



**ANNUAL REPORT  
2005**



OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR HUMAN RIGHTS

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# INTRODUCTION BY THE HIGH COMMISSIONER

There can be no question that 2005 was a seminal year for OHCHR. It marked the moment at which, for the first time, the United Nations human rights Office was able to combine vision, strategy, personnel, resources and political support into the beginnings of an effective means by which to seek to address some of the greatest human rights challenges we currently face in the world today. In the Report you have before you, we seek to explain to you how this has happened and what more needs to be done to enable us to continue down the path on which we have embarked.

Indeed, I am confident that we will look back on 2005 as a landmark year in the steady embrace of the centrality of human rights in our international discourse: much as 1948, and the signing of the Universal Declaration, was, or 1993 and the articulation of the Vienna Declaration, or even, I suspect, 1998 and the adoption of the Rome Statute. In 2005, the Member States of the United Nations agreed on an outcome to their gathering at the World Summit in New York. This document, in unambiguous terms, declared that the promotion and protection of human rights is central to the purpose of the United Nations: that the pursuit of development and the maintenance of peace cannot be achieved without ensuring respect for all human rights. In other words, the days are now over when human rights can be seen as an afterthought or at best a sideshow.

To give substance to this declaration, the Summit agreed on a number of measures, including the decision to create a Human Rights Council – a new and stronger intergovernmental human rights body to replace the Commission – and the commitment to double, within five years, the resources of OHCHR, acknowledging the vision we had outlined for ourselves in our Plan of Action. The first tranche of this increase was duly delivered with the General Assembly's 2006/2007 budget cycle which provided OHCHR with an appropriation of US\$ 85.6 million corresponding to an increase in 91 new regular budget posts and related activities. These moves constituted a remarkable statement of intent on the part of the international community and we will be looking to the Member States to continue this process until our regular budget funding has, indeed, been doubled.

Many challenges lie ahead. In particular, it is imperative that the new Human Rights Council is able quickly to prove itself adept at addressing, constructively and speedily, human rights violations that occur the world over. I believe that the structure of the Human Rights Council is a marked improvement over that of the Commission. It is, however, only a structure to which Member States will have to give meaningful life and purpose. Within our capacity, my Office stands ready to assist, however we can, to make this Council the success it must be.

Secondly, the task of equipping OHCHR to implement fully the mandate accorded to it has only just begun, remarkable though I believe these early strides to have been. OHCHR's donors have again manifested their commitment in helping us realize our goals and achievements. In 2005, voluntary contributions amounted to US\$ 73.9 million. With this support we have launched the implementation of a comprehensive human rights work programme and I am extremely grateful for this. Voluntary contributions will remain a vital source of funding for OHCHR and we will have to continue to rely on this support in future. Together with the substantial increase in regular budget funding, this funding source will help address what has, in the past, been a significant under-resourcing of the United Nations human rights programme.

It can be all too easy to focus on institutional change as if, somehow, reform is an end in itself. My colleagues and I do not make that mistake. In our Plan of Action, we listed six human rights challenges we believe constitute the greatest threats to human security: poverty; discrimination; armed conflict and violence; impunity; democratic deficits; and weak institutions of state. There is no country in the world not affected by one or more of these. Everything we do, from strengthening our senior management; to building up our thematic expertise; to the opening of field offices; to the development of partnerships both nationally and within the United Nations system; to seeking better

ways to support the treaty bodies and the Human Rights Council has only one goal in mind: how best we can seek to address the many violations of human rights which continue to take place throughout the world.

I am acutely aware that when it comes to human rights our rhetoric continues to outstrip reality. As long as we remain aware that this rhetoric articulates only an aspiration that is fine. Danger lurks when we come to believe that such rhetoric is descriptive of reality. For it is not.

I commend this Report to you as a record of how far the Office of the High Commissioner for Human Rights has come this past year in seeking to contribute to the greater respect of human rights and as an indication of how much further we all need to go. I will continue to rely on your support to advance our common human rights agenda and ensure that we make a difference in the lives of those who continue to suffer from human rights abuse.



*Louise Arbour*

United Nations High Commissioner for Human Rights



# UPDATE ON OFFICE-WIDE DEVELOPMENTS AND ACHIEVEMENTS

A simple description of activities implemented by OHCHR in 2005 in this Annual Report cannot do justice to the magnitude of the work and achievements of the Office over the past year. Indeed, 2005 marked a turning point in the history of OHCHR and the United Nations human rights programme.

In his report "In Larger Freedom", the Secretary-General asked the High Commissioner to draw up, within 60 days, a plan of action with a strategic vision for the future of her Office. Without delay, the High Commissioner established a team within OHCHR to prepare a draft and asked the Office's partners – including governments, NGOs, experts and United Nations agencies – to provide input to the process.

In May 2005, the High Commissioner made public the Plan of Action, outlining an ambitious programme for the transformation of OHCHR during the next five years. The Plan of Action identifies five areas needing greater attention by the Office "to help bridge the gap between the lofty rhetoric of human rights in the halls of the United Nations, and its sobering realities on the ground". The Plan sets out a vision aimed to ensure that we address appropriately those implementation gaps – whether born of insufficient knowledge, capacity, commitment or security – that lie at the root of human rights abuse. But the Plan concluded that in order to seriously step up its work, the Office – which in 2005 only received 1.8 per cent of the United Nations budget – would need to double its overall resources over the next five to six years.

In June 2005, the High Commissioner established an internal Steering Committee to guide the first phase of OHCHR's work in translating into action the commitments contained in the Plan of Action. The Steering Committee oversaw the work of twelve task forces in which more than 120 colleagues participated as members. The task forces looked into specific issues of the Plan

of Action and made concrete recommendations by outlining the relevant policy, operational, workflow, structural and resource implications. OHCHR senior management then reviewed and approved many of these recommendations.

While the task forces' work was still ongoing, 191 Member States met in New York at the World Summit in September 2005 to discuss the Secretary-General's programme of reform, of which the Plan of Action was an integral part. The Outcome Document, agreed at the Summit, is at its core a collective, unambiguous renewed commitment to the universality of human rights and provides the first high-level intergovernmental mandate for mainstreaming human rights throughout the United Nations system, as well as clear support for a closer relationship between the High Commissioner and the Security Council.

Furthermore, the Outcome Document was not simply a statement of principles. It also articulated a concrete vision through which those principles might become reality. In an historic move, the Summit mandated the establishment of a new Human Rights Council and called for the doubling of the regular budget of the Office of the High Commissioner for Human Rights. Consequently, OHCHR was required to prepare a supplementary regular budget submission which was largely approved by the General Assembly in late December. The supplementary budget resulted in 91 new regular budget posts for the Office.

In parallel, the OHCHR programme review board met in November 2005. The board consisted of OHCHR senior managers and included, for the first time, the participation of representatives from the field and the New York office. They decided on an OHCHR work plan and its budget implications for the period 2006 to 2007. The meeting was part of a completely new planning process which resulted in the first High Commissioner's Strategic Management Plan (SMP). For the first time through the

SMP, OHCHR produced a results-based management tool based on biennial planning, designed to align the United Nations regular budget cycle with requirements from voluntary contributions. The SMP also introduced a cross-branch, one office approach to implementing activities.

Preparations for the SMP began in 2005, and was later launched in 2006. It provides a comprehensive overview of OHCHR's programme of work for 2006-2007 with a view to implementing OHCHR's vision, as defined in the Plan of Action and building on the recommendations produced by the internal task forces.

In addition, OHCHR undertook a major post regularization exercise in 2005. At the end of February, the United Nations Controller agreed that on the basis of the predictability of OHCHR's funds, for the first time staff could be granted two-year contracts regardless of the source of funding of their posts. This exercise not only allowed the Office to ensure stable, qualified staff, but is also a prerequisite for the implementation of a staff mobility policy.

We cannot afford to ignore today's human rights concerns as we better equip ourselves to address tomorrow's challenges. While developing the foundations to enable us to move from an era of declaration to one of implementation, we must constantly fight against that process itself becoming only mere declaration. As the rest of this Report illustrates, whilst we seek reform we also remain committed to implementing critical human rights activities. The breadth and achievements of our work in 2005 are described in this Report.





# THE ANNUAL REPORT 2005: A READER'S GUIDE

This is OHCHR's sixth Annual Report to donors. It aims to provide a transparent and consolidated view of the achievements and impact of the Office's work in one calendar year, highlighting the commitment to establish a structured approach to reporting and improve financial management at all levels. It mirrors the Annual Appeal and provides accurate information about the use of voluntary contributions in one comprehensive publication. This eliminated the need for multiple, and often similar, tailor-made reports to individual donors. In future a new Annual Report with a new structure will be developed reflecting OHCHR's work and accomplishments based on its biennial Strategic Management Plan, with greater emphasis placed upon results based reporting.

As in previous years, the financial statements provided by OHCHR's main partners, the United Nations Office at Geneva (UNOG) and the United Nations Office for Project Services (UNOPS), were reconciled in order to present a cohesive picture of the various trust funds and projects that constitute the Office's extra-budgetary activities. At the time of this Report's publication these statements still require auditing.

The additional tables and graphic illustrations that were included in the previous year have been maintained in order to better visualize and analyse the use and management of funds that OHCHR received. In addition there is a clear indication of our revised mid-year budgetary requirements. The section on funding of OHCHR includes a summary financial statement of the various trust funds with additional charts illustrating the Office's performance in 2005.

## FINANCIAL STATEMENTS

Four main types of financial statements are provided for each main activity in this report:

- statement of income and expenditure
- budget and expenditure
- expenditure breakdown
- voluntary contributions (summary tables by main activity)

As part of the United Nations Secretariat, OHCHR's financial accounting is done biennially (2004-2005). This implies that expenditures reported in the first year of the biennium are likely to change when final accounts for the whole biennium are processed. The main reason for this is that most of the unliquidated obligations reported at the end of the first year (2004) become disbursements in the second year (2005). As a result, final disbursements for 2004 will only become apparent at the end of 2005. For the sake of consistency, expenditures in 2005 have been calculated on the basis of total biennium expenditures (i.e. 2004 and 2005) minus 2004 expenditures as reported in the Annual Report 2004. The result is that in some instances negative balances have been recorded in 2005 representing the liquidation of the previous year obligations and commitments. Expenditures in this Report therefore reflect the final financial situation at the close of the biennium.

In addition to the many footnotes, a number of explanatory notes accompany the statements. It is hoped that they will help readers analyse the Report.

The closing balances reported in the *statement of income and expenditure* include the cash operating reserves, being funds that are not available for activities in 2006. The statement summarizes the total funds available, total expenditure and unspent balances for the trust fund and/or group of projects concerned.

*Budget and expenditure* tables are presented for each main activity and include budgets presented in the Annual Appeal 2005 and revised budgets (as per the mid-year review) compared to consolidated expenditure. When the budget for an activity is reported as zero and expenditure is nevertheless reported, in some instances these activities were undertaken based upon a budget approved in previous years.

*Voluntary contributions* tables show total pledges by donor and corresponding income for each main activity and/or project. In a number of cases, pledges were made in 2004 while payment was received in 2005. Similarly, some pledges were made in 2005 but the payment was not received until 2006. This explains the difference between amounts shown in the pledge and income columns. Another reason is that the rate of exchange often fluctuates between the time of the pledge and the time of the payment.

*Expenditure breakdown* tables are presented for each project; they contain the standard breakdown of expenditure by item as defined in the United Nations financial system; the corresponding activities are described in the narrative sections of the Report.

## COMMON TERMINOLOGY

The most common financial terms used in this report are defined below:

- *Opening balance:* Represents the total amount of funds available for the trust fund and/or activity on 1 January 2005. The actual funds available for implementation are, however, lower since a 15 per cent cash operating reserve must be kept to cover any unforeseen expenditure.
- *Adjustment:* Includes prior period adjustments, savings, refunds and transfers made in 2005.
- *Pledge:* A commitment by a government, foundation, association or individual donor to provide, at a future date, a financial contribution towards OHCHR's activities. In cases where donors pay without first making a pledge, OHCHR reports the pledged amount as being identical to the amount paid.
- *Income:* Paid contributions that have been debited to the United Nations general account and credited to one of OHCHR's trust funds during 2005.
- *Other funds available:* Includes interest and miscellaneous income.
- *Total funds available:* Includes opening balance, adjustment, income from contributions and other funds available.
- *Expenditure:* Includes disbursements and unliquidated obligations as at 31 December 2005.
- *Closing balance:* Represents funds carried over into 2006. The standard 15 per cent operating cash reserve as well as reserves for allocations are included as appropriate. The net carry-over is therefore lower. A large proportion of the carry-over was obligated in the first half of 2006 to allow for the continuation of activities and avoid unnecessary delays or interruptions.

The following budget lines are included in the expenditure tables:

- *Staff costs:* Salaries and associated benefits of personnel holding United Nations contracts, administered either through UNOG or UNOPS.
- *Experts/consultants' fees and travel:* Salaries, associated benefits and travel expenses of external experts and consultants hired for a specific time-limited mandate and purpose.
- *Travel:* Sub-divided into OHCHR staff, Commission members and representatives and other participants. This includes travel and related expenses incurred on official business by staff, members of the Commission on Human Rights, special rapporteurs, members of the boards of trustees and other representatives of the High Commissioner.
- *Contractual services:* Payments for services purchased from external suppliers, such as printing, vehicle maintenance, translation, security services, etc.
- *General operating expenses:* Payments for office rent, communications, fuel, etc.
- *Supplies and acquisitions:* Payments for office supplies and equipment, including computers, printers, fax machines, office furniture, etc.
- *Grants, contributions, fellowships and seminars:* Payments in the form of grants to external entities, including NGOs, institutes, universities and other organizations working in partnership with OHCHR. Contributions to joint projects with other United Nations organizations. Payments to training institutes, universities and other educational institutions for the organization of seminars and/or training courses.
- *Programme support costs:* Calculated at 13 per cent of total project costs. This amount is generally shared at a varying ratio among OHCHR, UNOG, UNOPS and UNDP.



