addition, the HRA consolidated his relationship with relevant Government agencies charged with the promotion and protection of human rights and reached out to civil society in an attempt to create a broad-based platform to address critical human rights challenges in the country.
Results

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

- The HRA provided advice to the authorities on several draft laws under review, including the genocide ideology law, the media law and the access to information bill, with a view to ensuring their compliance with international standards.

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

- The Government submitted its combined 13th to 17th periodic reports under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), overdue since 2002, the initial State Party report under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and the combined third and fourth State Party reports under the Convention on the Rights of the Child (CRC), overdue since 2009. The HRA provided technical assistance, including good practices from other countries, to the Interministerial Task Force charged with following up on Rwanda’s treaty body obligations and eliminating the backlog of reports. Preparation for the initial report under the ICRMW has also begun, as has the preparation of Rwanda’s initial report under the CRPD, overdue since January 2011.

- Following Rwanda’s review under the UPR in January 2011, the Treaty Body Reporting Interministerial Taskforce elaborated a road map on implementing the recommendations. OHCHR, in collaboration with the National Human Rights Commission, conducted human rights awareness campaigns with specific reference to the UPR recommendations on radio and TV. Cooperating with an international NGO, a dialogue on the UPR was organized for Rwandan civil society and development partners.

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

- Human rights principles were mainstreamed in the revision of the ONE UN work programmes. OHCHR provided technical support to ensure the prioritization of human rights. The Office also coordinated and expanded the joint Human Rights Task Force of the UNCT, in collaboration with the Gender Task Force.

**Challenges and lessons learned**

The most critical factors which affected the programme in 2011 resulted from the departure of the President, which impacted on collaboration with the institution and the institutional weaknesses of national stakeholders working on human rights issues in Rwanda.

The HRA will now focus on how to best assist Rwanda in implementing the recommendations of the UPR. Adequate backing and support from the Resident Coordinator and the UNCT is key to the implementation of the HRA’s mandate and workplan.