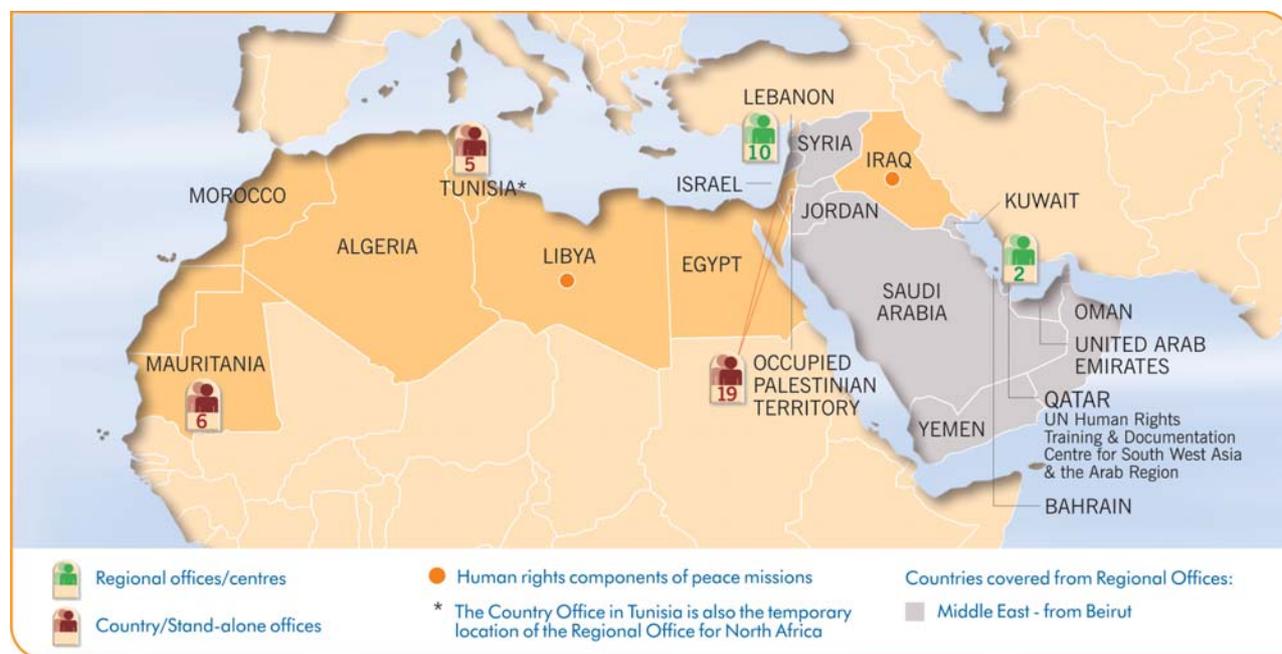


OHCHR in the field: Middle East and North Africa



Type of presence	Location
Country/Stand-alone offices	<ul style="list-style-type: none"> Occupied Palestinian Territory Mauritania Tunisia
Regional offices and centres	<ul style="list-style-type: none"> Middle East (Beirut, Lebanon) UN Human Rights Training and Documentation Centre for South-West Asia and the Arab Region (Doha, Qatar)
Human rights components in UN peace missions	<ul style="list-style-type: none"> Iraq Libya

Before 2011, OHCHR maintained five field presences in the Middle East and North Africa (MENA) region: a regional office for the Middle East (Beirut), a human rights component in a peace mission (UNAMI-Baghdad), the UN Human Rights Training and Documentation Centre for South-West Asia and the Arab Region (Doha), a country office in Mauritania (Nouakchott), and a stand-alone office in the Occupied Palestinian Territory. The year 2011 saw the opening of a new country office in Tunisia as well as the establishment of a human rights component within UNSMIL, the UN support mission in Libya. The idea of creating a regional office for North Africa was also revived and discussions are ongoing. Recent Human Rights Council resolutions called upon Yemen and the Syrian Arab Republic to closely cooperate with OHCHR. Human Rights Council resolution S-18/1 specifically refers to the establishment of a field presence in Syria.

While certain issues and countries, such as OPT/Israel and Iraq, have been on the agenda for some time, 2011 saw enormous changes in the region. The year witnessed a chain of uprisings with massive demonstrations erupting in Tunisia, Egypt and Libya that were followed by protests in other countries. Millions of peaceful protesters took to the streets to denounce State corruption, impunity, social inequalities, poverty and the denial of human rights and basic freedoms. Human rights were at the core of the demands for social and political change. While protests led to transitions in Tunisia and Egypt and ultimately in Libya and Yemen, the outcomes of the continuing unrest in Bahrain and Syria remain uncertain. Smaller-scale protests demanding political change and improved socioeconomic conditions were reported in other countries of the region.

OHCHR responded in a timely manner and actively engaged with various actors on the ground. The voice of the High Commissioner was heard throughout the region and echoed people's demands for dignity and freedom. The High Commissioner deployed missions to Tunisia, Egypt, Libya, Yemen and Bahrain while transitions were taking place. These missions assessed the situations and made recommendations. Some led to requests for OHCHR to establish field presences.

In 2011, the Human Rights Council regularly addressed situations in the MENA region. Several temporary and longer-term mechanisms were established, including a fact-finding mission on Syria, commissions of inquiry in relation to Libya and Syria and a new Special Rapporteur on Syria. In addition, references to full and close cooperation with OHCHR were included in resolutions on Yemen and Syria. OHCHR provided support to all of these mechanisms and responded to respective reporting requirements (Libya, Yemen and Syria). The first Universal Periodic Review cycle served as a welcome entry point for discussion and cooperation, and in a number of cases, for improvement.

Country/Stand-alone Offices

Occupied Palestinian Territory

Year established	Gaza: 1996; Ramallah: 2000; Hebron: 2010
Staff as of 31 December 2011	19
Expenditure in 2011	US\$2,886,696

Background

Violations of international human rights law and international humanitarian law are widespread in the Occupied Palestinian Territory (OPT). The Government of Israel's occupation of the OPT is central to this situation and results in a broad range of serious violations. In particular, Israeli settlements in the West Bank, which currently house more than half a million Israeli citizens, contravene international law and violence committed by settlers against Palestinians occurs on an almost daily basis. The Israeli blockade of Gaza continued through 2011 and impacted on civil and political as well as social and economic rights. There are also concerns regarding the Palestinian Authority (PA) and the de facto authorities in Gaza, especially due to ongoing political conflict between the two which results in violations being committed by both sides. Permeating the situation in OPT is impunity and a lack of accountability on the part of all three duty-bearers.

In 2011, there were some limited positive developments. Early in the year, the Government of Israel (GOI) announced that it would revert to a previous policy and initiate military police investigations into the killings of Palestinians in the West Bank by Israeli Defence Forces (IDF) outside

the context of open combat. Although there have been a number of killings since that announcement, the Office has no detailed information on the implementation of the policy. In addition, attacks by settlers against IDF troops and facilities in late 2011 resulted in a GOI announcement that military law would be applied in such cases. While military law has always been applied to Palestinian offences in the West Bank, Israeli settlers have only been subject to Israeli civil law. It remains to be seen how strictly this policy will be applied in practice.

OHCHR-OPT is engaged in: the monitoring, documentation, and reporting of human rights violations; protection coordination and advocacy; and technical assistance and capacity-building for the PA, the Palestinian national human rights institution (NHRI), and Palestinian non-governmental organizations (NGOs). In 2011, OHCHR continued to strengthen its monitoring functions and significantly enhanced its role as a key impartial international actor with regard to human rights information on and analysis of the OPT. OHCHR-OPT further developed its communications with respective authorities, such as the GOI and relevant agencies in the PA (including security agencies). In 2011, OHCHR significantly developed and asserted its lead role in the inter-agency Protection Cluster Working Group. The Office also developed its expertise through the integration of human rights into the work of the United Nations Country Team (UNCT) and partner agencies. In 2011, OHCHR-OPT commissioned an assessment of the needs of its partners with regard to capacity-building, which provided guidance and direction for focusing the Office's capacity-building activities. OHCHR-OPT strengthened its role as coordinator of the Protection Cluster within the Humanitarian Country Team, which enhanced the coordination between and impact of the work of the UN and international, Israeli, and Palestinian NGOs. The High Commissioner visited the OPT in February 2011. Her final press statement was widely welcomed as one of the strongest human rights messages on the OPT.