# FUNDING OF OHCHR

## ◆ HOW IS OHCHR FUNDED?

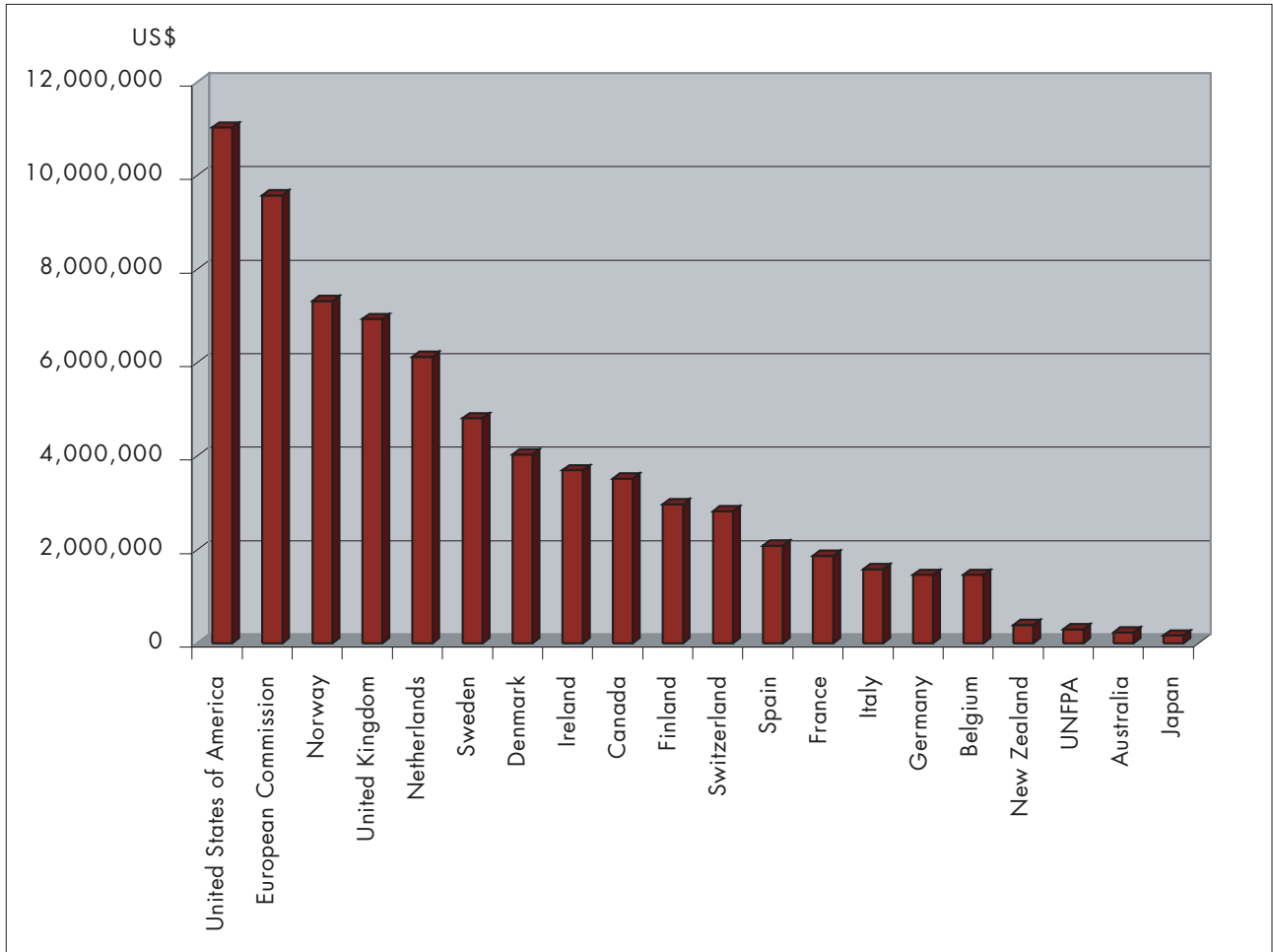
OHCHR is funded from the United Nations regular budget and from voluntary contributions. Funds from the United Nations regular budget for the biennium 2004-2005 totaled US\$ 67.6 million, or 1.87 per cent of the full US\$ 3.6 billion United Nations regular budget for the biennium. This represented a 0.07 per cent increase over the previous biennium. US\$ 64.7 million was received under section 24 (human rights), of which US\$ 33.4 million was appropriated in 2005; US\$ 2.9 million was received under section 23 (technical cooperation), of which US\$ 1.4 million was appropriated in 2005. In addition, OHCHR received voluntary contributions from donors towards activities outlined in the Annual Appeal 2005. That Appeal asked for US\$ 59.8 million in contributions. However, the budget was revised at mid-year to US\$ 67.9 million.

The United Nations regular budget covered 33.9 per cent of OHCHR's total requirements during 2005 with expenditures of US\$ 31.7 million; while requirements from voluntary contributions covered 66.1 per cent of overall needs with expenditures of US\$ 62.4 million. OHCHR activities funded by the United Nations regular budget are described in the Secretary-General's reports to the General Assembly on the use of the regular budget (sections 23 and 24). This Annual Report details the use of voluntary contributions received by OHCHR.

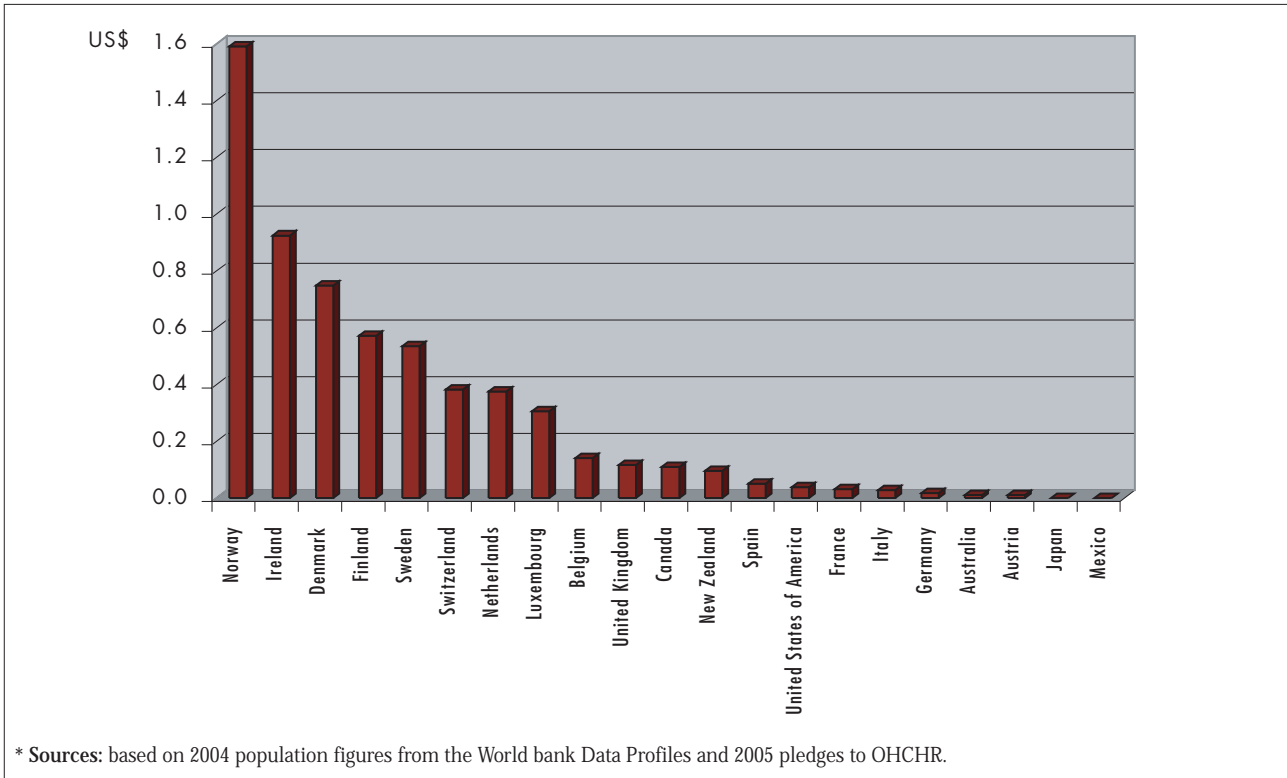
## ◆ OHCHR'S DONORS

During the reporting period, 59 governments, the European Commission, three United Nations agencies and various associations and individuals provided voluntary contributions, both large and small, to OHCHR. OHCHR's donor base remains stable but dependent on too few donors. Ten major donors provided 81.3 per cent of OHCHR's total voluntary contributions in 2005; the 20 top donors provided 98 per cent of those contributions. Those top 20 donors provided US\$ 72.4 million in pledges and US\$ 63 million in paid contributions.

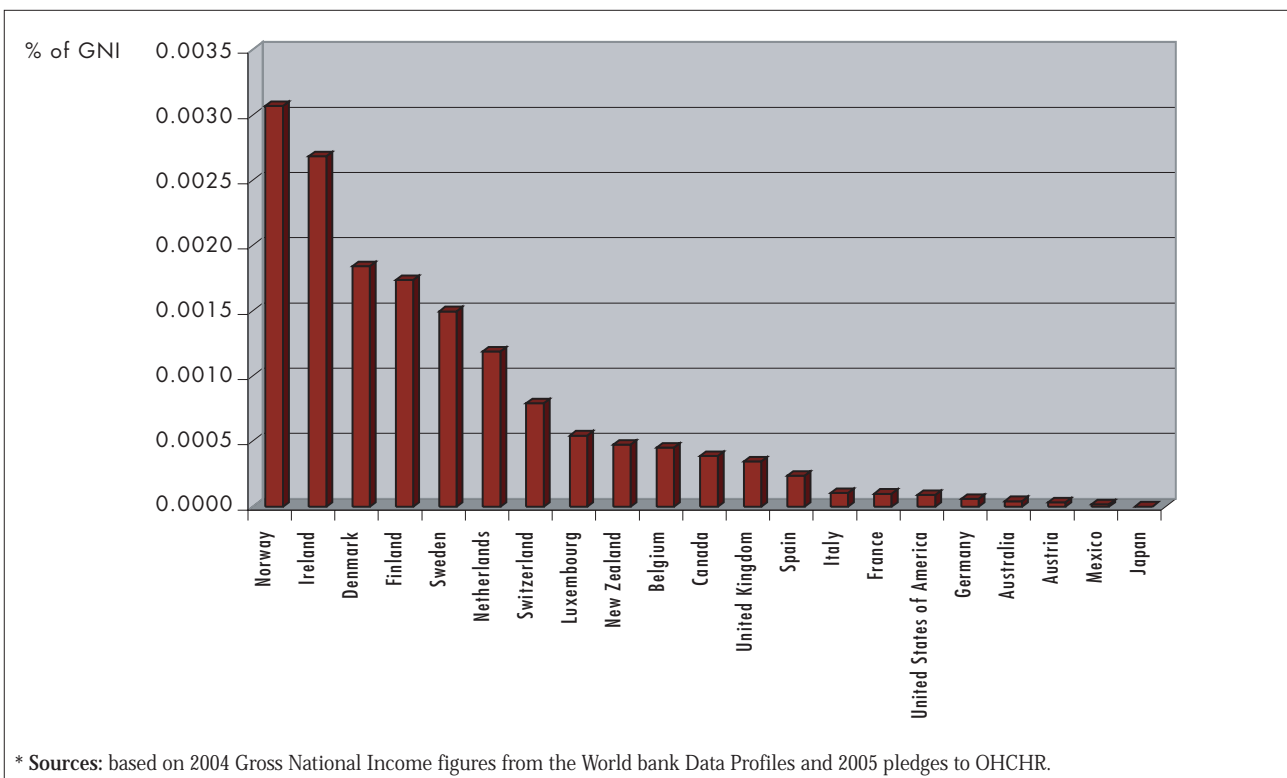
Pledged contributions from OHCHR's top donors in 2005



**Pledges from OHCHR's top donors per capita income in 2005\***



**Pledges from OHCHR's top donors as a percentage of GNI in 2005\***



◆ FUNDING TRENDS

**Level of funding**

Voluntary contributions increased by US\$ 13.9 million in 2005 as compared with the previous year. Total pledges reached US\$ 73.9 million, compared to US\$ 60 million in 2004, and paid contributions totaled US\$ 68.2 million in 2005, up from US\$ 52.3 million in 2004.

**Predictability**

Donors are helping to improve the Office’s ability to plan its activities by increasingly making contributions under arrangements that ensure predictability and stability. Nine donors – Belgium, Canada, the European Commission, France, the Netherlands,

Norway, Sweden, Switzerland and the United Kingdom – had ongoing multi-year arrangements with OHCHR.

**Earmarking**

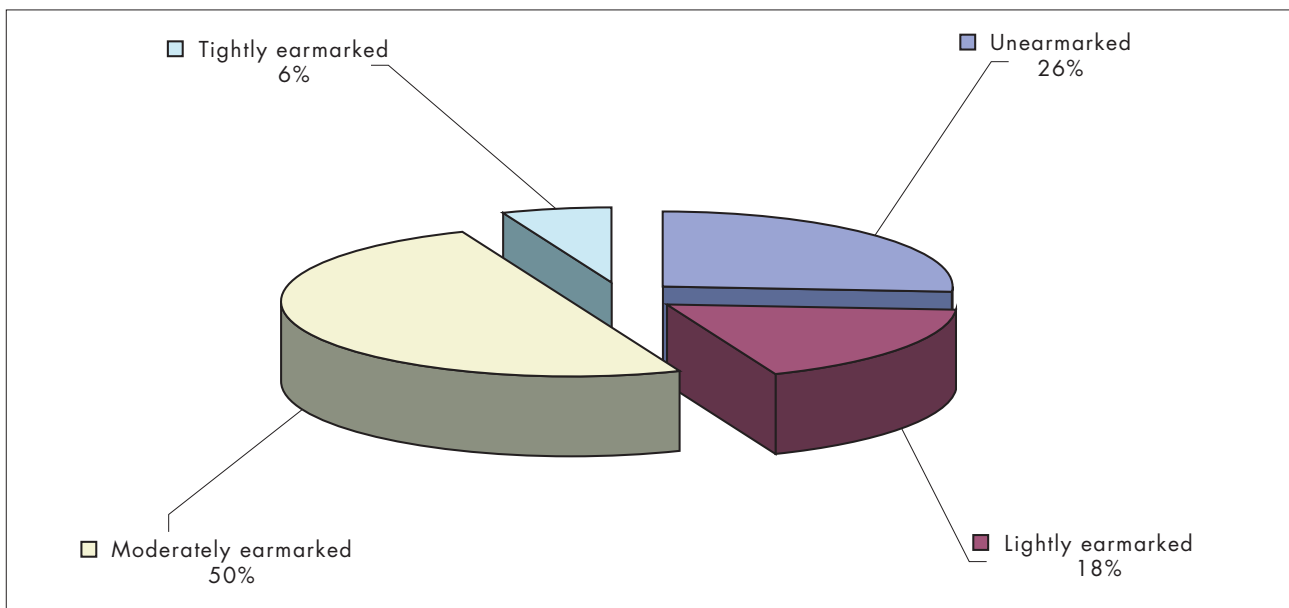
A trend towards less earmarking continued in 2005, with US\$ 19.3 million contributed with no earmarking at all. Several major donors gave a portion of their annual contribution unearmarked; and many of the governments who are not among OHCHR’s major donors did not earmark at all.

The following governments, listed in descending order of amount provided unearmarked contributions or provided a portion of their contribution unearmarked:

Netherlands	Spain	Switzerland	Slovenia	Monaco	Croatia
United Kingdom	Sweden	Mexico	South Africa	Oman	Nigeria
Denmark	Norway	Luxembourg	Cyprus	Chile	Bulgaria
Canada	Finland	Portugal	Thailand	Pakistan	Lebanon
France	Italy	Greece	Malaysia	Azerbaijan	Armenia
Ireland	New Zealand	Brazil	Costa Rica	Sudan	Panama

The table and pie chart below represent earmarking and is divided into four categories (unearmarked, lightly earmarked, moderately earmarked and tightly earmarked), showing how funds are made available to the Office.

**Earmarking trend in 2005**



## EARMARKING TREND IN 2005 FOR PLEDGED CONTRIBUTIONS BY DESCENDING ORDER

Donor	Total pledge US\$	Unearmarked US\$	Lightly earmarked US\$	Moderately earmarked US\$	Tightly earmarked US\$
United States of America	11,032,000		1,488,000	9,544,000	
European Commission	9,581,935			5,882,353	3,699,582
Norway	7,317,057	638,978	2,779,553	3,898,526	
United Kingdom	6,936,032	4,512,635	381,679	1,959,191	82,526
Netherlands	6,127,321	4,658,792		1,468,529	
Sweden	4,811,525	707,214	2,121,641	1,982,671	
Denmark	4,040,869	2,256,944		1,748,925	35,000
Ireland	3,701,380	878,294	2,070,263	752,823	
Canada	3,521,566	1,639,344		1,882,222	
Finland	2,972,589	580,217	383,821	2,008,550	
Switzerland	2,824,299	211,994	1,327,434	1,284,871	
Spain	2,083,626	781,012	101,431	1,201,183	
France	1,871,869	1,096,266	176,391	572,076	27,137
Italy	1,585,478	389,105		1,196,373	
Germany	1,463,415		731,707	731,707	
Belgium	1,461,542		1,231,054	230,488	
New Zealand	391,689	355,975			35,714
UNFPA	297,000				297,000
Australia	227,821				227,821
Japan	166,397		130,000	36,397	
Portugal	140,096	80,000		60,096	
Luxembourg	137,802	97,025		40,777	
Greece	121,951	60,976		60,976	
Mexico	120,000	100,000		20,000	
Korea, Rep. of	110,000		100,000	10,000	
Austria	87,030		47,295	39,735	
Brazil	80,000	50,000		30,000	
South Africa	60,108	22,541	15,027	22,541	
India	55,000		50,000	5,000	
Liechtenstein	53,097		44,248	8,850	
Monaco	45,873	10,000		10,000	25,873
Cyprus	30,905	21,082		9,823	
Poland	30,000			30,000	
Slovenia	30,000	27,000		3,000	
Colombia	23,970		23,970		
Philippines	22,190			22,190	
Thailand	20,000	20,000			
Malaysia	20,000	20,000			
Andorra	19,142			19,142	
UNESCO	18,677				18,677
Costa Rica	17,323	15,843		1,480	
Chile	16,000	8,000		8,000	
Algeria	15,000			15,000	
Czech Republic	12,019			12,019	
Estonia	11,278			11,278	
Oman	10,000	10,000			
Turkey	10,000			10,000	
UNICEF	8,000			8,000	
Argentina	7,000			7,000	
Pakistan	5,164	5,164			
Azerbaijan	5,085	5,085			
Sudan	5,074	5,074			
Bahrain	5,000			5,000	
Croatia	5,000	5,000			
Israel	5,000			5,000	
Nigeria	4,982	4,982			
Bulgaria	4,000	4,000			
Lebanon	3,000	3,000			
Bosnia and Herzegovina	2,000			2,000	
Panama	2,000	1,000	1,000		
Tunisia	1,652			1,652	
Armenia	1,096	1,096			
Other (private donors)	68,528	2,119		66,410	
<b>Total</b>	<b>73,865,453</b>	<b>19,285,754</b>	<b>13,204,514</b>	<b>36,925,854</b>	<b>4,449,331</b>

**Unearmarked:** this column includes totally unearmarked contributions by donor.

**Lightly earmarked:** this column includes contributions earmarked to the major headings of the Annual Appeal (i.e. support to human rights organs and bodies, support to special procedures, field offices, technical cooperation, global projects, economic and social issues, human rights and development, rule of law and democracy, groups in focus, anti-discrimination unit and strengthening the capacity of OHCHR).

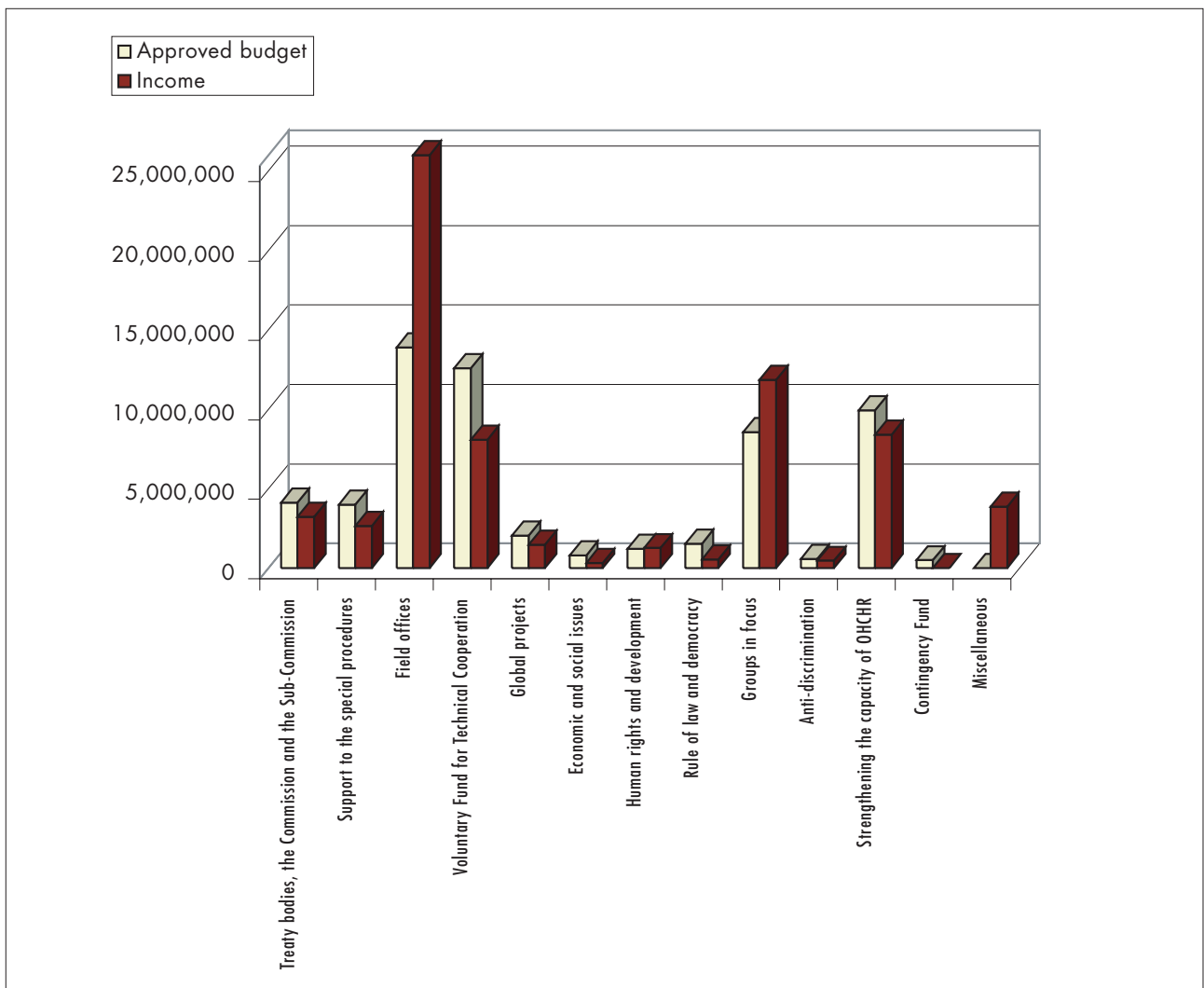
**Moderately earmarked:** this column includes earmarked contributions to projects within field offices, within technical cooperation, within global projects, within groups in focus and within strengthening the capacity of OHCHR.

**Tightly earmarked:** this column includes earmarked contributions to specific activities within a project.

**Budget versus income**

OHCHR's requirements were fully funded in 2005, with pledges representing 124 per cent of initial budget requirements and 109 per cent of the revised budget. However the late payment of contributions (i.e. 41 per cent in the second portion of the year) meant that some projects experienced delays in implementation. It is noteworthy, however, that OHCHR's contributions have grown steadily over the years with a record amount received in 2005.

**Budget versus income in 2005**



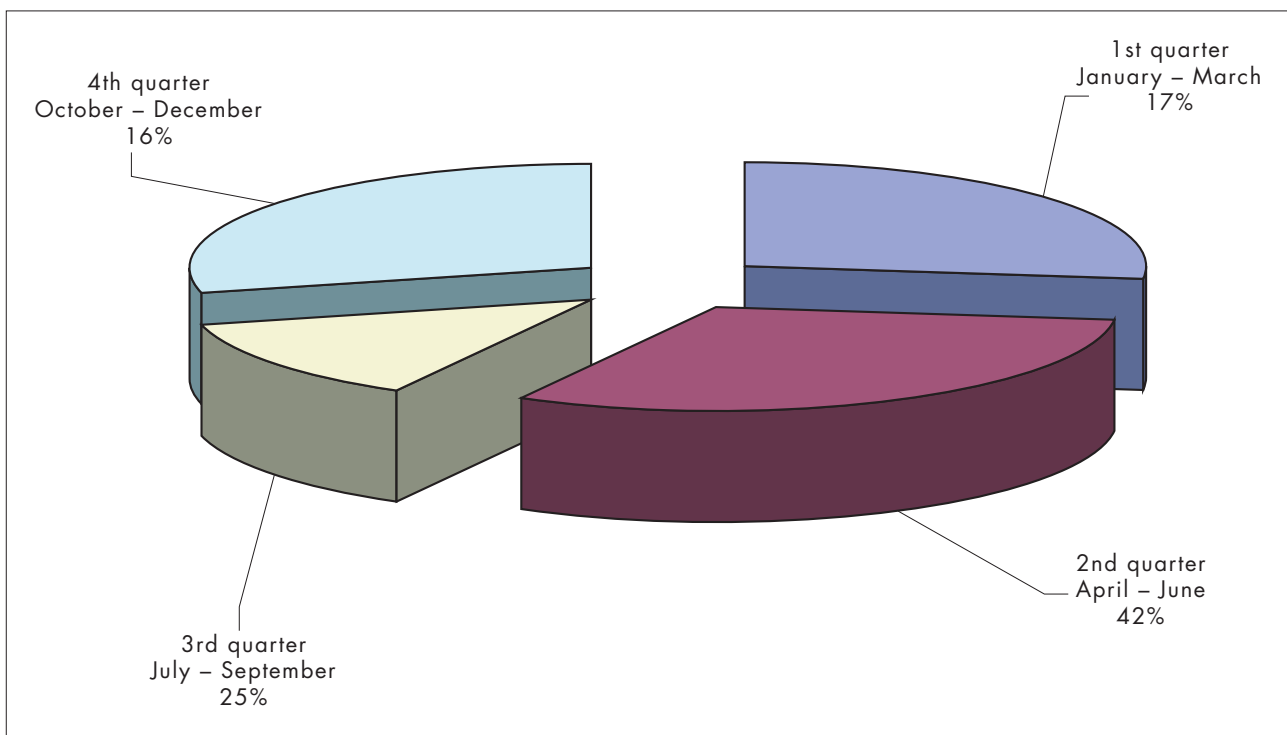


### ◆ HOW DONORS CAN HELP

OHCHR encourages donors to provide adequate, timely and predictable funding. While OHCHR works to improve management, planning and prioritization, the way in which donors provide their contributions greatly affects the Office's performance and efficiency. Donors can help the Office improve its performance by providing multi-year contributions, pledging and paying annual contributions early in the year, earmarking to major substantive areas of work as indicated in the new Strategic Management Plan, and by providing some funds with no earmarking at all. The efforts made by several major donors to pledge and pay their contributions early in the year are greatly appreciated; however, more can be done. Out of all

contributions pledged in 2005, 17 per cent (*31 per cent in 2004*) were paid in the first quarter, 42 per cent (*26 per cent in 2004*) were paid in the second quarter, and 41 per cent (*43 per cent in 2004*) were paid during the second half of the year. The drop in first-quarter payments is noteworthy and donors are encouraged to ensure payment as early as possible in the year especially in light of OHCHR's new biennial planning cycle. Earlier pledges and payments would also improve the contractual situation for field-based staff, help to avoid delays in implementation of activities, and reduce the need for substantial carry-over funds to start activities in the beginning of the year.

### Payment of contributions per quarter in 2005



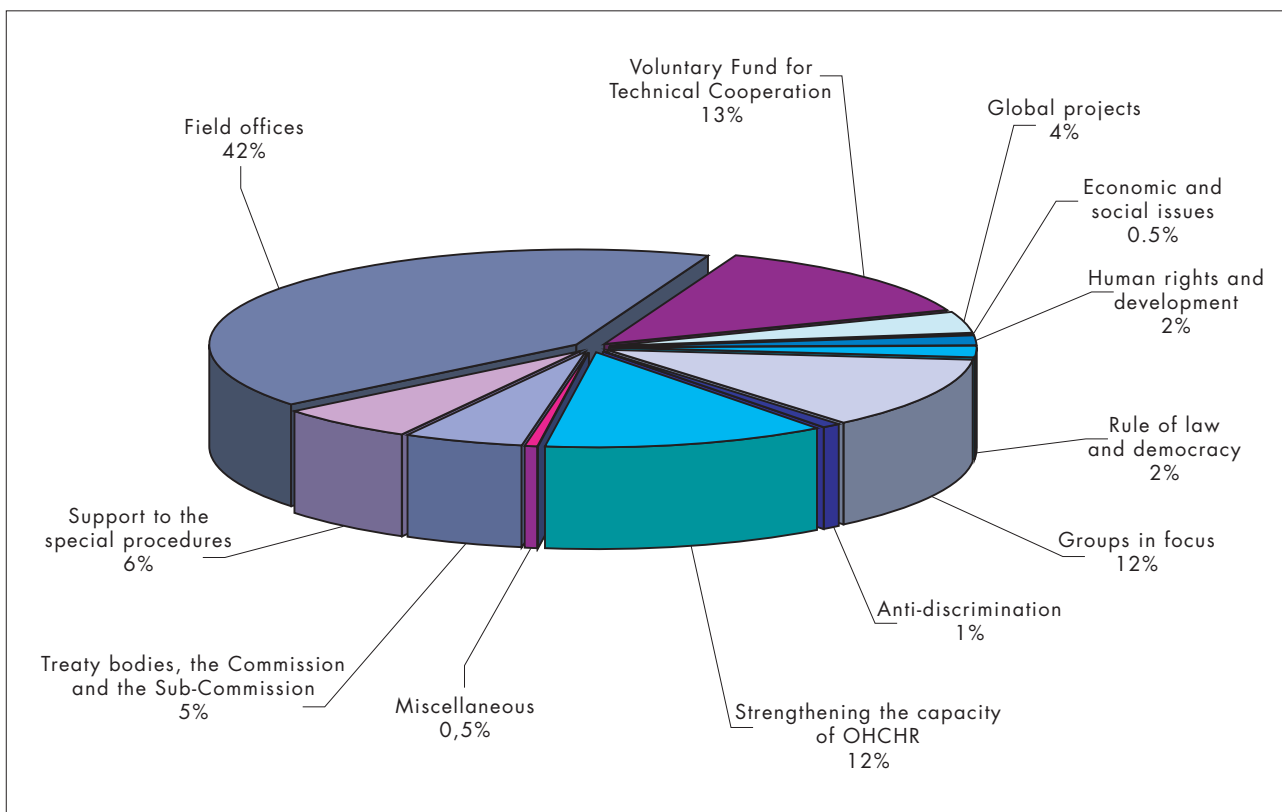
◆ FINANCIAL SITUATION

OHCHR's rate of implementation during the reporting period increased significantly compared to previous years. On the basis of the initial budget of US\$ 59.8 million, the overall expenditure rate was 104 per cent (it was 92 per cent compared to the revised budget presented during the 2005 mid-year review). Total expenditure from extra-budgetary activities as at 31 December 2005 amounted to US\$ 62.4 million. This represents an increase of some US\$ 10 million compared to 2004 and a sound spending pattern has now been achieved for OHCHR. For the second time

since the introduction of the Annual Report, income has slightly exceeded the Office's funding needs. This constitutes a sign of healthy financial management and control, in particular since the Office is so highly dependent on cash deposits to recruit personnel and engage in activities.