Results

National laws, policies and institutions (EA 1)

- ▶ *Target: Palestinian Authority: Positive response to 50 per cent of human rights violation cases. Israeli authorities: Positive response to 5 per cent of human rights violation cases.*

These targets have been partially met. In a December 2010 meeting with the PA, OHCHR-OPT raised the issue of arbitrary detention and ill-treatment. This resulted in the Office being granted access to most PA detention

centres in order to monitor the situation. Concerns regarding specific incidents were conveyed to the GOI. In the case of Qusra village, some positive changes were made after the OHCHR spokesperson raised the situation at press briefings. Many concerns raised by OHCHR-OPT in reports appear to have been addressed by the GOI, albeit without any formal acknowledgement. This includes the situation in the Access Restricted Areas in Gaza where a decrease in civilian casualties was witnessed in the second half of 2011.

- ▶ *Target not achievable, within the biennium, related to the indicator “Number of selected State institutions/programmes in selected human rights areas where the level of compliance with international human rights standards has significantly improved.”*

There were a few positive developments with regard to Israel as a duty-bearer. As noted above, the GOI announced in early 2011 that it would initiate military police investigations into the killings of Palestinians in the West Bank by IDF troops that did not take place in open combat. The Office has no detailed information on the implementation of this policy. Detention of Palestinians by Israeli Security Forces (ISF) continued throughout the year. Some improvements were also registered with regard to the PA in relation to detention. The Office engaged with the Minister of Interior and the number of reported cases of ill-treatment of detainees and arbitrary detention decreased. Generally, freedom of expression and freedom of

assembly was respected by PA institutions. Following a decision by relevant security institutions, a ruling handed down by the Palestinian High Court that civilians could not be tried by military courts was adhered to by authorities. The President of the PA passed a decree relating to honour crimes which was widely welcomed by human rights groups. OHCHR-OPT worked towards this target through its monitoring, reporting and advocacy activities.

Civil society engagement with human rights mechanisms (EA 7)

- ▶ *Target: Civil society organizations (CSOs) have submitted substantive documents to treaty bodies and special procedures.*

Several major Palestinian NGOs regularly submit shadow reports to treaty bodies and regularly provide information to special procedures. In November 2011, OHCHR-OPT organized two workshops for NGO partners on working with treaty bodies and special procedures, which were attended by NGOs working in the West Bank and Gaza.

Responsiveness of the international community (EA 10)

- ▶ *Target: Critical human rights issues for OPT were raised in the General Assembly and the Human Rights Council to a high extent.*

OHCHR-OPT prepared a report of the High Commissioner to the Human Rights Council for the March 2011 session and two Secretary-General reports to the General



OHCHR human rights officers with a member of a Bedouin Community in the West Bank.

Assembly. The High Commissioner visited OPT in February 2011 and issued a concluding statement which was widely welcomed. During 2011, OHCHR's spokesperson raised OPT-related issues in press briefings on a number of occasions and OHCHR's work in the territory was reflected in the media. These combined efforts resulted in the extensive raising of critical human rights issues in the OPT at the General Assembly and the Human Rights Council.

Human rights mainstreaming within the United Nations (EA 11)

- ▶ *Target: The Humanitarian Country Team, in particular the Protection Cluster Working Group, integrates international human rights standards in its work to a high extent.*

OHCHR-OPT was able to strengthen its capacity for coordination of the Protection Cluster Working Group, and has been successful in ensuring the integration of human rights standards into its work, in particular with regard to the response to settler violence, violations in the Access Restricted Areas in Gaza and the mainstreaming of protection into the work of other Clusters. The Office worked to coordinate protection inputs into the Consolidated Appeals Process (CAP) 2012. As a result, protection is one of the two main themes in the CAP and human rights are mainstreamed throughout the document. OHCHR also worked with the Water, Sanitation and Hygiene Cluster and the Health Cluster to integrate human rights into programming related to health, water, sanitation and hygiene and, as a result, programming checklists were finalized and adopted by Cluster members.

- ▶ *Target: The Mid-Term Review Plan integrates international human rights standards and principles to a substantial degree.*
- The Mid-Term Review Plan includes human rights to a substantial degree and human rights are reflected as one of the six main focus areas. OHCHR provided direct input to the United Nations Development Assistance Framework (UNDAF) and formed part of the drafting team during the review process.

Challenges and lessons learned

The lack of progress achieved in relation to intra-Palestinian reconciliation efforts, despite the agreement announced by both parties in April 2011, significantly constrained OHCHR's strategic engagement with the PA. The Ministry of Justice in Ramallah requested that OHCHR delay a series of conferences regarding the review and finalization of a comprehensive national plan of action on human

rights. Nevertheless, OHCHR continued its work at the technical level on human rights capacity-building.

Occupied Palestinian Territory: Expenditure in 2011		
	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	1,970,492
Consultants	-	25,562
Official travel	-	71,472
Contractual services	-	59,286
General operating expenses	-	213,525
Supplies & materials	-	175,013
Seminars, grants & contributions	-	39,248
Subtotal	-	2,554,598
Programme support costs	-	332,098
GRAND TOTAL	-	2,886,696

Promoting the right to education in Bedouin communities

In the West Bank, the expansion of Israeli settlements (all of which are illegal under international law) and excessive restrictions on movement of Palestinians imposed by ISF gave rise to a plethora of human rights and humanitarian problems. OHCHR's field presence in Hebron, in the south of the West Bank, noted that children in many Bedouin communities, such as Khashem Al Daraj, were often prevented from accessing school. Children on their way to school would be attacked by settlers, forced to pass through excessive, humiliating and time-consuming checks at Israeli checkpoints, or instructed by ISF to make large detours to avoid areas close to settlements. As a result, children were required to commute for hours to attend schools that would otherwise have been a short walk away. Many children, in particular girls, were therefore forced to drop out of school. Initial findings indicated that, in Khasem Al Daraj and nearby communities, approximately 42 per cent of girls enrolled in the ninth grade did not continue their schooling primarily due to an absence of adequate transportation. After identifying the most vulnerable communities in the southern West Bank, OHCHR and UNICEF, in collaboration with partners in both the Protection and Education Clusters and the PA, coordinated a response to purchase and allocate school buses to provide transportation for these communities. Seeing a number of female school children from Khashem Al Daraj riding the bus to school gives hope for a brighter future for these children.

Mauritania

Year established	2010
Staff as of 31 December 2011	6
Expenditure in 2011	US\$1,103,826

Background

The year 2011 was marked by a volatile social climate and a complex political and economic environment, with youth organizations and opposition parties repeatedly protesting against the high cost of living, university enrolment processes perceived to be discriminatory and, more broadly, demanding democratic change. The difficulties of this period occurred against a backdrop of a threatening drought, serious food crisis and a sharp increase in gasoline prices. At the same time, a month-long national dialogue was held between the Government and some opposition parties to reinforce the democratic process and strengthen the national human rights protection system. The dialogue focused on national unity, social cohesion, reform of the electoral code, the political participation of women, constitutional reforms, independence of the judiciary, good governance, the role of public media and the role of the army. As a result, significant human rights-based constitutional amendments were adopted, including in relation to the criminalization of torture, slavery practices, coups d'état and the "constitutionalization" of the National Human Rights Commission.