The graph below shows the percentage share of total expenditure (US\$ 62.4 million) for each main activity described in this Report.

**Expenditure by main activity in 2005**

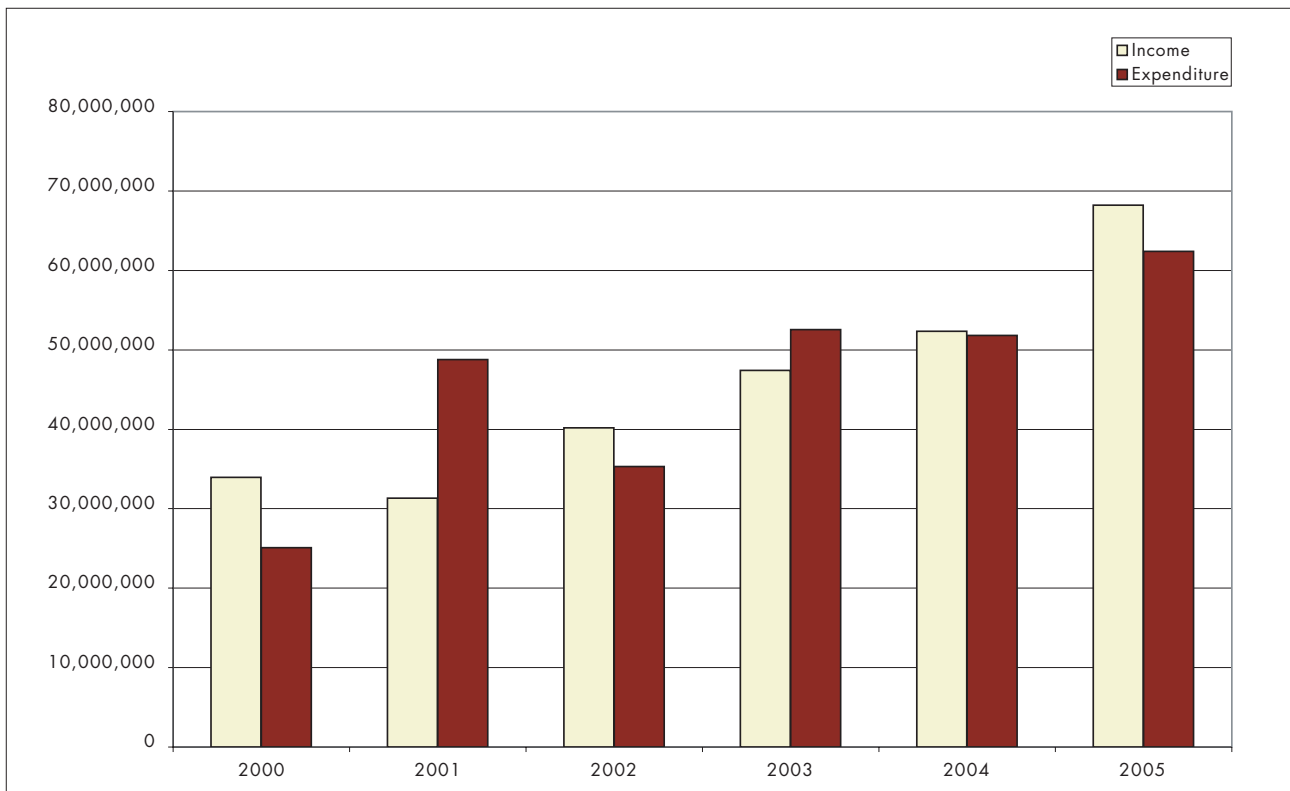


A reasonable carry-over is essential for the effective functioning of Departments of the United Nations Secretariat that are dependent on voluntary contributions and that cannot spend funds before receipts are recorded in its finance system. Without an adequate carry-over, which, at a minimum, should cover needs arising during the first four to six months of the year, there would be no payment for staff contracts and related costs for carrying out planned activities in the early months of the year. Based on a historical analysis, it was determined that contributions reflected in the first three months of the year 2005 amounted to some US\$ 11.2 million against expenditures of US\$ 14.4 million.

The programmable carry-over into 2006 amounted to US\$ 42.7 million. This was US\$ 1.3 million higher than the programmable carry-over into 2005 of US\$ 35.8 million. This amount includes an operating reserve of US\$ 4.7 million, established in 2005 and contingency provisions of US\$ 3 million to meet unforeseen needs.

The graph below illustrates the comparison between funds received and those spent during the 2000-2005 period.

**Income versus expenditure 2000-2005**



## ◆ FINANCIAL MONITORING AND CONTROL

Monthly reports on projects implemented through UNOG are now provided to all project managers so they can review their projects' financial status. The implementation rate of the Voluntary Fund for Technical Cooperation is reviewed quarterly. Funds reserved for projects that have low implementation rates are released for use by those with higher implementation rates. The results of the mid-year review process, which was introduced in 2001 for the first time, were shared with donors in September 2005. The enhanced procedures for tracking and following up on voluntary contributions and related information-sharing with project managers ensured that donors' wishes are fully respected and that project managers have comprehensive financial information available when they make decisions about their projects.

The development of a new computerized system, containing functions for more effective project management, financial management, contributions management and reporting on extra-budgetary resources made considerable progress in 2005. The new system which is web-based and thus accessible to all OHCHR staff on the intranet has already replaced some of the manual procedures that existed previously for contributions tracking and reporting. The system will be further developed to also include expenditures, budgets and other project-related information. A separate module to track and follow up on grants will also be included. The section entitled "Strengthening the capacity of OHCHR" has more details on this activity (see page 237).

OHCHR's activities are administered by the United Nations Office at Geneva (UNOG) and by the United Nations Office for Project Services (UNOPS). Most activities are administered by UNOG whereas UNOPS is primarily responsible for administering field office activities. OHCHR is an integral part of the United Nations Secretariat and all transactions are therefore carried out through UNOG. UNOG Treasury receives all voluntary contributions on OHCHR's behalf and, upon instruction from OHCHR, attributes them to one of eight main funds. UNOG's budget, finance and human resources management sections provide the Office with various administrative and financial services to support project implementation, including the approval of budget and allotments, allocation of funds to UNOPS, processing of reports from UNDP field offices, recruitment and administration of headquarters-based staff.

The table below summarizes the financial situation of activities implemented at 31 December 2005. Funds reported as part of the closing balance for 2005 were mostly earmarked. However, some funds were also lightly earmarked to the major headings of the Annual Appeal 2005 and allocated to projects by OHCHR.

### STATEMENT OF INCOME AND EXPENDITURE ACTIVITIES OF THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary*	US\$
Opening balance <sup>1</sup>	41,375,353
Adjustment <sup>2</sup>	3,668,114
Income from contributions <sup>3</sup>	68,215,113
Other funds available <sup>4</sup>	1,780,294
Total funds available <sup>5</sup>	115,038,874
Expenditure <sup>6</sup>	62,437,989
Closing balance inclusive of reserves <sup>7</sup>	52,600,885
Operating reserve <sup>8</sup>	9,043,424
Reserve for allocations	832,589
<b>Closing balance</b>	<b>42,724,872</b>

<sup>1</sup> Corresponds to the closing balance reported for the activity in the Annual Report 2004.

<sup>2</sup> Includes adjustments to prior period expenditure, savings, transfers and refunds and other miscellaneous income.

<sup>3</sup> Includes all contributions received in UNOG accounts during 2005

<sup>4</sup> Includes interest income.

<sup>5</sup> = (1) + (2) + (3) + (4).

<sup>6</sup> Includes disbursements and unliquidated obligations as at 31 December 2005.

<sup>7</sup> Corresponds to all funds held by UNOG as at 31 December 2005 including operating cash reserves of US\$ 9 million and reserves for allocations of US\$ 0.8 million which were not available for activities in 2005.

<sup>8</sup> Reserve of 15 per cent required under established procedures

\* All figures are subject to audit.

The table below summarizes the financial situation of OHCHR's trust funds as at 31 December 2005. All activities presented in this table are carried out through UNOG. One trust fund covers OHCHR's technical cooperation activities in the field, which are carried out through UNDP and UNICEF and, in some cases, through regional commissions of the United Nations Secretariat. OHCHR's field office in Cambodia is administered by UNOG under a separate trust fund.

The column entitled "Trust fund for support activities of OHCHR" covers projects carried out by UNOG and UNOPS. All contributions received for UNOPS-implemented activities are recorded by UNOG against this trust fund. The money is then allocated to UNOPS, which administers the projects.

## STATEMENT OF INCOME AND EXPENDITURE

### ACTIVITIES OF THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (BY TRUST FUND)

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary*	VF for victims of torture	TF for contemporary forms of slavery	VF for indigenous populations	Sub-account for the VF for indigenous populations (old)*	VF for the international decade of the world's ind. people	TF for action to combat racism and racial discrimination	VF for advisory services and technical assistance in human rights (VFTC)	TF for human rights education in Cambodia	TF for support activities of OHCHR	Total UNOG trust funds
	US\$	US\$	US\$	US\$	US\$	US\$	US\$	US\$	US\$	US\$
Opening balance <sup>1</sup>	2,644,876	474,838	637,616	(570)	334,160	615,513	8,348,262	1,845,485	26,475,173	41,375,353
Adjustment <sup>2</sup>	75,928	19,128	115,667	0	(4,205)	46,242	73,840	(20,899)	3,362,413	3,668,114
Income from contributions <sup>3</sup>	10,035,496	789,009	329,680	0	9,534	466,712	8,090,538	25,959	48,468,185	68,215,113
Other funds available <sup>4</sup>	215,991	14,702	23,933	570	10,156	22,296	320,073	56,985	1,115,588	1,780,294
Total funds available <sup>5</sup>	12,972,291	1,297,677	1,106,896	0	349,645	1,150,763	16,832,713	1,907,530	79,421,359	115,038,874
Expenditure <sup>6</sup>	6,546,474	297,695	199,031	0	56,458	607,405	8,290,334	110,214	46,330,378	62,437,989
Closing balance inclusive of reserves <sup>7</sup>	6,425,817	999,982	907,865	0	293,187	543,358	8,542,379	1,797,316	33,090,981	52,600,885
Operating reserve <sup>8</sup>	869,001	39,517	7,495			80,638	1,100,306	14,630	6,931,837	9,043,424
Reserve for allocations									832,589	832,589
<b>Closing balance</b>	<b>5,556,816</b>	<b>960,465</b>	<b>900,370</b>	<b>0</b>	<b>293,187</b>	<b>462,720</b>	<b>7,442,073</b>	<b>1,782,686</b>	<b>25,326,555</b>	<b>42,724,872</b>

<sup>1</sup> Corresponds to the closing balance reported for the activity in the Annual Report 2004.

<sup>2</sup> Includes adjustments to prior period expenditure, savings, transfers and refunds and other miscellaneous income.

<sup>3</sup> Includes all contributions received in UNOG accounts during 2005

<sup>4</sup> Includes interest income.

<sup>5</sup> = (1) + (2) + (3) + (4).

<sup>6</sup> Includes disbursements and unliquidated obligations as at 31 December 2005.

<sup>7</sup> Corresponds to all funds held by UNOG as at 31 December 2005 including operating cash reserves of US\$ 9 million and reserves for allocations of US\$ 0.8 million which were not available for activities in 2005.

<sup>8</sup> Reserve of 15 per cent required under established procedures

\* All figures are subject to audit.

## BUDGET AND EXPENDITURE OVERALL SUMMARY

This table indicates the budgeted amount for planned activities as per the Annual Appeal 2005 and mid-year revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 expenditure column corresponds to Annual Report 2004 while the 2005 column includes 2004-2005 balance of disbursements and unliquidated obligations (see page 9).

	Budget Annual Appeal 2005 US\$	Budget Mid-Year Review 2005 US\$	Income 2005 US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
<i>UNITED NATIONS HUMAN RIGHTS MECHANISMS</i>					
Support to human rights treaty bodies, the Commission on Human Rights and the Sub-Commission	4,117,833	4,087,594	3,215,705	3,379,246	2,787,147
Response to allegations of human rights violations:					
support to the special procedures	3,985,623	3,874,059	2,641,095	3,671,393	2,976,219
<b>Sub-total</b>	<b>8,103,456</b>	<b>7,961,653</b>	<b>5,856,800</b>	<b>7,050,639</b>	<b>5,763,366</b>
<i>IMPLEMENTATION OF HUMAN RIGHTS ACTIVITIES IN THE FIELD</i>					
Human rights support for peace-making, peacekeeping and peace-building activities					
Burundi	1,349,051	1,572,488	1,766,607	2,316,419	2,171,398
Democratic Republic of the Congo	1,999,227	1,999,227	2,145,549	2,482,599	1,916,326
Uganda	0	1,367,200	1,114,771	831,469	0
Colombia	5,390,891	6,670,900	7,630,329	7,540,455	5,466,133
Guatemala	1,499,962	1,558,071	1,167,807	1,327,874	0
Cambodia	930,216	381,605	25,959	110,214	638,821
Nepal	0	6,015,700	7,982,636	4,282,808	0
Bosnia and Herzegovina	504,771	703,572	439,272	619,425	460,142
Serbia and Montenegro	794,023	794,023	451,746	1,063,596	393,944
Croatia	0	0	0	3,451	-29,511
Afghanistan	184,981	166,710	134,069	265,140	73,669
Angola	930,736	930,737	937,084	1,463,807	1,100,877
Côte d'Ivoire (Commission of Inquiry)	0	0	0	196,933	134,594
Sudan (Darfur plan of action and support to UNMIS)	0	1,978,110	300,000	1,058,399	1,489,273
Sudan (Commission of Inquiry)	0	0	0	23,516	498,648
Timor-Leste (Commission of Experts)	0	216,619	481,275	212,635	0
Iraq	297,868	72,300	22,639	503,387	327,310
Sierra Leone TRC (finalization of the report and follow-up)	0	0	0	306,698	874,802
Headquarters support to field presences	0	1,257,202	1,472,978	1,463,736	726,849
<b>Sub-total</b>	<b>13,881,726</b>	<b>25,684,464</b>	<b>26,072,722</b>	<b>26,072,560</b>	<b>16,243,275</b>
Technical cooperation activities					
Board of trustees/project review and evaluation	222,700	176,229		53,603	165,259
Africa	2,316,600	2,403,911		2,080,402	2,255,733
Latin America and the Caribbean	2,058,900	1,889,444		1,643,046	1,961,198
Europe, Central Asia and the Caucasus	1,850,000	1,584,460		366,054	1,209,764
Asia and the Pacific	2,334,300	1,736,573		1,297,890	1,834,983
Arab region	2,302,100	2,405,439		1,697,547	1,738,837
<b>Sub-total</b>	<b>11,084,600</b>	<b>10,196,056</b>	<b>8,080,538</b>	<b>7,138,542</b>	<b>9,165,774</b>

## BUDGET AND EXPENDITURE

## OVERALL SUMMARY (cont.)

This table indicates the budgeted amount for planned activities as per the Annual Appeal 2005 and mid-year revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 expenditure column corresponds to Annual Report 2004 while the 2005 column includes 2004-2005 balance of disbursements and unliquidated obligations (see page 9).

	Budget Annual Appeal 2005 US\$	Budget Mid-Year Review 2005 US\$	Income 2005 US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
<i>THEMATIC HUMAN RIGHTS CHALLENGES</i>					
Global projects					
World Programme for Human Rights Education	714,047	698,901	0	486,868	858,128
Strengthening human rights in peace operations	396,856	433,797	0	302,362	378,000
Support to national institutions	1,698,503	1,615,868	1,409,280	1,720,619	1,045,321
Trafficking in persons	396,517	421,719	10,000	319,445	200,539
Secretary-General's Study on Violence against Children	351,882	527,377	53,010	487,284	0
Economic and social issues	813,600	569,524	317,486	255,123	403,754
Human rights and development	1,218,027	1,203,179	1,266,659	1,047,910	0
Support to United Nations Country Teams	0	0	0	26,088	152,998
Rule of law and democracy	1,550,191	1,567,617	545,562	1,286,255	1,403,780
Human rights and counter-terrorism	0	0	0	17,029	177,845
Groups in focus					
Minorities and indigenous peoples	676,644	849,784	679,832	413,677	379,029
Voluntary Fund for Indigenous Populations	339,000	244,530	329,680	199,032	486,330
Voluntary Fund for the International Decade of the World's Indigenous People	0	20,770	9,534	56,458	352,242
Victims of slavery	226,000	363,841	789,009	297,695	248,588
Victims of torture	7,330,310	6,577,865	10,035,496	6,546,474	7,893,881
Anti-discrimination	572,232	488,843	466,712	607,406	651,439
<b>Sub-total</b>	<b>16,283,809</b>	<b>15,583,615</b>	<b>15,912,262</b>	<b>14,069,725</b>	<b>14,631,874</b>
<i>STRENGTHENING THE CAPACITY OF OHCHR</i>					
Executive direction	999,033	645,805	932,819	611,766	350,613
Resource mobilization	1,174,522	908,702	934,051	803,141	841,206
Communications and NGO liaison	1,103,219	161,289	540,000	754,664	410,669
Resource management	2,085,189	2,677,179	2,655,653	2,228,776	1,418,586
Planning, monitoring and evaluation	531,213	289,575	385,698	2,514	3,679
Information management and technology	1,998,292	1,893,043	1,598,000	1,685,284	1,806,447
Publications	682,068	494,690	514,067	496,006	367,274
Training and methodology	716,420	572,717	350,000	429,600	306,714
Staff security	649,976	849,861	505,305	675,444	449,530
<b>Sub-total</b>	<b>9,939,932</b>	<b>8,492,861</b>	<b>8,415,594</b>	<b>7,687,195</b>	<b>5,954,718</b>
Contingency fund	500,000	0	0	0	0
Miscellaneous	0	0	3,877,197	419,328	81,369
<b>Total</b>	<b>59,793,523</b>	<b>67,918,649</b>	<b>68,215,113</b>	<b>62,437,989</b>	<b>51,840,376</b>

## VOLUNTARY CONTRIBUTIONS PLEDGES AND PAYMENTS IN 2005

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Pledge US\$	Income US\$	Donor	Pledge US\$	Income US\$
<i>Governments and intergovernmental organizations</i>					
United States of America	11,032,000	10,932,000	Chile	16,000	18,000
European Commission*	9,581,935	3,536,921	Algeria	15,000	15,000
Norway	7,317,057	6,894,524	Czech Republic	12,019	12,019
United Kingdom*	6,936,032	10,596,586	Estonia	11,278	11,279
Netherlands	6,127,321	5,671,223	Turkey	10,000	9,939
Sweden	4,811,525	4,429,868	Oman	10,000	10,000
Denmark**	4,040,869	3,901,411	UNICEF	8,000	8,000
Ireland	3,701,380	3,701,380	Argentina	7,000	7,000
Canada*	3,521,566	2,856,112	Pakistan	5,164	5,159
Finland	2,972,589	2,983,752	Azerbaijan	5,085	5,000
Switzerland	2,824,299	2,299,017	Sudan	5,074	5,074
Spain*	2,083,626	1,415,332	Bahrain	5,000	5,000
France	1,871,869	2,560,319	Croatia	5,000	5,000
Italy	1,585,478	1,575,988	Israel	5,000	5,000
Germany	1,463,415	1,452,785	Nigeria	4,982	4,982
Belgium	1,461,542	877,189	Bulgaria	4,000	4,000
New Zealand	391,689	392,250	Lebanon	3,000	3,000
UNFPA	297,000	297,000	Bosnia and Herzegovina	2,000	2,000
Australia	227,821	228,059	Panama	2,000	2,000
Japan	166,397	0	Tunisia	1,652	1,652
Portugal	140,096	140,096	Armenia	1,096	1,096
Luxembourg	137,802	129,960	Qatar***	0	50,000
Greece	121,951	120,192	UNAIDS*	0	105,420
Mexico	120,000	120,000	San Marino*	0	6,595
Korea, Rep. of	110,000	110,000			
Austria	87,030	87,161			
Brazil	80,000	80,000	<i>Private donors</i>		
South Africa	60,108	60,108	Dietmembers' Association for Cooperation with UN Human Rights Activities*	0	9,011
India	55,000	55,000	ITCS "Oscar Romero"	1,653	1,653
Liechtenstein	53,097	53,097	OHCHR staff	2,119	2,102
Monaco	45,873	45,873	Other individual donors	2,267	2,267
Cyprus	30,905	30,905	Rights & Democracy	24,390	24,361
Poland	30,000	30,000	Students of BLLF Apnashool School	100	90
Slovenia	30,000	30,000	The Toronto Star Newspaper	500	506
Colombia	23,970	23,970	The University of Connecticut Foundation Inc.	37,500	37,500
Philippines	22,190	22,190			
Thailand	20,000	20,000			
Malaysia	20,000	20,000			
Andorra	19,142	19,142			
UNESCO	18,677	18,677			
Costa Rica	17,323	17,323			
			<b>Total</b>	<b>73,865,453</b>	<b>68,215,113</b>

With reference to the pledge and income column, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

\* Income includes payment of 2004 pledges.

\*\* In addition, the Government of Denmark provided vehicles as an in-kind contribution to the Nepal operation.

\*\*\* This contribution was paid by cheque in late 2004 but credited in early 2005.



◆ VOLUNTARY CONTRIBUTIONS TO OHCHR IN 2005 FROM THE TOP 20 DONORS

### UNITED STATES OF AMERICA

	Pledge	Income
	US\$	US\$
Darfur (plan of action)	0	300,000
Colombia	1,900,000	1,900,000
Nepal	700,000	300,000
Voluntary Fund for Technical Cooperation	1,488,000	1,488,000
Voluntary Fund for Victims of Torture	6,944,000	6,944,000
<b>Total</b>	<b>11,032,000</b>	<b>10,932,000</b>

### NORWAY

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	638,978	631,067
Human rights bodies and organs	431,310	425,970
Support to special procedures	159,744	157,767
Field offices <sup>2</sup>	958,466	946,600
Angola	328,947	297,084
Burundi	79,872	78,883
Democratic Republic of the Congo	79,872	78,883
Guatemala	79,872	78,883
Balkans <sup>3</sup>	798,722	787,526
Colombia	638,978	627,000
Darfur	319,489	0
Nepal <sup>4</sup>	79,872	78,883
Nepal	158,730	154,445
Nepal	306,279	312,134
Nepal	612,557	614,402
Voluntary Fund for Technical Cooperation	798,722	788,833
Mexico	79,872	78,883
Sudan	79,872	78,883
National institutions	47,923	47,330
Human rights and development	63,898	63,107
Rule of law and democracy	47,923	47,330
Voluntary Fund for Victims of Torture	159,744	157,767
Voluntary Fund for Indigenous Populations	47,923	47,330
Strengthening the capacity of OHCHR <sup>5</sup>	319,489	315,533
<b>Total</b>	<b>7,317,057</b>	<b>6,894,524</b>

<sup>1</sup> Allocated to: executive direction US\$ 50,000; publications US\$ 141,067; information and management US\$ 40,000; staff security US\$ 200,000; and training and methodology US\$ 200,000.

<sup>2</sup> Allocated to: Angola US\$ 140,000; Nepal US\$ 146,600; Uganda US\$ 200,000; Timor-Leste (Commission of Experts) US\$ 160,000; and HQ support to field operations US\$ 300,000.

<sup>3</sup> Allocated to: Serbia and Montenegro US\$ 400,000 and Bosnia and Herzegovina US\$ 387,526.

<sup>4</sup> Initially pledged for technical cooperation activities in Nepal.

<sup>5</sup> Allocated to resource management.

### EUROPEAN COMMISSION

	Pledge	Income
	US\$	US\$
Burundi <sup>1</sup>	0	328,424
Guatemala <sup>2</sup>	0	439,948
DRC <sup>3</sup>	0	544,091
Mexico <sup>4</sup>	0	309,477
Morocco <sup>5</sup>	0	5,496
Indigenous populations <sup>6</sup>	0	409,832
Human rights bodies and organs <sup>7</sup>	0	627,929
Colombia <sup>8</sup>	647,059	688,730
Special procedures <sup>9</sup>	2,122,353	182,995
Nepal	5,882,353	0
National human rights institutions	930,171	0
<b>Total</b>	<b>9,581,935</b>	<b>3,536,921</b>

<sup>1</sup> Second instalment of the "human rights monitoring" project pledged in 2002.

<sup>2</sup> First instalment of a contribution pledged in 2004.

<sup>3</sup> Income amount includes the second instalment of a contribution pledged in 2002 (US\$ 543,599 – "Goma" project) and the final instalment of a contribution pledged in 2001 (US\$ 492.49 – "documentation centre" project).

<sup>4</sup> First instalment of a contribution pledged in 2004.

<sup>5</sup> Final instalment of a contribution pledged in 2001.

<sup>6</sup> First instalment of a contribution pledged in 2004.

<sup>7</sup> Second instalment of the "follow-up to TB recommendations – pilot phase" project pledged in 2002.

<sup>8</sup> Consists of a new pledge for the "municipal plans and human rights" project and payments against pledges for the 2002 "prisons" project (second instalment of US\$ 321,415) and for the 2004 "Fiscalia" project (first instalment of US\$ 367,315).

<sup>9</sup> Consists of a new pledge for the "civil and political mandates – SP2" project and final payment of the "civil and political mandates – SP1" project pledged in 2001.

### UNITED KINGDOM

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	4,512,635	4,378,284
Nepal	656,934	649,819
Nepal	361,011	352,734
Nepal	451,264	440,917
Timor-Leste (Commission of Experts)	0	40,000
Voluntary Fund for Technical Cooperation	381,679	358,040
National institutions	190,840	179,020
HIV-AIDS	108,303	105,079
Rule of law (hybrid tribunal legacy project)	82,526	82,256
Voluntary Fund for Victims of Torture	190,840	179,020
Strengthening the capacity of OHCHR <sup>2</sup>	0	3,831,418
<b>Total</b>	<b>6,936,032</b>	<b>10,596,586</b>

<sup>1</sup> Allocated to: treaty bodies US\$ 300,000; support to special procedures US\$ 280,000; Angola US\$ 50,000; Burundi US\$ 220,000; Colombia US\$ 907,181; HQ support to field operations US\$ 400,000; VFTC US\$ 125,000; human rights and development US\$ 280,000; rule of law US\$ 170,000; resource mobilization US\$ 40,000; resource management US\$ 300,000; information management US\$ 850,000; and US\$ 456,103 allocated in early 2006 to executive direction and management.

<sup>2</sup> Pledged in late 2004 and paid in early 2005; allocated to: executive direction US\$ 250,000; resource management US\$ 1.5 million; resource mobilization US\$ 641,418; information management US\$ 700,000; publications US\$ 200,000; and public information US\$ 540,000.

## NETHERLANDS

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	4,070,556	3,614,458
Unearmarked <sup>2</sup>	588,235	588,235
Timor-Leste (Commission of Experts)	145,000	145,000
Voluntary Fund for Victims of Torture	1,000,000	1,000,000
Voluntary Fund on Contemporary Forms of Slavery	323,529	323,529
<b>Total</b>	<b>6,127,321</b>	<b>5,671,223</b>

<sup>1</sup> Allocated to: support to special procedures US\$ 600,000; Angola US\$ 450,000; Colombia US\$ 1,100,000; DRC US\$ 620,030; Uganda US\$ 200,000; HQ support to field operations US\$ 350,000; executive direction US\$ 250,000; and resource mobilization US\$ 44,428.

<sup>2</sup> Additional unearmarked contribution allocated to treaty bodies.

## SWEDEN

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	707,214	648,976
Human rights bodies and organs / special procedures <sup>2</sup>	848,656	778,772
Cambodia	28,289	25,959
Colombia	990,099	908,567
Guatemala	707,214	648,976
Nepal	257,069	250,460
Voluntary Fund for Technical Cooperation	848,656	778,772
Strengthening the capacity of OHCHR <sup>3</sup>	424,328	389,386
<b>Total</b>	<b>4,811,525</b>	<b>4,429,868</b>

<sup>1</sup> Allocated to: Colombia US\$ 318,537; national institutions US\$ 91,463; anti-discrimination US\$ 168,976; and publications US\$ 70,000.

<sup>2</sup> Allocated to: treaty bodies US\$389,386 and support to special procedures US\$ 389,386.

<sup>3</sup> Allocated to: resource mobilization US\$ 150,000 and planning, monitoring and evaluation US\$ 239,386.

## DENMARK

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	2,256,944	2,173,008
Nepal	781,250	750,366
Nepal <sup>2</sup>	567,261	555,335
Seminar on human rights, counter-terrorism and states of emergency	35,000	35,000
Voluntary Fund for Indigenous Populations	53,191	53,393
Voluntary Fund for Victims of Torture	347,222	334,309
<b>Total</b>	<b>4,040,869</b>	<b>3,901,411</b>

<sup>1</sup> Allocated to: treaty bodies US\$ 100,000; Burundi US\$ 650,000; DRC US\$ 620,030; Palestine US\$ 500,00; Uganda US\$ 100,000; HQ support to field operations US\$ 102,978; and resource management US\$ 100,000.

<sup>2</sup> Consists of the 2005 portion of a three-year pledge (2005-2007) amounting to a total of DKK 17,5 million.