The Mauritania Country Office was officially established on 9 December 2010. The opening of the Office raised high expectations among the Government, bilateral and multilateral partners, as well as civil society organizations (CSOs). The provision of technical cooperation was one of the main priorities of the Office during the year, in particular, to support the implementation of recommendations of the Universal Periodic Review (UPR); promote the ratification of treaties, including the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW), the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-AC), the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and the International Convention for the Protection of All Persons from Enforced Disappearance; and support Mauritania in complying with its reporting obligations. The Office also worked on issues related to slavery and transitional

justice. During high-level meetings held by the High Commissioner during her visit in April 2011, the Government pledged to do more to implement its international human rights obligations in practice.

Results

National laws, policies and institutions (EA 1)

- ▶ The amended Constitution included the criminalization of torture, slavery practices and coups d'état and the establishment of the National Human Rights Commission as a constitutional body. The draft laws on each of those provisions were adopted by a large majority of the Parliament. The Office helped to identify the relevant human rights issues and ensure that the amendments complied with Mauritania's international human rights obligations.
- ▶ During a national political dialogue, a road map with a human rights agenda was adopted. The road map was signed on 19 October 2011 by the governing party and part of the opposition. The consensual agreements on the road map included measures for the reform of the electoral code, creation of an independent national electoral commission, promotion of the political participation of women, strengthening the independence of the judiciary and securing the neutrality of public administration.
- ▶ A draft law was adopted by Parliament to amend the Constitution to establish equal access by women and men to electoral mandates and electoral functions. In collaboration with other actors, the Office provided technical advice and carried out substantial advocacy targeting the Government and opposition parties which eventually led to the adoption of a road map. The Office also organized three seminars on the participation of women in decision-making processes and the abolition of discriminatory laws against women.
- ▶ The Office provided technical advice to the Government for the development of programmes stemming from a national plan of action for the elimination of racial discrimination in 2012-2013. The Government submitted a draft technical cooperation project on a national plan of action against racial discrimination to OHCHR for its review and feedback.
- ▶ On 24 May 2011, the International Coordinating Committee of National Human Rights Institutions upgraded the status of the Mauritania Human Rights Commission from "B" to "A." The Office provided technical advice and support to reinforce the Commission's capacities and ensure that it conformed to the Paris Principles.



Seminar organized by OHCHR in Mauritania to disseminate the recommendations of the Special Rapporteur on contemporary forms of slavery, July 2011.

Following the Office's advocacy efforts, the role of the National Human Rights Commission was included in the Mauritanian Constitution.

- ▶ With regard to the development of a comprehensive national strategy to modify or eliminate negative cultural practices and stereotypes that are harmful to and discriminate against women and to promote women's full enjoyment of their human rights, a Forum on Islamic thinking and cultural dialogue was organized by the *Association des Oulémas* of Mauritania with the support of UN agencies. As a result, a subregional Fatwa was issued to accelerate the elimination of female genital mutilation. A comprehensive study is underway to facilitate the development of a national strategy. In collaboration with UN Women, the Office is supporting the review of the *code du statut personnel* with particular attention being paid to issues regarding the status of women in society.
- ▶ OHCHR continued to advocate with the Ministry of Justice for the creation of a Judicial Training Centre as a basis for judicial reform, particularly to train magistrates and other legal representatives who are essential for the effective administration of justice. Due to a lack of resources, the Judicial Training Centre was not established. Lawyers receive their training at the *Ecole Nationale d'Administration, de Journalisme, et de Magistrature*.

Ratification (EA2)

- ▶ Following consistent lobbying undertaken by the Office, including through the organization of a workshop on the preservation of human dignity, the Government signed the OP-CAT. The Office will continue to advocate for its ratification in 2012.

- ▶ As a result of strong advocacy undertaken by the Country Office in Mauritania, the Government has taken action to withdraw its general reservations to CEDAW. It has indicated it will enter specific reservations related to article 13 (a) on the right to family benefits and article 16 on marriage and family relations particularly regarding equal rights and responsibilities during marriage and at its dissolution.

Justice and accountability mechanisms (EA 3)

- ▶ In its advocacy against impunity, the Office successfully facilitated the establishment of a transitional justice mechanism that will be a key instrument in addressing crimes committed in the context of the *Passif Humanitaire*; a period in the 1980s and 1990s when human rights violations were committed against the Black Mauritanian community. On 30 March 2011, the Office collaborated with the National Human Rights Commission to organize national consultations on transitional justice to ensure the mechanism was established in accordance with international standards. The Office also organized a knowledge-sharing tour in Morocco from 26 to 30 December 2011 during which representatives of the Office, Government and members of the Mauritanian National Human Rights Commission were briefed by key equity and reconciliation actors and attended useful working sessions with representatives from the Moroccan Human Rights Council, the Ombudsman and Head of the Interministerial Human Rights delegation. In its advocacy with bilateral partners, the Office also organized a technical working session on 4 October 2011 with the South African Ambassador to Mauritania to raise awareness about the experiences of the South African Truth and Reconciliation Commission.

Access to justice and basic services (EA 4)

- ▶ With the support of OHCHR, local non-governmental organizations (NGOs) established a training/reception centre for former slaves, specifically children and women, to facilitate their social reintegration. These efforts included helping children to get birth certificates and school materials so that they could attend school and promoting resource-generating activities for adults.

State engagement with human rights mechanisms (EA 6)

- ▶ Mauritania submitted its State Party reports to the monitoring committees of CAT, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) in compliance with their respective guidelines. OHCHR provided technical advice to ensure the wide participation of all relevant stakeholders in this process. The Office also ensured that the reports were prepared in accordance with approved standards and procedures.
- ▶ In following up on the recommendations of the Special Rapporteur on contemporary forms of slavery, the Office organized a workshop in collaboration with the *Commissariat aux Droits de l'Homme, à l'Action Humanitaire et Relations avec la Société Civile* (Government Ministry in charge of human rights issues), resulting in a plan of action with projected time lines for the implementation of the recommendations. The seminar was attended by parliamentarians, members of the judiciary, including the President of the Supreme Court, the President of the National Human Rights Commission and members of civil society organizations.
- ▶ In implementing the recommendations of the Special Rapporteur on contemporary forms of slavery related to the enforcement of the 2007 Anti-Slavery Law, six persons were tried and convicted for slavery practices. This was the first trial and conviction for slavery in the history of the Mauritanian justice system. The Office supported the court case, provided advice to the NGOs that initiated the judicial process and strongly advocated for the full implementation of the 2007 Law.

Civil society engagement with human rights mechanisms (EA 7)

- ▶ In 2011, more than six NGOs prepared alternative reports to the Government's report to the ICESCR Committee. Through the organization of two workshops on international and regional mechanisms for the promotion and protection of human rights, the Office enhanced the capacities of these NGOs to submit reports and communications to treaty bodies and special procedures.
- ▶ NGOs positively contributed to the UPR reporting process after a follow-up seminar on monitoring the recommendations of the UPR was organized by the Office with the National Human Rights Commission and the *Commissariat aux Droits de l'Homme, à l'Action Humanitaire et Relations avec la Société Civile*. The seminar provided an opportunity for NGOs to learn about the UPR procedures and reinforced their capacities for the implementation of recommendations.

Human rights mainstreaming within the United Nations (EA 11)

- ▶ The United Nations Development Assistance Framework (2012-2016) fully integrates human rights concerns and accords special priority to women's rights and the protection of children and women from violence, exploitation, discrimination, abuse and negligence. Furthermore, human rights and gender were included as two cross-cutting thematic issues in the final document. The Office actively participated in the preparation of the document.

Challenges and lessons learned

Reconciliation of the issue of the *passif humanitaire* remains a very serious challenge for Mauritania. Despite some initial steps taken by the Government in this respect, the Black-Mauritanian community feels that the public forgiveness for past crimes sought by the President and the compensation packages offered have not led to real reconciliation. In this context, the Office collaborated with the National Human Rights Commission to organize a national consultation on transitional justice with the aim of establishing a transitional justice mechanism in accordance with international human rights standards. OHCHR will focus its future work on providing assistance in establishing and supporting the functioning of this mechanism which will help respond to victims' quest for justice and provide the foundation for sustainable reconciliation and national unity.

Mauritania: Expenditure in 2011		
	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	588,715
Consultants	-	19,270
Official travel	-	59,513
Contractual services	-	-
General operating expenses	-	96,199
Supplies & materials	-	98,892
Seminars, grants & contributions	-	114,248
Subtotal	-	976,837
Programme support costs	-	126,989
GRAND TOTAL	-	1,103,826

Tunisia

Year established	2011
Staff as of 31 December 2011	5
Expenditure in 2011	US\$633,187

Background

The self-immolation of a young Tunisian on 17 December 2010 was followed by massive protests across the country. At the beginning of the unrest, protesters called on the central Government to undertake some immediate economic, social and institutional reforms in an attempt to bring an end to corruption, social/regional disparities and strengthen

accountability. Faced with a violent response from the State security apparatus, however, protesters immediately called for an end to the regime. Once the army aligned itself with the demands of the people, President Ben Ali was forced to step down and left the country on 14 January 2011.

Subsequently, an OHCHR Assessment Mission visited Tunisia from 26 January to 2 February to determine how the Office could assist national efforts in the establishment of an open and democratic society. On 10 February, in line with the findings of the OHCHR mission, the Tunisian Secretary of State for Foreign Affairs transmitted a request to the High Commissioner for the opening of an OHCHR Country Office in Tunisia, with a full promotion and protection mandate under General Assembly resolution 48/141 of 1993. During her official visit to Tunisia on 13 July, the High Commissioner signed the agreement establishing the Office and simultaneously inaugurated the premises in Tunis.

The Tunisia Office concentrates its efforts on two of the office-wide thematic priorities: (1) combating impunity and strengthening accountability, the rule of law and democratic societies; and (2) pursuing economic, social and cultural rights and combating inequalities and poverty. Throughout its various activities, the Office supports the Tunisian authorities, civil society organizations and other relevant actors in the building of an effective national human rights protection system, including through the provision of technical cooperation, training and advocacy. This role is undertaken with an inclusive approach that ensures the participation of all stakeholders, in close cooperation with the United Nations Country Team (UNCT). Whenever possible, the Office also aims at reaching out to groups living and working in remote areas (including in the regions of Kasserine, Qabaly, Sidi Bouzid and Tala), which have suffered severe marginalization during previous decades. Alongside much-needed capacity-building activities, the Office undertakes regular monitoring and reporting activities on various human rights issues.

Results

National laws, policies and institutions (EA 1)

- ▶ A first draft law for the establishment of a national human rights institution (NHRI) is currently being discussed by committee members and other national stakeholders and will be submitted to the National Constituent Assembly for adoption. The Office has provided advice and technical expertise to support the establishment



The High Commissioner with Tunisia's Minister of Foreign Affairs after the signature of the agreement to establish OHCHR's country office in Tunisia, July 2011.



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Crowds heading to the airport terminal at Jerba, Tunisia.

of an institution that is in full compliance with the Paris Principles.

- ▶ The transitional Government has initiated several reforms, including the enabling of political parties to operate, freeing political prisoners, dissolving both the political police and the security apparatus and allowing freedom of the press. The Office has contributed to this by assisting its national counterparts in legislative reform to ensure that adopted laws comply with international human rights norms and standards and guidance issued by treaty bodies and special procedures.
- ▶ The Office in Tunis disseminated approximately 500 OHCHR documents on transitional justice during seminars, conferences and workshops organized by local partners and 800 copies of the Universal Declaration of Human Rights on UN Day (24 October).
- ▶ The Office conducted various training sessions for approximately 4,000 recruits in all seven of the training schools for the National Police and the National Guard. The sessions resulted in the agreement of the Ministry of Interior with an OHCHR-proposed outline of a two-track plan for the training of new recruits over three trimesters and a series of two-week training courses for security forces trainers. Furthermore, the Office has been actively involved in the development of a code of conduct, standing orders and the delivery of training for commanders in “strategic management” in line with international human rights norms and standards.
- ▶ The Office has provided support in terms of the documentation methodology for the National Fact-Finding Commission, including technical

expertise on how to conduct interviews, protect witnesses and document and report on human rights violations. It has provided extensive support to the two other National Commissions, including through training and strategic planning in methodologies of managing information (public information, managing violation databases, etc.).

Ratification (EA 2)

- ▶ The interim Government has ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the first Optional Protocol to the International Covenant on Civil and Political Rights and the Rome Statute of the International Criminal Court.

State engagement with human rights mechanisms (EA 6)

- ▶ The Special Rapporteurs on the promotion and protection of human rights and fundamental freedoms while countering terrorism and on torture made recommendations to the interim Government to improve the administration of justice, transitional justice and the prevention of torture. The Office supported the missions of these rapporteurs.
- ▶ Tunisia is expected to be among the first countries to undergo the second cycle of the Universal Periodic Review (UPR) in May 2012 and the Country Office organized various UPR training sessions for a broad number of stakeholders, including civil society organizations and the UNCT.

Challenges and lessons learned

The Office is well-positioned to provide expertise to support relevant institutions in building an effective national human rights protection system, including the establishment of a national human rights institution in full compliance with the Paris Principles and to assist national counterparts in bringing legislation in line with international human rights norms and standards and guidance issued by treaty bodies and special procedures. The Office is further committed to promoting the realization of economic, social and cultural rights while addressing the root causes of human rights violations and supporting reparations for victims. The Office can support the Government with various processes, including building capacity to address past violations, restoring a safe and stable security environment, implementing constitutional and legislative reforms, respecting the role of political parties and civil society organizations and providing solutions for socioeconomic problems. This will be done through programmes and projects closely coordinated with national counterparts while taking into account the importance of the principles of inclusiveness and participation.

Tunisia: Expenditure in 2011		
	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	148,694
Consultants	-	15,150
Official travel	-	30,045
Contractual services	-	2,000
General operating expenses	-	48,830
Supplies & materials	-	203,823
Seminars, grants & contributions	-	111,800
Subtotal	-	560,342
Programme support costs	-	72,845
GRAND TOTAL	-	633,187

Regional Offices and Centres

Regional Office for the Middle East (Beirut, Lebanon)

Year established	2002
Staff as of 31 December 2011	10
Expenditure in 2011	US\$1,153,617

Background

The year 2011 witnessed people across the Middle East taking to the streets to demand dignity, freedom and social justice. These protests took place against the backdrop of a stifling status quo and region-wide systems of governance that lacked accountability and participation and frequently relied on the use of force and abuse. Calls for change were often met by violence. Human rights defenders, many of whom were long standing partners of the Regional Office, were quick to engage with key actors of the mobilization. The League of Arab States aligned itself with the movement for change and supported people against their rulers in several countries. Millions of people peacefully confronted national security organs to claim their rights that in turn responded with excessive use of force, arbitrary arrests, torture, enforced disappearances and collective punishment. In some countries, the situation spiralled into localized and broad-based armed conflicts. In others, Governments resorted to arrests and threats or distributed money and adopted generous policies in an attempt to prevent further uprisings. Human rights defenders played an important role in documenting and reporting on human rights violations.

Events confirmed the crucial role of human rights defenders in the region, but also raised questions related to objective reporting and comprehensive monitoring. Many human rights defenders in the region continue to face the challenge of retaining their distinct characters without blurring their identities and roles with those of political activists. The role of youth and of social media was particularly prominent and women actively claimed their space by marching and fully participating in events alongside men. The women of Yemen surprised the world with their bold engagement. One Yemeni woman and two African women were awarded the Nobel Peace Prize. Women in Saudi Arabia were promised participation in future elections. The events highlighted the strengths and weaknesses of the regional media as most media

representatives were prevented from free reporting while others were accused of bias based on their ideological leanings and funding sources. The advent of freedom of expression and unencumbered political participation offered by well-organized Islamist groups underscored their strong appeal and resulted in their electoral success in Tunisia and Egypt and explains their growing strength in Libya, the Syrian Arab Republic and Yemen.