In addition, Denmark provided vehicles as an in-kind contribution to the Nepal operation.

## IRELAND

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	878,294	878,294
Human rights bodies and organs	439,147	439,147
Support to special procedures	376,412	376,412
Field offices <sup>2</sup>	627,353	627,353
Voluntary Fund for Technical Cooperation	439,147	439,147
National institutions	125,471	125,471
AIDS, disability, gender, rule of law <sup>3</sup>	376,412	376,412
Voluntary Fund for Victims of Torture	188,206	188,206
Anti-discrimination	62,735	62,735
Strengthening the capacity of OHCHR <sup>4</sup>	188,206	188,206
<b>Total</b>	<b>3,701,380</b>	<b>3,701,380</b>

<sup>1</sup> Allocated to: HQ support to field operations US\$ 200,000; national institutions US\$ 178,294; human rights and development US\$ 50,000; indigenous populations US\$ 150,000; executive direction US\$ 150,000; training and methodology US\$ 50,000; and publications US\$ 100,000.

<sup>2</sup> Allocated to: DRC US\$ 250,942; Nepal US\$ 250,940; and Uganda US\$ 125,471.

<sup>3</sup> Allocated to: disability US\$ 76,412; HIV-AIDS US\$ 150,000; and rule of law US\$ 150,000.

<sup>4</sup> Allocated to: resource mobilization US\$ 58,206; resource management US\$ 100,000; and staff security US\$ 30,000.

## CANADA

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	0	830,769
Unearmarked <sup>2</sup>	1,639,344	112,557
Burundi	483,871	489,300
Colombia <sup>3</sup>	80,645	81,793
Nepal	161,290	163,100
Nepal	198,413	206,016
Nepal	423,729	432,874
Uganda	483,871	489,300
Voluntary Fund for Victims of Torture	50,403	50,403
<b>Total</b>	<b>3,521,566</b>	<b>2,856,112</b>

<sup>1</sup> Contribution pledged in 2004 and paid in 2005. Allocated to: treaty bodies US\$ 250,000; support to special procedures US\$ 275,000; national institutions US\$ 50,000; VF for Indigenous Populations US\$ 9,880; executive direction US\$ 105,769; and resource management US\$ 140,120.

<sup>2</sup> 2005 pledge to be allocated by the management board upon receipt. Income amount represents a first installment, allocated to the VF on Contemporary Forms of Slavery.

<sup>3</sup> Additional contribution to a three-year arrangement pledged in 2003.

## FINLAND

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	580,217	586,585
Human rights bodies and organs	60,314	60,976
Support to special procedures	120,627	121,951
Nepal	1,206,273	1,201,923
Colombia	352,941	352,941
Voluntary Fund for Technical Cooperation	202,881	205,107
Gender mainstreaming and women's rights	60,314	60,976
Rule of law and democracy	60,314	60,976
Voluntary Fund for Victims of Torture	176,116	178,049
Voluntary Fund for Indigenous Populations	31,966	32,317
Plan of action: protection and empowerment	120,627	121,951
<b>Total</b>	<b>2,972,589</b>	<b>2,983,752</b>

<sup>1</sup> Allocated to: treaty bodies US\$ 100,000; special procedures US\$ 168,049; VF on Contemporary Forms of Slavery US\$ 118,536; and anti-discrimination US\$ 200,000.

## SWITZERLAND

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	59,322	53,435
Unearmarked	152,672	0
Colombia	169,492	157,480
Colombia	76,336	0
Nepal <sup>2</sup>	195,313	193,798
Nepal <sup>3</sup>	193,798	196,850
Nepal <sup>4</sup>	314,961	307,748
Voluntary Fund for Technical Cooperation <sup>5</sup>	1,327,434	1,327,434
Sri Lanka	42,373	39,370
Sri Lanka	38,168	0
Economy and human rights	25,424	22,901
Women and human rights defenders	76,336	0
Voluntary Fund for Victims of Torture	38,168	0
Voluntary Fund for Indigenous Populations	114,504	0
<b>Total</b>	<b>2,824,299</b>	<b>2,299,017</b>

<sup>1</sup> Allocated to rule of law.

<sup>2</sup> Contribution from PD IV (prior to the 3-year contribution).

<sup>3</sup> First portion from SDC of a 3-year contribution for a total amount of CHF 1,250,000 (2005-2007).

<sup>4</sup> Advanced payment from PD IV of the second portion of the 3-year contribution, initially planned for January 2006.

<sup>5</sup> 2005 (and last) portion of the multi-year contribution pledged in 2003.

## SPAIN

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	781,012	575,305
Human rights bodies and organs	0	94,980
Support to special procedures	101,431	108,548
Colombia	507,151	54,274
Colombia	60,096	58,480
Guatemala	101,431	0
Afghanistan	25,356	17,639
Iraq	25,356	17,639
Haiti	25,356	0
Gender mainstreaming	101,431	156,038
Voluntary Fund for Victims of Torture	304,291	332,429
Voluntary Fund for Indigenous Populations	50,715	0
<b>Total</b>	<b>2,083,626</b>	<b>1,415,332</b>

Spain paid its 2004 contribution in two instalments. The first instalment (US\$ 968,134) was paid in December 2004 and was allocated as indicated in Annual Report 2004. The second instalment (US\$ 1,356,852) was received in early January 2005 and is therefore reflected in 2005, in accordance with United Nations financial regulations and rules. The earmarking is reflected in the above table as follows: treaty bodies US\$ 94,980; support to special procedures US\$ 108,548; Afghanistan US\$ 17,639; Colombia US\$ 54,274; Iraq US\$ 17,639; gender mainstreaming US\$ 156,038; VF for Victims of Torture US\$ 332,429 and unearmarked US\$ 575,305 (for allocation see below footnote). OHCHR received an additional pledge in 2005 for the items listed in the above table, for which payment was received in 2006.

<sup>1</sup> The income amount consists of the last instalment of the unearmarked portion of the 2004 contribution, which was received in early 2005 and allocated to: indigenous peoples US\$ 100,000; human rights and development US\$ 100,000; staff security US\$ 175,305; and resource management US\$ 200,000.

## FUNDING OF OHCHR

### FRANCE

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	1,017,639	1,017,639
Unearmarked <sup>2</sup>	54,414	54,282
Unearmarked <sup>3</sup>	24,213	24,213
Human rights bodies and organs	40,706	40,706
Support to special procedures	135,685	135,685
Nepal	120,919	120,627
National institutions	120,919	120,627
Secretary-General's Study on Violence against Children	27,137	27,137
Voluntary Trust Fund on Contemporary Forms of Slavery	64,851	64,683
Voluntary Fund for Indigenous Populations	129,702	129,366
Voluntary Fund for Victims of Torture	135,685	135,336
2nd instalment of the multi-year partnership with DGCID	0	690,016
<b>Total</b>	<b>1,871,869</b>	<b>2,560,319</b>

<sup>1</sup> Allocated to: treaty bodies US\$ 200,000; support to special procedures US\$ 117,639; Colombia US\$ 100,000; Timor-Leste US\$ 100,000; national institutions US\$ 200,000; human rights and development US\$ 100,000; training and methodology US\$ 100,000; and staff security US\$ 100,000.

<sup>2</sup> Allocated to Colombia.

<sup>3</sup> Allocated to Nepal.

### ITALY

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	389,105	388,098
Afghanistan	116,732	116,430
Bosnia and Herzegovina	51,881	51,746
Serbia and Montenegro	51,881	51,746
VFTC – Africa (Addis Ababa regional office)	233,463	232,859
Sudan	324,254	323,415
VFTC – Arab region	129,702	129,366
Voluntary Fund for Victims of Torture	288,462	282,327
<b>Total</b>	<b>1,585,478</b>	<b>1,575,988</b>

<sup>1</sup> Allocated to: Colombia US\$ 200,000; HQ support to field operations US\$ 100,000; and national institutions US\$ 88,098.

### GERMANY

	Pledge	Income
	US\$	US\$
Human rights bodies and organs	121,951	121,065
Support to special procedures	304,878	302,663
Colombia	121,951	121,065
Nepal	304,878	302,663
Voluntary Fund for Technical cooperation	304,878	302,663
National institutions	121,951	121,065
Plan of Action	182,927	181,598
<b>Total</b>	<b>1,463,415</b>	<b>1,452,785</b>

### BELGIUM

	Pledge	Income
	US\$	US\$
Support to special procedures	213,415	0
Voluntary Fund for Technical Cooperation	678,426	584,791
Human rights and development	339,213	292,398
Voluntary Fund for Victims of Torture	91,463	0
Rapid response unit	139,024	0
<b>Total</b>	<b>1,461,542</b>	<b>877,189</b>

## NEW ZEALAND

	Pledge	Income
	US\$	US\$
Unearmarked <sup>1</sup>	355,975	355,975
Timor-Leste (Commission of Experts)	35,714	36,275
<b>Total</b>	<b>391,689</b>	<b>392,250</b>

<sup>1</sup> Allocated to: Regional office in Bangkok US\$ 125,520; national institutions US\$ 100,000; VF for Indigenous Populations US\$ 10,000; and executive direction US\$ 120,455.

## AUSTRALIA

	Pledge	Income
	US\$	US\$
Establishment of OHCHR sub-regional office in Suva	116,279	116,867
National institutions (in the Asia Pacific)	77,519	77,911
Publication of national practices on good governance	15,504	15,582
Voluntary Fund for Indigenous Populations	18,519	17,698
<b>Total</b>	<b>227,821</b>	<b>228,059</b>

## JAPAN

	Pledge	Income
	US\$	US\$
Voluntary Fund for Technical Cooperation	130,000	0
Voluntary Trust Fund on Contemporary Forms of Slavery	25,000	0
Voluntary Fund for Indigenous populations	11,397	0
<b>Total</b>	<b>166,397</b>	<b>0</b>

## 2005 VOLUNTARY CONTRIBUTIONS – TOP 20 DONORS PLEDGES TO OHCHR BY THE MAIN HEADINGS OF THE ANNUAL APPEAL 2005

The distribution of funds in this table reflects earmarking by donors.

Earmarking (as per major headings of the Annual Appeal)	United States of America	European Commission	Norway	United Kingdom	Netherlands	Sweden	Denmark	Ireland	Canada	Finland	Switzerland	Spain
Unearmarked			638,978	4,512,635	4,658,792	707,214	2,256,944	878,294	1,639,344	580,217	211,994	781,012
Support to human rights treaty bodies, the Commission on Human Rights and the Sub-Commission			431,310			424,328		439,147		60,314		
Support to the special procedures		2,122,353	159,744			424,328		376,412		120,627		101,431
Field offices	2,600,000	6,529,412	4,441,657	1,469,209	145,000	1,982,671	1,348,511	627,353	1,831,819	1,559,214	949,899	719,390
Voluntary Fund for Technical Cooperation	1,488,000		958,466	381,679		848,656		439,147		202,881	1,407,974	25,356
Global projects		930,171	47,923	190,840				125,471				
Economic and social issues				108,303						60,314	25,424	101,431
Human rights and development			63,898									
Rule of law and democracy			47,923	82,526			35,000			60,314		
Groups in focus	6,944,000		207,668	190,840	1,323,529		400,414	188,206	50,403	208,082	152,672	355,006
Anti-discrimination								62,735				
Strengthening the capacity of OHCHR			319,489			424,328		188,206				
Contingency fund												
Other*								376,412		120,627	76,336	
<b>Total pledges by donor</b>	<b>11,032,000</b>	<b>9,581,935</b>	<b>7,317,057</b>	<b>6,936,032</b>	<b>6,127,321</b>	<b>4,811,525</b>	<b>4,040,869</b>	<b>3,701,380</b>	<b>3,521,566</b>	<b>2,972,589</b>	<b>2,824,299</b>	<b>2,083,626</b>

This table indicates contributions received as per the major headings of the Annual Appeal 2005 and earmarking per donor.

\* The "other" category refers to contributions received by donors with earmarkings which are outside the main headings of the Appeal and/or include more than one activity/category.

## 2005 VOLUNTARY CONTRIBUTIONS – TOP 20 DONORS

### PLEDGES TO OHCHR BY THE MAIN HEADINGS OF THE ANNUAL APPEAL 2005

The distribution of funds in this table reflects earmarking by donors.

Earmarking (as per major headings of the Annual Appeal)	France	Italy	Germany	Belgium	New Zealand	UNFPA	Australia	Japan	Other donors	Total pledges by activity	Initial budget (Annual Appeal)	Revised budget (Mid Year Review)
Unearmarked	1,096,266	389,105			355,975				576,917	19,283,686	0	0
Support to human rights treaty bodies, the Commission on Human Rights and the Sub-Commission	40,706		121,951						35,388	1,553,144	4,117,833	4,087,594
Support to the special procedures	135,685		304,878	213,415						3,958,873	3,985,623	3,874,059
Field offices	120,919	220,493	426,829		35,714				5,000	25,013,089	13,881,726	25,684,464
Voluntary Fund for Technical Cooperation		687,419	304,878	678,426			116,279	130,000	368,311	8,037,474	11,084,600	10,196,056
Global projects	148,056		121,951				77,519		35,873	1,677,804	3,557,805	3,697,662
Economic and social issues									1,160	296,631	813,600	569,524
Human rights and development				339,213			15,504			418,615	1,218,027	1,203,179
Rule of law and democracy										225,763	1,550,191	1,567,617
Groups in focus	330,238	288,462		91,463			18,519	36,397	357,886	11,143,784	8,571,954	8,056,790
Anti-discrimination									5,000	67,735	572,232	488,843
Strengthening the capacity of OHCHR									24,390	956,413	9,939,932	8,492,861
Contingency fund										0	500,000	0
Other*			182,927	139,024		297,000			40,119	1,232,445	0	0
<b>Total pledges by donor</b>	<b>1,871,869</b>	<b>1,585,478</b>	<b>1,463,415</b>	<b>1,461,542</b>	<b>391,689</b>	<b>297,000</b>	<b>227,821</b>	<b>166,397</b>	<b>1,450,045</b>	<b>73,865,453</b>	<b>59,793,523</b>	<b>67,918,649</b>

In 2005, OHCHR had 32 associate experts who were supported by the following Governments: Austria, Belgium, Denmark, Finland, France, Germany, Italy, the Netherlands, Norway, the Organisation internationale de la Francophonie (OIF), Spain, Switzerland and Sweden. Of the total number of associate experts, four were non-nationals supported by Italy, the Netherlands, and the OIF. The table below indicates the distribution of associate experts by Government sponsor.

<b>Government sponsor</b>	<b>Number of associate experts</b>	<b>Number of non-nationals</b>
Austria	1	0
Belgium	1	0
Denmark	4	0
Finland	2	0
France	2	0
Germany	2	0
Italy	3	1
Netherlands	3	1
Norway	1	0
Organisation Internationale de la Francophonie	2	2
Spain	2	0
Switzerland	8	0
Sweden	1	0
	<b>32</b>	<b>4</b>





# UNITED NATIONS HUMAN RIGHTS MECHANISMS

## INTRODUCTION

OHCHR is mandated to support Charter-based human rights mechanisms and treaty bodies. In particular, it has been supporting and organizing the meetings of the Commission on Human Rights and the Sub-Commission on the Promotion and Protection of Human Rights. OHCHR staff assist experts appointed by these bodies, and provide research, expertise and administrative support.