The OHCHR Regional Office for the Middle East was established in Beirut in 2002 and covers 10 countries, namely: Bahrain, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, the United Arab Emirates (UAE) and Yemen.

Results

National laws, policies and institutions (EA 1)

- ▶ *Target not achievable within the biennium for Jordan: Increased compliance with international human rights standards of laws in the area of the protection of migrant domestic workers.*

During missions to Jordan, the Regional Office raised the status of migrant domestic workers with authorities and participated in a national event during which it shared its experience in Lebanon and offered to work with Jordanian partners who have not yet responded to this offer.

- ▶ *Target for Lebanon: The level of compliance of legislation with international human rights standards significantly improved in one area (the protection of migrant domestic workers).*

A draft law was developed with support from OHCHR and ILO to provide some protection for migrant domestic workers and was adopted by the Lebanese Minister of Labour in January 2011. The draft law does not fully comply with international human rights standards and OHCHR expressed its views and provided comments to the Ministry of Labour in this regard.

- ▶ *Target not achievable within the biennium: Increased compliance of Lebanese Internal Security Forces with international human rights standards.*

The Directorate of the Internal Security Forces adopted a Code of Conduct. The Code of Conduct is not fully compliant with international human rights standards and principles and the Regional Office has expressed its views on the remaining gaps. OHCHR substantially contributed to the elaboration of this Code by providing technical advice to the drafting committee and advocating for its adoption with members of the Internal Security Forces. Civil society was



Event organized by OHCHR to mark Human Rights Day in Lebanon, December 2011.

consulted throughout the process and resulted in awareness-raising among rights-holders.

- ▶ *Target for Jordan: To a larger extent, the national human rights institution (NHRI) in Jordan works in compliance with the Paris Principles.*

Jordan's National Human Rights Commission (NHRC) is increasingly working in compliance with human rights standards in advocating for the prevention of torture in Jordan. This follows a two-day seminar organized by OHCHR and the NHRC in March 2011 to encourage the ratification by Jordan of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT). Furthermore, OHCHR actively participated in a roundtable organized by the Danish Centre for Human Rights in Jordan from 29-30 September in the framework of a project on the role of NHRIs working in Arab societies in transition. The involvement of NHRC helped to improve their interaction with OHCHR and enhance the level of cooperation.

- ▶ *Target for Lebanon: The NHRI in Lebanon is established in compliance with the Paris Principles to a high extent.*

In Lebanon, a draft bill was prepared with the assistance of OHCHR to establish a national human rights institution in compliance with the Paris Principles. The draft was submitted to the Lebanese Parliament in November 2011 and was transferred to the Human Rights Parliamentary Committee for review. The draft bill is the result of cooperation between the Lebanese Ministry of Justice and a large number of local and international human rights organizations.

- ▶ *Target not achievable within the biennium for Lebanon: The level of compliance of policies with international human rights standards has significantly improved in one area: National Human Rights Action Plan (NHRAP).*

As of the end of 2011, the NHRAP had not been finalized or adopted. The working groups,

composed of Members of Parliament, line ministries and civil society organizations (CSOs) held discussions on studies that supported the plan. The current draft is not fully compliant with human rights standards and principles. OHCHR substantially contributed to the discussions by providing technical advice to the drafting team; and supported a group of non-governmental organizations (NGOs) to lobby on the issue. The draft plan will be submitted to the Human Rights Parliamentary Committee for discussion in 2012. The Regional Office will concentrate its efforts on improving the draft and advocating with Members of Parliament for its adoption in 2012.

State engagement with human rights mechanisms (EA 6)

- ▶ *Target not achievable within the biennium: Increased compliance and engagement by Oman and the UAE with the Committee on the Elimination of Discrimination against Women.* During 2011, OHCHR contributed to increasing knowledge of and engagement with human rights mechanisms by national stakeholders in Oman and UAE. Through the work of the gender adviser with different governmental and non-governmental organizations, OHCHR advocated with officials in Oman and UAE to withdraw their reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). To that end, OHCHR and various national partners organized two workshops: In Oman, a workshop was held for governmental officials to discuss the international human rights treaties and advocate for their ratification, as well as the withdrawal of reservations to some treaties including CEDAW. In UAE, a workshop was held with representatives from governmental organizations to discuss means and mechanisms through which to address issues raised in the concluding observations issued by the CEDAW Committee. While the feedback of participants was positive, further technical support is needed to improve the Government's engagement.
- ▶ *Target: Oman submits its report to the CEDAW Committee.* Oman submitted its report to the CEDAW Committee in October 2011.

Human rights mainstreaming within the United Nations (EA 11)

- ▶ Result achieved for which no target was set: OHCHR continued to cooperate with UN agencies to advance the rights of women. OHCHR supported the United Nations Country Team (UNCT) in Syria in mainstream gender

concerns in the United Nations Development Assistance Framework (UNDAF) and provided technical support to UNICEF in the UAE to mainstream gender concerns and elaborate on protection areas in the national strategy for children.

- ▶ *Target for Bahrain: The UN country strategy integrates human rights standards to a low degree.* Implementation of the strategy, which was not co-signed by the Government, was frozen due to the events taking place in the country.
- ▶ *Target for Saudi Arabia: The UN country strategy integrates human rights standards to a low degree.* The Regional Office contributed to the Common Country Assessment (CCA)/UNDAF processes in Djibouti and Saudi Arabia by conducting training activities on the human rights-based approach for local UNCTs or by providing a resource person for such trainings. As a result, the two documents moderately incorporate human rights concerns and UN staff working on the ground were made aware of the importance of looking at neglected groups, including internally displaced persons from south-west Saudi Arabia and minorities in Djibouti.
- ▶ *Target for the Syrian Arab Republic: The UNDAF integrates human rights standards to a low degree.* The Regional Office raised human rights concerns and incorporated recommendations stemming from the missions of two special rapporteurs to the country in 2010.
- ▶ *Target: The regional United Nations Development Group (UNDG) integrates human rights standards and principles to a moderate degree.* The Regional Office was instrumental in suggesting the inclusion of numerous human rights references in the regional UNDG response plan that was developed following a request from the Policy Committee. The plan included a number of recommendations related to principles of a human rights-based approach, such as participation, non-discrimination, accountability and minority rights, as well as the importance of establishing NHRIs and transitional justice.
- ▶ *Target for Lebanon: The UNCT and the Office of the United Nations Special Coordinator for Lebanon (UNSCOL) integrate human rights standards and principles to a high extent.* In Lebanon, the Regional Office continued to actively participate in all integrated working groups (i.e., governance, Palestinian refugees, vulnerable groups and border areas, human rights) that were established under the Integrated Strategy, bringing together all UN presences in

the country (UNCT, UNSCOL and the United Nations Interim Force in Lebanon). OHCHR also participated in the Gender and Information Working Groups and chaired the Human Rights Working Group. A major achievement for 2011, in line with the UNDAF, was the launch of a human rights education campaign. In November and December, to coincide with Human Rights Day, the Regional Office took the lead in a series of teachings delivered by UN staff members and human rights defenders in schools and universities. A booklet highlighting Lebanon's human rights challenges and the recommendations received during the Universal Periodic Review (UPR) was developed by the Human Rights Working Group and made available in Arabic, English and French.

- ▶ Result achieved for which no target was set: The Regional Office, together with ILO, took the initiative of drafting an employer's code of conduct for national and international UN staff employing migrant domestic workers. The Lebanon UNCT endorsed the text in July and staff members were asked by Heads of agencies to sign it, preferably together with their employees. Several agencies consider it to be a mandatory procedure. The Code of Conduct complies with international norms but does not provide for a minimum wage.

Challenges and lessons learned

Establishing focused goals with a number of partners, especially on the Government side, increases the chances they will be achieved. Establishing trust and building capacity require the regular and timely provision of expert advice and training. This has been demonstrated through the various initiatives undertaken by the Regional Office, including in relation to gender, NHRIs, migrant domestic workers and reporting to the treaty bodies and the UPR process. Furthermore, regional work yields more results when it includes the participation of Governments and civil society instead of only UN regional mechanisms, in which OHCHR is a minor partner.

The upheaval in various countries across the region impacted on the capacity of the Regional Office to carry out its workplan as the attention of several Governments was justifiably diverted away from engaging with the UN to events taking place in the streets. In addition, previous efforts to engage with Syria came to an abrupt halt and due to the sensitivities of the situation, the Regional Office was not able to play the active role it could have under different circumstances.

Regional Office for the Middle East (Beirut, Lebanon): Expenditure in 2011

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	788,720
Consultants	-	(15,947)
Official travel	-	18,434
Contractual services	-	28,139
General operating expenses	-	112,940
Supplies & materials	-	19,226
Seminars, grants & contributions	-	69,388
Subtotal	-	1,020,900
Programme support costs	-	132,717
GRAND TOTAL	-	1,153,617

United Nations Training and Documentation Centre for South-West Asia and the Arab Region (Doha, Qatar)

Year established	2009
Staff as of 31 December 2011	2
Expenditure in 2011	US\$1,111,175

Background

The mandate of the Centre is outlined in General Assembly resolution 153/60 which emphasized that it is "under the supervision of" OHCHR and has "the mandate to undertake training and documentation



The Deputy High Commissioner attends the consultation on strengthening the regional human rights mechanism for the Gulf Cooperation Council, November 2011.

activities according to international human rights standards and to support such efforts within the region by Governments, United Nations agencies and programmes, national human rights institutions and non-governmental organizations.” The Centre’s broad mandate has been further elaborated in the Host Country Agreement between OHCHR and the State of Qatar which was signed in December 2008.

While the Centre was officially inaugurated in May 2009, it only began its regular activities in July 2010. The Head of the Centre was deployed in November 2010; two months prior to the start of the Arab Spring. While these events reaffirmed the need to strengthen capacities in the region, the challenges facing the Centre have grown alongside heightened expectations and limited resources.

During its first year of operation, the Centre managed to forge good relationships with various human rights actors in the region.

Results

National laws, policies and institutions (EA 1)

► In May 2011, an agreement to integrate a human rights-based approach into the Arab Strategy for Combating Human Trafficking was reached as an outcome of the Regional Consultation on the Human Rights-Based Approach to Combating Human Trafficking organized by the Centre, in collaboration with the Qatar Foundation for Combating Human Trafficking. The Regional Consultation was attended by 70 participants from a number of Arab countries or territories, including Egypt, Jordan, Kuwait, Lebanon, the Occupied Palestinian Territory, Qatar, Saudi Arabia, Syrian Arab Republic, Sudan, United Arab Emirates (UAE) and Yemen. The Arab Strategy for Combating Human Trafficking represents a formal initiative by the League of Arab States (LAS) to strengthen regional implementation of the UN Protocol for Combating Human Trafficking (also known as the Palermo Protocol). An earlier draft of the Strategy was amended to include explicit references to OHCHR’s Recommended Principles and Guidelines on Human Rights and Human Trafficking. The Strategy also explicitly refers to OHCHR as an important partner in the struggle to combat trafficking. On the same subject, the Centre organized a workshop in December that focused on the OHCHR 2002 Recommended Principles and Guidelines on Human Rights and Human Trafficking for law enforcement officials. Members of national entities combating human trafficking attended from 10 countries of the

region. The workshop was organized in collaboration with the Human Rights Department of the Ministry of Interior of the UAE.

► In May, the Centre undertook an assessment mission to the Omani National Human Rights Commission with the purpose of assessing the capacity of new recruits in carrying out their tasks within the Commission. Based on the mission’s findings, the Centre developed a joint cooperation programme with the Commission to enhance the capacity of its staff and board members. The first activity within the framework of this cooperation programme took place in December when a workshop was organized to introduce newly recruited staff members of the Commission to the basic principles of human rights, the international protection system, the work of national human rights institutions and the Paris Principles.

Participation (EA 5)

► Following a number of activities implemented by the Centre with journalists, coverage of human rights issues increased in the regional media. For example, a training workshop was organized in April in collaboration with Al Jazeera for Qatari journalists on the application of a human rights-based approach to media coverage and international mechanisms for the promotion and protection of human rights. In May, a two-day workshop was organized in collaboration with Al Jazeera and UNESCO to introduce media professionals to issues of legal protection for journalists, as well as application of international human rights law and international humanitarian law standards in times of armed conflict.

State engagement with human rights mechanisms (EA 6)

► Technical support was provided to the Qatar National Human Rights Committee to follow-up on the implementation of a number of recommendations from human rights bodies, including the production of awareness-raising materials targeting foreign construction workers and the development of a questionnaire on the perception of the Qatari community regarding the rights of women. The results of the questionnaire will be used to develop a comprehensive programme for raising awareness in relation to women’s human rights.

International and regional laws and institutions (EA 8)

► In cooperation with the Human Rights Office of the Qatari Ministry of Foreign Affairs, the Centre organized a two-day consultation on

strengthening the regional human rights mechanism for protecting human rights in member states of the Gulf Cooperation Council. The workshop aimed at sharing best practices and discussing ways to enhance the capacity of the new mechanism, resulting in the adoption of a number of recommendations, including the establishment of a consultative group to provide advice to the regional mechanism. The Centre is currently advising the human rights mechanism in the development of its plan of action.

Challenges and lessons learned

The current process of transformation underway in the Arab region has presented a new challenge in meeting the increased demand for human rights knowledge. Furthermore, the process of transformation has highlighted the need to focus on a number of emerging human rights capacity-building issues, for example, the use of social media for the promotion and protection of human rights. While the strong and principled stance taken by OHCHR in response to the Arab Spring has greatly enhanced the credibility of the Centre in the region, it has also heightened expectations that OHCHR will play a vital role in quickly improving the knowledge of human rights in the region.

United Nations Training and Documentation Centre for South-West Asia and the Arab Region (Doha, Qatar): Expenditure in 2011

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	709,786
Consultants	-	(5,050)
Official travel	-	33,786
Contractual services	-	14,000
General operating expenses	-	77,326
Supplies & materials	-	33,951
Seminars, grants & contributions	-	119,542
Subtotal	-	983,341
Programme support costs	-	127,834
GRAND TOTAL	-	1,111,175

Human Rights Components in UN Peace Missions

United Nations Assistance Mission for Iraq

Year established	2004
Staff as of 31 December 2011	47

Background

During 2011, the general security situation remained precarious with a slight decrease in the overall number of civilian casualties compared with 2010. There was, however, an increase in targeted assassinations of political leaders, Government officials and security personnel, as well as the targeting of community and religious leaders, legal, medical and education professionals. The administration of justice and the rule of law remained weak with recurring reports of arbitrary arrests and torture and ill-treatment in detention. Conditions in many prisons and detention facilities were of serious concern, with many falling below international standards in terms of overcrowding, lack of hygiene and an absence of prisoner rehabilitation programmes. Lack of respect for freedom of expression and freedom of assembly were also of concern with reports of the use of excessive force during protests and harassment of journalists. Violence perpetrated against women and girls, including 'honour crimes,' continued to be of serious concern. Widespread poverty, high rates of unemployment, economic stagnation, environmental degradation and a lack of basic services continued to affect large sections of the population.