At the World Summit held in New York in September, Member States approved a proposal in the context of the Secretary-General's reform programme to replace the Commission on Human Rights with a Human Rights Council. The Council is expected to become operational from June 2006 and have a broad mandate, which will include a periodic universal review of the human rights situation in all Member States as well as a more rigorous election process.

In addition to voluntary contributions, US\$ 8.5 million was spent under the United Nations regular budget to support the work of the treaty bodies, the Commission on Human Rights, the Sub-Commission, and the special procedures.

### ◆ THE COMMISSION ON HUMAN RIGHTS AND THE SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

OHCHR serviced the 61st session of the Commission on Human Rights from 14 March to 22 April 2005. Until 2005, the Commission was the main United Nations intergovernmental body concerned with human rights. Representatives of 53 Member States gathered in Geneva for six weeks each year to discuss, study, elaborate and monitor human rights standards. Several thousand delegates from Member States, observers and NGOs participated in the meetings. As a functional body of the United Nations

Economic and Social Council, the Commission adopted resolutions, decisions and statements on a wide range of human rights issues. The Sub-Commission on the Promotion and Protection of Human Rights was a subsidiary body of the Commission; with 26 experts, it undertook research and made recommendations to the Commission. In 2005, the following new mandates were approved by the Commission: the Independent Expert on minority issues, the Independent Expert on human rights and international solidarity, the Special Rapporteur of the Secretary-General on human rights and trans-national corporations, the Special Rapporteur on the protection of human rights and fundamental freedoms while countering terrorism, the Special Rapporteur on the situation of human rights in the Sudan, the Independent Expert on the situation of human rights in Uzbekistan (1503) and the Working Group on the use of mercenaries.

From 19 June 2006, the Human Rights Council, a subsidiary organ of the General Assembly, will begin its work. The Council will consist of 47 Member States, elected by the majority of the members of the General Assembly, and hold at least three sessions per year of no less than ten weeks in total. Special sessions may also be held with the support of one third of the members of the Council. The Council will, inter alia, promote human rights education, advisory services, technical assistance and capacity-building and serve as a forum for dialogue on thematic issues. It will also make recommendations to the General Assembly for the further development of international law in the field of human rights and contribute towards the prevention of human rights violations. It will promote the full implementation of human rights obligations undertaken by States, and work in close cooperation with governments, regional organizations, national human rights institutions and civil society.

### ◆ HUMAN RIGHTS TREATY BODIES

Human rights treaties and the legally binding obligations they impose on States parties are essential for the protection and promotion of human rights. Human rights treaty bodies are committees of 10 to 23 independent experts who serve in their personal capacities as “guardians” of the treaties. Treaty bodies are mandated to monitor how well States parties implement their obligations under the human rights instruments. States submit regular reports to the treaty bodies describing how they implement their obligations under the treaties, and these bodies adopt conclusions identifying strengths in implementation and areas where more effort is required. Some committees have the authority to examine complaints of human rights violations submitted by individuals; some have the authority to conduct inquiries based on reliable information indicating the occurrence of human rights violations in States parties. In 2005, OHCHR supported six of the seven treaty bodies. In the context of the Secretary-General’s reform programme, and as reiterated by Member States at the World Summit in September 2005, more effective methods for treaty body operation and enhanced implementation of treaty body recommendations are being examined. A number of reform initiatives, including the introduction of

a common core document and harmonized reporting guidelines and the possible creation of a unified standing treaty body were explored by OHCHR in 2005.

### ◆ THE SPECIAL PROCEDURES OF THE COMMISSION ON HUMAN RIGHTS

Special procedures are mechanisms established by the Commission on Human Rights to address human rights situations either in countries or by thematic issue. Special procedures mandate-holders are independent experts appointed by the Commission on Human Rights and carry the title of special rapporteur, independent expert, special representative or working group. The mandate-holders act in their personal capacity to examine, monitor, advise and publicly report on human rights within their mandate, with the overall purpose of contributing to closing the implementation gaps in the protection and promotion of human rights. In doing so, special procedures mandate-holders interact with governments, United Nations partners and international organizations, civil society organizations, national human rights institutions and rights holders. OHCHR supports these mechanisms by providing them with thematic, fact-finding, and legal expertise, research and analytical work, as well as administrative and logistical support.

## BUDGET AND EXPENDITURE UNITED NATIONS HUMAN RIGHTS MECHANISMS

This table indicates the budgeted amount for planned activities as per Annual Appeal 2005 and mid-year review revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures.

	Annual Appeal Budget US\$	Revised Budget US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
Support to human rights treaty bodies, the Commission on Human Rights and the Sub-Commission	4,117,833	4,087,594	3,379,246	2,787,147
Response to allegations of human rights violations:				
Support to the special procedures	3,985,623	3,874,059	3,671,393	2,976,219
<b>Total</b>	<b>8,103,456</b>	<b>7,961,653</b>	<b>7,050,639</b>	<b>5,763,366</b>



# SUPPORT TO HUMAN RIGHTS TREATY BODIES, THE COMMISSION ON HUMAN RIGHTS AND THE SUB-COMMISSION

## BACKGROUND

In 2005, the Treaties and Commission Branch (TCB) of OHCHR supported the Commission on Human Rights (Commission), the Sub-Commission on the Promotion and Protection of Human Rights (Sub-Commission), the human rights treaty bodies and the Voluntary Fund for Victims of Torture. The Branch is also responsible for processing all documentation prepared by the Office, and for providing substantive support to the independent expert appointed by the Secretary-General to lead the Study on Violence against Children.

In 2005, OHCHR provided technical and substantive support to the Human Rights Committee; the Committee on Economic, Social and Cultural Rights; the Committee on the Elimination of Racial Discrimination; the Committee against Torture; the Committee on the Rights of the Child; and the Committee on Migrant Workers. The Division for the Advancement of Women in the Department of Economic and Social Affairs currently supports the work of the seventh human rights treaty body: the Committee on the Elimination of Discrimination against Women.

## OBJECTIVES

- Continued substantive and technical support to inter-governmental bodies and organs (the Commission, the Sub-Commission and the treaty bodies) and strengthened support to ensure more effective coordination among them.
- Continued streamlining of the treaty bodies' reporting procedures and working methods and development of further proposals to rationalize the treaty body system.
- Strengthened compliance with reporting obligations and improved follow-up to, and implementation of, treaty body recommendations at the national level and views adopted under the individual complaints procedures, through training and capacity-building.
- Reduction of the timeframe between receipt of a State party's report and its consideration as well as between receipt of an individual complaint and a final decision by the relevant committee.

- Development of automated systems to streamline and rationalize documentation and enhance the existing databases of the Branch.

## IMPLEMENTATION

Activities during the reporting period focused on implementing the Secretary-General's reform proposals to streamline reporting to treaty bodies and to harmonize their working methods as well as on the recommendation by Heads of State, at the September 2005 World Summit, to replace the Commission on Human Rights with a Human Rights Council.

### ◆ HUMAN RIGHTS TREATY BODIES

The 4th Inter-Committee meeting and the 17th meeting of chairpersons of human rights treaty bodies held in June 2005 discussed the draft guidelines for a common core document and harmonized guidelines for reporting. During these meetings, participants decided that the draft guidelines would be submitted to a technical working group, consisting of one member of each committee, for finalization. The technical working group met on 8 and 9 December and although good progress was made a further meeting was scheduled to finalize the guidelines in early 2006. The meetings further encouraged treaty bodies to adopt common working methods based on best practices and to continue reducing the time between receipt of reports and their consideration.

During the latter part of 2005, the Committee on the Rights of the Child began preparations for the first session in early 2006 in which the Committee would work in two chambers. Induction courses were held for new members. The second meeting of the Committee on Migrant Workers was convened in April where members formally adopted reporting guidelines and agreed on working methods. The Committee on Migrant Workers further convened a Day of General Discussion on the theme "protecting the rights of all migrant workers as a tool to enhance development" on 15 December. Participants included representatives of Member States, intergovernmental organizations and academic institutions. The discussion inspired the decision to

prepare a written contribution to the High Level Dialogue of the General Assembly in 2006, which will be devoted to international migration and development.

Following the presentation of the High Commissioner's Plan of Action in May, work began on her proposal to create a unified standing treaty body competent to monitor implementation of the obligations in the human rights treaties. From September to December of 2005, several meetings were called with stakeholders including States parties, NGOs and United Nations specialized agencies, and feedback was obtained for a concept paper to be finalized in early 2006. OHCHR hosted an online discussion forum on the High Commissioner's proposal for five weeks in November and December. The forum attracted more than 400 registered members and close to 100 written submissions.

The petitions team continued efforts to achieve consistency in procedures for processing individual complaints to the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, and the Committee against Torture, as well as the jurisprudence of these treaty bodies. The backlog in processing Russian language correspondence has almost been eliminated, and complaints received in English, French and Spanish are now processed within one month. A procedure that gives the working group of the Human Rights Committee the possibility to declare individual complaints inadmissible was introduced as a further measure to reduce the backlog of pending complaints. A concept for a new database on national and regional jurisprudence invoking United Nations decisions has been developed, and will be further refined in 2006.

A number of activities were carried out to facilitate and enhance implementation of treaty body recommendations at the country level. Three national follow-up workshops were convened in Croatia, Rwanda and Sri Lanka and one global training session for participants from five countries was held in Geneva in May for representatives of NGOs, national human rights institutions and the media to encourage engagement with the human rights treaty body system. The global session followed national preparatory workshops in the five participating countries: Bosnia and Herzegovina, Mauritius, Thailand, Uganda and Zambia. A follow-up workshop on the implementation of recommendations of the Committee on the Rights of the Child was held in Buenos Aires, Argentina in November 2005 in cooperation with Plan International and UNICEF. The Branch supported the deployment of human rights officers to OHCHR regional offices

in Santiago and Bangkok, as well as to the newly established field office in Nepal.

The production of a training tool on the work of the treaty bodies (on DVD) began in June in partnership with a Geneva-based NGO and an experienced film-maker/producer. Representatives of civil society, governments and the media from several countries, as well as committee members, were interviewed and a set of graphics was developed for the use of trainers. This training tool will be made available in all official United Nations languages; the first version in English, French and Spanish will be available for distribution by mid-2006.

The results of the treaty body sessions, including general comments, recommendations/concluding observations and decisions relating to petitions continued to be disseminated through an automatic electronic list-serve.

#### ◆ COMMISSION ON HUMAN RIGHTS

Throughout 2005, the secretariat provided substantive and technical support to the Commission on Human Rights during plenary meetings, the high-level segment, meetings of working groups and the meetings of the Expanded Bureau. Support was also provided to the Sub-Commission and to the confidential procedures established by ECOSOC resolution 1503. The secretariat also ensured that all stakeholders were informed about the work of these bodies through the provision of documents, information on relevant precedents and through briefings to interested groups.

After completing the 61st session of the Commission, the secretariat took steps to ensure adequate support to the process leading up to the creation of a Human Rights Council. In June 2005, the secretariat provided support to the open-ended informal consultations convened by the Chairperson of the Commission on the recommendations on human rights contained in the report of the Secretary-General "In Larger Freedom: Towards Development, Security and Human Rights for All" (A/59/2005). Following the World Summit, the secretariat helped organize the informal consultations, held in November 2005, to facilitate the exchange of views among the Commission and the President and two co-chairs of the General Assembly on the establishment of a Human Rights Council. On 15 March 2006, the General Assembly took a landmark decision to establish the Council (A/60/251), replacing the Commission on Human Rights.

Member States will now need to elaborate the Council's methods of work, modalities and agenda. OHCHR will continue to be available to provide relevant advice and support throughout the preparatory/implementation phase of this new inter-governmental mechanism.

The CD-ROM on the work of the 61st session of the Commission was completed in early 2006 and 1,000 copies were produced. The user-friendly format of the CD-ROM, which is available on OHCHR's web site, provides governments and NGOs with easy access to all the documentation of the session, including reports, resolutions and decisions, NGO statements, summary records and audio files.

#### ◆ DOCUMENTATION

Coordination of the planning, submission and processing of OHCHR documentation and publications by the Documents Processing Unit (DPU) has strengthened compliance with United Nations norms and procedures in keeping with the Secretary-General's recommendations on rationalizing documentation. OHCHR's document database provides an overview of documentation already in circulation and documentation to be produced, allowing managers to make informed decisions to streamline production.

## CONSTRAINTS

A consolidated system for compiling and updating information on best practices in implementing human rights recommendations was not established due to lack of resources. However, regional compilations of concluding observations of treaty bodies were prepared for Latin America, the Caribbean, Asia and the Pacific region. The update of the treaty reporting manual was postponed, pending finalization of guidelines for the expanded core document and the implementation of other initiatives to streamline reporting to human rights treaty bodies.

## IMPACT AND ACHIEVEMENTS

There has been broad support for streamlining treaty reporting through the use of a common core document and efforts to harmonize the working methods of the treaty bodies. The common core document is being piloted, inter alia, in Angola, Afghanistan

and Timor-Leste and, for the first time, a United Nations peacekeeping operation (United Nations Mission in Kosovo) submitted a common core document and a treaty-specific report to the Human Rights Committee. States parties, United Nations system entities, NGOs and others have found the treaty body process more accessible and transparent. Similarly, some support has been expressed for the possible creation of a unified standing treaty body. There are currently almost 4,000 subscribers to the human rights treaty body list-serve.

The individual complaints database provides an up-to-date picture of the number and status of complaints-related correspondence and complaints formally pending before the treaty bodies. The templates created by the petitions team to streamline, expedite and harmonize the drafting of decisions have rendered the work of both the Secretariat and the committees more efficient. The Human Rights Committee's new procedure on inadmissibility determinations proved successful as 14 out of 15 decisions taken by the working group were confirmed by the Committee in plenary.

More than half of the documents mandated by the Commission were submitted in compliance with United Nations rules and procedures, including the rule that documents must be made available 10 weeks before the relevant meeting.

Within the framework of strengthening implementation of treaty body recommendations at the national level, several workshops were conducted. The global workshop in Geneva in May brought together 50 individuals from NGOs, national human rights institutions and the media in Bosnia, Mauritius, Thailand, Uganda and Zambia to develop plans of action for the implementation of treaty body recommendations, to be followed up at the national level. The second, third and fourth national follow-up seminars in Croatia, Rwanda and Sri Lanka provided an opportunity for civil society and Government representatives to assess the implementation of the plans of action for these countries, developed during previous global workshops, as well as to evaluate the general level of implementation of treaty body recommendations. Governments and civil society appreciate the training workshops, which have created a network of national actors that engage in a range of activities related to the implementation of States' legal obligations as parties to international human rights instruments.

## EVALUATION AND LESSONS LEARNED

The presentation of the High Commissioner's Plan of Action in May 2005 transformed the way all Branches at headquarters go about their daily work. In the case of the Treaties and Commission Branch, the main challenge identified was how to ensure synergy between the work of the intergovernmental bodies and the treaty bodies. A further challenge identified was in how to integrate the new concepts of proactive country engagement and leadership put forward by the Plan of Action into the work of the Branch.