In 2011, the Council of Representatives re-initiated the process for establishing the Iraqi Independent High Commission for Human Rights (IHCHR) by appointing a Committee of Experts to undertake the process of nominating commissioners. The Committee was appointed in April 2011 and endorsed by the Council of Representatives in May 2011. By October 2011, a shortlist of candidates had been drawn up. In 2011, the Ministry of Human Rights agreed to draft a comprehensive national action plan aimed at implementing the 135 recommendations accepted by Iraq from the Universal Periodic Review (UPR) process as well as those proposed by civil society organizations, representatives of the Government and the judiciary during a national consultation conference held in Baghdad in June. The final plan, which will include



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Human rights officers facilitate a training session for the police and members of the security forces in Iraq.

an implementation road map, is anticipated to be finalized by the Council of Ministers by the beginning of 2012.

The United Nations Assistance Mission for Iraq (UNAMI) Human Rights Office (HRO) engages in the promotion and protection of human rights and the rule of law in close collaboration with governmental and non-governmental sectors, in accordance with Security Council resolution 1936 (2010). It also represents OHCHR in Iraq. In this context, UNAMI-HRO developed strategic partnerships with Government counterparts, in particular the Ministry of Human Rights, the Ministries of Justice, Defence, and Interior as well as with the Human Rights Committee of the Council of Representatives and civil society organizations (CSOs). Focus areas of the HRO's work include assisting with the establishment of the IHCHR and helping to elaborate a national action plan in follow-up to the UPR. Furthermore, UNAMI-HRO contributes to justice sector reform including through its work with UNICEF on the juvenile justice system project and a range of activities targeting the promotion of women's rights. As a result of HRO's multi-year training activities for human rights defenders, Iraq currently has a number of active and competent non-governmental human rights organizations. Other areas of HRO's work include the training of Government officials and members of civil society on human rights law and relevant obligations and awareness-raising activities and human rights education for the general public. As part of its advocacy efforts, the Office produces reports, some of which are made public, based on its ongoing monitoring of the human rights situation in Iraq and makes specific recommendations for steps to be taken by various stakeholders. The Office also

conducts advocacy in relation to specific human rights issues with the Government and other duty-bearers.

Results

National laws, policies and institutions (EA 1)

- ▶ In an important development, on 29 March 2011, the Parliament announced the formation of a Committee of Experts to nominate commissioners to serve on the Iraqi Independent High Commission for Human Rights. The Committee, which was formally endorsed by the Council of Representatives, is composed of 15 representatives: eight from the Council of Representatives, two from the High Judicial Council, two from the Council of Ministers, two from civil society organizations and a representative from UNAMI. The Committee re-opened the nomination process and a total of 3,052 applications were received (including 1,466 applications received during a previous nomination process). As of December 2011, the Committee had selected 161 candidates based on objective criteria. UNAMI, in partnership with UNDP, is providing technical and logistical support to the process.
- ▶ The Ministry of Human Rights drafted a national action plan that encompassed the UPR's 135 recommendations and submitted the plan to a National Consultation Conference held in Baghdad in June 2011. Conference delegates from the Government, the judiciary and civil society made amendments and recommendations on the draft. At the end of December 2011, the Government was still in the process of amending the draft plan to incorporate the consultation conference's recommendations. OHCHR is

providing technical advice and continues to advocate with Government authorities for the finalization of the National Action Plan.

- ▶ The Journalist Protection Law that was amended and passed by the Council of Representatives in August 2011 is an improved version of the original text submitted by the Government but still needs to be amended to ensure it meets international standards. UNAMI-HRO is continuing its advocacy with governmental and State authorities to improve the law. In this respect, the Office has conducted several meetings and a national conference on freedom of expression for national authorities and members of the Council of Representatives in order to raise their awareness of international human rights standards.
- ▶ The Government of Iraq closed down the Al-Sharaf detention centre in Baghdad's Green Zone as a result of the human rights abuses that were uncovered during a month-long investigation conducted by Iraq's Ministry of Human Rights. This was a result of concerns voiced by UNAMI in the public 2010 Annual Human Rights Report for Iraq. Furthermore, the Human Rights Committee of the Council of Representatives became more active and took some proactive steps to monitor and report on the conditions in detention facilities and prisons. International pressure and OHCHR's advocacy played an important role in this result.
- ▶ The law for combating domestic violence in the Kurdistan region of Iraq was adopted, representing a significant development towards the protection of women and children and the prosecution of those who perpetrate domestic violence. UNAMI participated in the working group "domestic violence and protection of women and children" in 2010 and provided technical advice and expertise. Female genital mutilation and 'honour killings' remain a significant concern which the Kurdistan region needs to address through legislative reforms and social education programmes.

Ratification (EA 2)

- ▶ On 7 July 2011, Iraq acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), but has rejected a moratorium on the implementation of the death penalty and consideration of its abolition. UNAMI-HRO is working closely with the Ministry of Human Rights, as well as the Ministry of Justice, to try to curb the pattern of executions in Iraq and is using its good offices to try to convince the Government to adopt a moratorium.

Human rights mainstreaming within the United Nations (EA 11)

- ▶ The Iraq United Nations Development Assistance Framework (UNDAF) was conceived and prepared in consultation and coordination with UNAMI-HRO. All of its programmes and activities are human rights-based. UNAMI-HRO is represented in all UNDAF priority working groups and its members are contributing to the implementation and definition of the priority areas and activities. It is worth noting that a priority working group has been established that is specifically focused on governance and human rights. Its sub-working group on protection is co-chaired by UNAMI-HRO and UNHCR.

Challenges and lessons learned

While there has been some progress achieved regarding the respect and protection of human rights throughout Iraq in recent years, the situation remains fragile as a result of the ongoing conflict situation. Widespread poverty, economic stagnation, lack of opportunities, environmental degradation and an absence of basic services constitute "silent" human rights violations that affect large sectors of the population. Armed violence continues to impact negatively on civilians and civilian infrastructure. Due to the security situation, the Office is at times unable to provide the desired support to individuals or groups in need of assistance, while at the same time it is also very difficult, if not impossible, for victims to reach the Office. Similarly, the mechanisms in place to refer cases to the Government, the Kurdistan Regional Government, or civil society organizations for follow-up, redress and any kind of assistance, continue to be weak.

The Office has, however, developed a very strong partnership with civil society organizations operating in various locations throughout Iraq. The Office has strong partnerships with UN agencies, in particular with UNDP, UNOPS and more recently with UNESCO, in conducting and implementing joint programming and specific activities. The Office is currently collaborating with UNDP to implement a project to provide technical assistance to the Council of Representatives in establishing the Independent High Commission for Human Rights and with UNOPS in assisting the Government in the finalization of the National Action Plan and the establishment of a network of human rights defenders. This has proven to be very effective in partially overcoming the security and logistical constraints of working in Iraq and has paved the way for further UN joint programming.

Building the Human Rights Monitoring Capacity of Iraqi NGOs in Southern Iraq

Located in the far south of Iraq, Basra is a low-profile giant. This big city has huge economic potential due to its oil fields and seaport. Headline-grabbing bomb attacks and assassinations are mercifully rare. Nevertheless, the people of Basra are disadvantaged by the effects of poverty, environmental damage and other “silent” human rights violations. Like elsewhere in Iraq, the population of Basra also suffers due to the neglect and abuse of a dysfunctional rule of law system.

The UNAMI-HRO established a presence in Basra in 2005 and 2006, was later evacuated due to rising threats of insecurity, but returned again in 2009 to become one of only two substantive UNAMI sections represented in Basra. In pursuing the official UNAMI mandate of promoting the protection of human rights in Iraq, HRO Basra began monitoring the human rights situation and communicating with interlocutors in Government and civil society. Due to movement restrictions imposed on UNAMI international staff, HRO’s capacity to undertake site visits is limited. HRO relies heavily on the support of Iraqi civil society organizations. Improving the monitoring and

reporting skills of local human rights defenders is therefore crucial, particularly at a time when the Arab Spring has demonstrated the degree to which courageous and knowledgeable human rights defenders can galvanize forces that are demanding democracy, justice and respect for human rights.

In 2011, HRO organized a human rights training course in Basra, targeting representatives of non-governmental organizations (NGOs) from Basra and other governorates in southern Iraq. The workshop began with a brief introduction to major international human rights instruments and an overview of human rights reporting by the UN, the Government and NGOs. In working groups, the participants were invited to explore the key principles, practices and skills of human rights monitoring and reporting and explored a variety of questions, including: What is monitoring and what is being monitored? Why monitor at all? Who monitors? What are the elements of effective monitoring? What equipment is needed to monitor? With regard to the task of reporting what has been monitored, the participants discussed potential sources of information and a

template for an incident report. They debated to whom a report should be addressed in order to enhance its impact. Finally, they discussed what could be expected as a result of writing and submitting a human rights report.

On the second day of the training, the participants were tasked with watching three video clips of human rights situations: one of an apparent extrajudicial killing and two of violence during demonstrations. They then analysed the information contained in the films and presented their findings in a human rights incident report. The participants learned to pay attention to details and use their own knowledge to complete the picture without making unsustainable assumptions. While the factual analysis of the portrayed incidents was quite accurate, many participants found it difficult to distinguish between violations of human rights (by State agents) and violations of criminal law (by non-State actors), and some argued for an unlimited horizontal application of human rights. This type of approach is not unreasonable in Iraq where the distinction between perpetrators of human rights violations and ordinary crimes is frequently blurred.

United Nations Support Mission in Libya

Year established	2011
Staff as of 31 December 2011	5

Background

Libya has inherited a vast legacy of human rights violations perpetrated by the previous regime over a 42-year period. In addition, Libya’s population is dealing with violations of human rights and international humanitarian law committed during the armed conflict in 2011, including crimes against humanity and war crimes. While the National Transitional Council and the interim Government have taken steps to address key challenges, much remains to be done in the area of transitional justice, including promoting accountability for past violations, upholding human rights and the rule of

law, as well as delivering economic development and democratic governance. The Libyan revolution, which led to the adoption of the Declaration of Liberation, has been accompanied by the emergence of numerous active non-governmental organizations (NGOs), including women’s groups across the country. Youth groups also are emerging as important partners in strengthening the civil society movement and addressing a range of social and political challenges.

The United Nations Support Mission in Libya (UNSMIL) was established by UN Security Council resolution 2009 (16 September 2011) to assist and support Libyan national efforts to promote and protect human rights, particularly for those belonging to vulnerable groups and support transitional justice efforts. The resolution called upon Libyan authorities to comply with their obligations under international law, including international



Students at Tripoli University, Libya, attend a human rights workshop organized by OHCHR to commemorate the anniversary of the Universal Declaration of Human Rights.

humanitarian and human rights law and ensure that those responsible for violations are held accountable in accordance with international standards. Pursuant to UNSMIL's mandate, the Human Rights Section (HRS) assists the Libyan authorities in responding to human rights issues, such as detention, provides advice and training on transitional justice matters and assists in liaising between various national and international actors in mobilizing assistance. The HRS also assists in building and reinforcing the capacity of civil society actors to promote and protect human rights.

Results

National laws, policies and institutions (EA 1)

- ▶ In December 2011, a decree was adopted establishing the National Council for Public Liberties and Human Rights. The interim Government took the initiative to create a national institution that can play a major role in integrating human rights in Government policymaking, legal reform, advocacy for human rights and follow-up with authorities on their reporting obligations to human rights mechanisms. HRS will continue to work towards ensuring that the newly established national institution complies with the Paris Principles.
- ▶ The Minister of Justice sought to bring all detainees held by the revolutionary brigades under the control of the Ministry. As of early 2012, the control of 23 detention centres had been transferred to the Ministry of Justice. HRS will continue to work with the interim Government to accomplish the transfer of control of all detention centres to the Ministry of Justice, enhance the rule of law and ensure the justice system is operating in compliance with

international standards. Based on interviews conducted with detainees in a number of places of detention, including Benghazi, Misrata, Tripoli, Zawiya and Zintan, UNSMIL raised concerns regarding detention cases with the interim Government to ensure compliance with international human rights standards.

Justice and accountability mechanisms (EA 3)

- ▶ A Transitional Justice Law was adopted. With input from OHCHR headquarters, HRS provided comments on an initial draft, stressing that additional public consultation was necessary; advised on addressing technical deficiencies of the draft law; and shared information on global best practices on transitional justice. The majority of suggestions provided by OHCHR and UNSMIL were not integrated in the final law.
- ▶ On 5 October, the National Commission for the Search and Identification of Missing Persons was established by decree. HRS coordinated with the Commission and the Ministry for the Families of Martyrs and Missing Persons in order to clarify their respective roles. HRS also provided advice and facilitated coordination among international actors seeking to provide assistance to the Commission. In early 2012, the National Commission was dissolved and the work on missing persons was taken over by the Ministry for the Families of Martyrs and Missing Persons.

Participation (EA 5)

- ▶ HRS supported efforts by Libyan human rights activists to advocate for the compliance of new Libyan laws with international human rights standards, including by promoting civil society participation with duty-bearers, organizing

training sessions and supporting conferences and events to mark Human Rights Day. HRS's actions initiated a process of building the knowledge of Libyan civil society actors about their rights.

State engagement with human rights mechanisms (EA 6)

- ▶ In September 2011, the then-interim Minister of Justice spoke at the Human Rights Council and extended a standing invitation to the special procedures and the High Commissioner. HRS will work with the Libyan authorities to support its efforts to comply and engage with the human rights mechanisms.

Human rights mainstreaming within the United Nations (EA 11)

- ▶ In pursuing its mandate on reconciliation, UNSMIL has consistently integrated international human rights standards to ensure that the Libyan transitional justice process is based on human rights norms and principles. Moreover, the Mission has pursued an approach based on human rights standards and gender mainstreaming when dealing with transitional issues, such as improving the functioning of the judiciary and prisons. HRS works closely with the United Nations Country Team (UNCT) to ensure that a human rights-based approach, including gender mainstreaming, is integrated into the design of projects and programmes.

Challenges and lessons learned

A key challenge in the field of transitional justice is ensuring an appropriate balance between accountability, justice and reconciliation. The new mechanisms being established bear a heavy burden of facilitating resolution of the cases of close to 25,000 missing persons and promoting the right to truth for victims. In addition to prosecution initiatives, it will be essential to explore the full range of transitional justice processes, including truth seeking, reparation for victims, justice for perpetrators and institutional reforms.

Experience has shown that successful transitional justice strategies require meaningful public participation. A comprehensive process of national consultations is a critical element that enables the crafting of an appropriate, context-specific transitional justice strategy in which the rights and needs of victims are reflected, including vulnerable groups, women and children.

On 10 and 11 December, HRS and the University of Tripoli marked the anniversary of the Universal Declaration of Human Rights by holding a two-day training session on human rights for 35 students of the Faculty of Law. The session aimed at increasing the level of awareness and understanding of human rights and fostering mutual understanding and tolerance among youth. Students provided a positive evaluation of the event and expressed their intention of establishing a human rights movement on campus to promote human rights knowledge. They also noted the recent creation of discussion forums on a University webpage and efforts undertaken to liaise with NGOs and UN entities and agencies on various human rights issues. UNSMIL will ensure that follow-up steps are taken, including the organization by UNSMIL and OHCHR of human rights lectures on campus and the distribution of documentation for students.

In Benghazi, the anniversary of the Universal Declaration of Human Rights was publicly marked for the first time at an event organized by the National Prevention against Violence Committee, with support and participation from UNSMIL and OHCHR, a range of NGOs and youth and women's groups. At the event, the Association of Abu Salim Families reiterated their long-standing demand for the truth to be revealed about the fate of their loved ones, believed to have been killed in the Abu Salim Prison in 1996, and for those responsible for their deaths to be held accountable. HRS delivered a well-received speech and OHCHR funded the printing of human rights materials.