In August-September of 2005, the Netherlands Institute for Human Rights conducted an evaluation of the first phase of the training programme on implementation of and follow-up to treaty body recommendations that mainly target civil society (members of national human rights institutions, NGOs and the media). The evaluation drew positive conclusions on the relevance and timeliness of the project and stated that the target groups were appropriate and that the training had been beneficial. The evaluation also suggested that some areas of the project could be enhanced. These included the process of selecting countries and the integration of the project into OHCHR country engagement strategies, stakeholder identification and analysis, the criteria for the selection of participants and the design of follow-up strategies. In response, and in order to enhance inter-branch cooperation, TCB and the Capacity Building and Field Operations Branch (CBB) held extensive consultations on the selection of the round of countries to be included in project activities in the autumn of 2005. The selection of participants continues to take place in close cooperation with CBB desk officers and field-based staff/United Nations Country Teams. Follow-up strategies will also be developed in cooperation with OHCHR field staff and United Nations Resident Coordinators within the framework of Action 2 of the Secretary-General's second reform report, which calls for strengthened human rights-related activities at the country level.

## FUNDING

As at the end of 2005, the United Nations regular budget supported 26 professionals and 15 general service staff in the Branch. Voluntary contributions provided 21 professionals and four general service staff. The United Nations regular budget was used for travel costs of participants to the Commission as well as the travel of experts/members to attend proceedings of the Sub-Commission and the treaty bodies. Voluntary contributions covered the costs of temporary editors, consultants, the production of a CD-ROM on the Commission, travel of staff and participants in training workshops on implementation of treaty body recommendations, and the production of the DVD on the work of the treaty bodies.

### **The treaties**

*International Convention on the Elimination of All Forms of Racial Discrimination (1965)*

*International Covenant on Civil and Political Rights (ICCPR) (1966)*

*International Covenant on Economic, Social and Cultural Rights (1966)*

*Convention on the Elimination of All Forms of Discrimination against Women (1979)*

*Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment (1984)*

*Convention on the Rights of the Child (1989)*

*International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)*

### **The treaty bodies**

*Committee on the Elimination of Racial Discrimination (CERD)*

*Human Rights Committee (HRC)*

*Committee on Economic, Social and Cultural Rights (CESCR)*

*Committee on the Elimination of Discrimination against Women (CEDAW)*

*Committee against Torture (CAT)*

*Committee on the Rights of the Child (CRC)*

*Committee on the Convention of all Migrant Workers and Members of Their Families (CMW)*



## STATEMENT OF INCOME AND EXPENDITURE

### SUPPORT TO HUMAN RIGHTS TREATY BODIES, THE COMMISSION ON HUMAN RIGHTS AND THE SUB-COMMISSION

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	2,987,512
Adjustment	0
Income from contributions	3,215,705
Other funds available	0
Total funds available	6,203,217
Expenditure	3,379,246
<b>Closing balance</b>	<b>2,823,971</b>

## EXPENDITURE BREAKDOWN

### SUPPORT TO HUMAN RIGHTS TREATY BODIES, THE COMMISSION ON HUMAN RIGHTS AND THE SUB-COMMISSION

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	2,019,809	1,670,501
Experts/consultants' fees and travel	155,366	3,923
Travel:		
OHCHR staff	277,429	178,071
Commission members	0	0
Representatives and other participants	318,170	347,274
Contractual services	79,984	25,210
General operating expenses	-39,741	2,098
Supplies and acquisitions	-23,458	64,557
Grants, contributions, fellowships and seminars	202,924	174,868
<b>Sub-total</b>	<b>2,990,483</b>	<b>2,466,502</b>
Programme support costs	388,763	320,645
<b>Total</b>	<b>3,379,246</b>	<b>2,787,147</b>

## VOLUNTARY CONTRIBUTIONS

### SUPPORT TO HUMAN RIGHTS TREATY BODIES, THE COMMISSION ON HUMAN RIGHTS AND THE SUB-COMMISSION

This table refers to the total amount of voluntary funds pledged and actual contributions received for activities in 2005.

	Earmarking/allocation	Pledge US\$	Income US\$
<i>Unearmarked contributions</i>			
Canada	Human rights bodies and organs	0	250,000
Denmark	Human rights bodies and organs	103,863	100,000
Finland	Human rights bodies and organs	98,914	100,000
France	Human rights bodies and organs	200,000	200,000
United Kingdom	Human rights bodies and organs	309,206	300,000
Pakistan	Human rights bodies and organs	5,164	5,164
Qatar	Human rights bodies and organs	0	25,000
<i>Earmarked to human rights bodies and organs</i>			
Finland	Human rights bodies and organs	60,314	60,976
France	Human rights bodies and organs	40,706	40,706
Germany	Human rights bodies and organs	121,951	121,065
Ireland	Human rights bodies and organs	439,147	439,147
Norway	Human rights bodies and organs	431,310	425,970
Spain	Human rights bodies and organs	0	94,980
Sweden	Human rights bodies and organs	424,328	389,386
<i>Specific earmarking</i>			
European Commission	Treaty bodies (follow-up to recommendations – pilot phase)	0	627,929
Philippines	Committee on the Rights of the Child	16,711	16,711
UNESCO	Treaty bodies (petitions team)	18,677	18,677
<b>Total</b>		<b>2,270,291</b>	<b>3,215,705</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.





# RESPONSE TO ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS: SUPPORT TO THE SPECIAL PROCEDURES

## BACKGROUND

The special procedures of the Commission on Human Rights play a crucial role in United Nations efforts to protect rights-holders and empower them to realize their rights. Created in response to allegations of human rights violations around the world, special procedures serve to bring the victims of human rights abuses to the attention of the international community, governments and civil society. After receiving information on alleged human rights violations, experts appointed by the Commission as special procedures mandate-holders communicate with the governments involved. They also undertake country visits. Thematic experts, who focus on specific human rights issues, also address and develop specific human rights themes, identify and analyze best practices and make recommendations to governments.

After the end of the 61st session of the Commission on Human Rights in 2005, there were 41 special procedures mandates: 29 thematic, including 4 working groups, and 12 geographic. Three new thematic mandates were established in 2005: human rights and international solidarity, minority issues, and human rights and trans-national corporations. The Special Rapporteur on mercenaries mandate was transformed into a working group. The Independent Expert on human rights and counter-terrorism mandate was transformed into a special rapporteur mandate. The mandate of the Independent Expert on impunity was discontinued. Two geographic special procedures were discontinued in 2005 (Afghanistan and Chad).

The majority of resources allocated to special procedures are devoted to staffing costs, with at least one staff member providing support to each mandate.

## OBJECTIVES

The long-term objective is to ensure that rights-holders are protected through an efficient special procedures system, in keeping with the Vienna Declaration and Programme of Action and the reform programme of the Secretary-General. The immediate objective was to further strengthen and improve the support to

special procedures mandates by ensuring continuity, sustainability and quality in the services it provides, by, in particular, reinforcing staff support to special procedures.

Activities also aimed at strengthening coordination of the work of special procedures, developing common methodologies for special procedures mandate-holders, and supporting collaboration with other human rights mechanisms and United Nations bodies.

To achieve these objectives, additional staff were required to develop common methodologies, to enhance the effective coordination of the work of special procedures and support their collaboration with partners including human rights mechanisms, governments, national institutions, civil society organizations, United Nations programmes and agencies and other international and regional organizations.

## IMPLEMENTATION

### ◆ DOCUMENTATION

100 reports were submitted by special procedures, both thematic and geographic, for the consideration of the Commission on Human Rights at its 61st session in 2005. 13 reports were submitted to the General Assembly's 60th session. Questionnaires and replies of governments contributing to the preparation of thematic studies undertaken by mandate-holders have been posted on the Internet. This has made valuable information on countries and specific themes accessible to a wider audience.

### ◆ FACT-FINDING MISSIONS

In 2005, thematic special procedures undertook 50 fact-finding missions. Special procedures mandate-holders made 62 requests for country visits to governments. Mandate-holders systematically sought collaboration with the United Nations Country Teams (UNCTs), including through briefings with the UNCT at the start and end of their country visits. Whenever possible, and while preserving the independence and responsibility of the mandate-holders, UNCTs were invited to comment on draft

reports to make the report relevant to the work of United Nations agencies in the field, encourage ownership of the reports and improve follow-up to recommendations.

Also during 2005, two additional countries extended a standing invitation to thematic special procedures, bringing the total number of countries that had issued such invitations to 53. Over one third of fact-finding missions were undertaken in countries with a standing invitation.

A country-by-country table with information on fact-finding missions was made available on the Internet. It includes information on fact-finding missions undertaken since 1998, forthcoming visits, requests sent by mandate-holders, any agreement to a visit by a government, and links to reports ([www.ohchr.org/english/bodies/chr/special/visits.htm](http://www.ohchr.org/english/bodies/chr/special/visits.htm)).

#### ◆ COMMUNICATIONS

1,049 communications were sent to governments, out of which 53 per cent were sent jointly by two or more mandate-holders. Communications addressed 2,545 individual situations. 14 per cent of the individual cases concerned women. Communications were sent to 137 countries, with a rate of response from governments of 39 per cent. 10 per cent of the communications followed up on cases raised in previous communications of mandate-holders.

Expertise in analysing communications further improved due to a refined use of the thematic database on communications. Quantitative analysis was undertaken on a monthly basis with a bulletin circulated amongst mandate-holders. The bulletin gives information on: the number of communications, be they joint or not; the number of individual situations addressed, disaggregated by sex, regions and countries; the mandates involved; the rate of governments' replies; follow-up on cases; and further information received from the sources.

Qualitative analysis on communications were also undertaken on selected country-based mandates, thematic mandates and on positive outcomes obtained through communications. "Good news stories" on follow-up to communications have been compiled since April 2005 as a record of positive developments resulting from them. Information on positive developments is gathered from different sources including governments' replies, further information submitted by the source, initiatives

undertaken by the UNCT, media reporting on a human rights situation, and the information provided by rights-holders themselves in their direct contacts with mandate-holders or staff assisting them.

Based on requests from OHCHR staff and mandate-holders, 17 country analyses on the main trends emerging from communications were prepared and used as background information for country engagement activities of the Office. Two thematic analyses on communications were prepared, the first on how special procedures have addressed the situation of women and children in their communications and the second on counter-terrorism.

#### ◆ ANNUAL MEETING OF MANDATE-HOLDERS

The 12th annual meeting of special procedures mandate holders was held from 20 to 24 June 2005. A major part of the meeting was devoted to discussing ways to enhance the effectiveness of the special procedures, particularly in the context of the review pursuant to decision 2005/113 of the Commission on Human Rights. An informal consultation on this topic was organized between the mandate-holders, Member States, NGOs and the Office during the annual meeting.

One of the outcomes of the meeting was the establishment of a "Coordination Committee" composed of 5 mandate-holders to maintain an ongoing link between mandate-holders and OHCHR, Member States and NGOs in all matters common to the special procedures. The principal role of the Coordination Committee is "to contribute to the ability of the individual experts to carry out their mandates in the most effective way and to promote the standing of the special procedures system within the broader framework of the United Nations and its human rights programs" (report of the 12th annual meeting of special procedures mandate-holders, E/CN.4/2006/4). The Special Procedures Branch (SPB) will provide support to the Committee.

At the request of the Commission on Human Rights, OHCHR organized a seminar on enhancing the effectiveness of the special procedures system, held in October 2005. All stakeholders of the system including mandate-holders, Member States, NGOs, OHCHR and other United Nations bodies participated in the seminar. The seminar highlighted the need for greater coordination among the mandate-holders, particularly in their working methods; greater coherence among the various mandates; and

more effective follow-up to communications and fact-finding visits. The report on the seminar and related documentation, including background papers prepared by OHCHR, are available on the OHCHR web site.

#### ◆ INFORMATION SHARING

Throughout 2005, a weekly note on all activities of the special procedures, including summaries of communications sent to governments, was prepared and circulated to OHCHR staff, at headquarters and in the field, and special procedures mandate-holders. These notes were also posted on the Office's Intranet.

Prior to the 61st session of the Commission on Human Rights, a compilation of all country-related recommendations made by the special procedures, arranged thematically for each concerned country, was posted on OHCHR's web site. Presentations, briefings and training sessions on special procedures were carried out throughout the year for relevant stakeholders including civil society organizations, national institutions, academics, United Nations and OHCHR staff. A leaflet on the communications mechanism and its use is available in the 6 United Nations official languages.

#### ◆ REVIEW OF WORKING METHODS OF THE WORKING GROUP ON ENFORCED AND INVOLUNTARY DISAPPEARANCES

In accordance with the recommendation of the Commission on Human Rights in its 2005 resolution, the Working Group on Enforced and Involuntary Disappearances (WGEID) undertook a focused examination of its methods of work. The examination resulted in several adjustments to the work practices of the WGEID. These included: resuming the use of joint urgent actions as set out in the special procedure reforms of the Commission; a defined practice on issues related to a Working Group member's home country; an upgrade of the WGEID database to make it compatible with the OHCHR thematic procedures database; and advance preparation of WGEID session agendas for the Chair and Vice-Chair for review. The WGEID will continue this review of work practices and methods of work in 2006.

## IMPLEMENTING ARRANGEMENTS

Additional staff were recruited in order to strengthen support to special procedures mandates. Two posts in the Special Procedures

Branch (SPB) were upgraded and four new posts were created to ensure that mandates supported by this branch would be appropriately serviced. An additional post was created for the newly established mandate of the Special Rapporteur on human rights and counter-terrorism measures.

Out of the 41 special procedures mandates, 17 were assisted by the SPB, 12 by staff in the Research and Right to Development Branch (RRDB), and 12 by the Capacity Building and Field Operations Branch (CBB). Some 57 professional staff members were funded by both regular and extra-budgetary resources to work with special procedures mandates in SPB, CBB and RRDB.

Each year, the regular budget provides funds for two to three field visits by mandate-holders, two visits to Geneva to report to the Commission on Human Rights and to attend the annual meeting of special procedures' mandate-holders, and one visit to New York for those reporting to the General Assembly. In 2005, extra-budgetary resources were used to cover additional visits and to allow mandate-holders to participate in conferences and seminars. A number of consultants, hired on an ad hoc basis, assisted in conducting research for preparing thematic studies of mandate-holders.

## CONSTRAINTS

Effective support to special procedures is measured mainly in terms of the adequacy of staff support they receive; without adequate staffing to service the special procedures mandates, most activities of the procedures could not be undertaken. In 2005, still less than half of the staff servicing special procedures were funded from the regular budget. The ad hoc nature of special procedures and the proliferation of mandates tend to lead to the development of varied working methods. In this context, coordination and efforts to ensure coherence of the activities of special procedures have become increasingly important.

A further constraint lies in the high number of reports presented by special procedures and the limits applied to their format. Reports are required to have a dry layout, country and thematic reports are subject to strict word limits while communications reports are overly long, making the thematic knowledge and country analysis generated by special procedures less accessible to a wider audience.

## IMPACT AND ACHIEVEMENTS

An increased expertise in analyzing communications, one of the pillars of special procedures, has greatly improved the accessibility and impact of special procedures. The quality and reliability of quantitative analysis has improved steadily and has been enhanced by regular qualitative analysis, including the compilation of positive outcomes of individual communications. This analysis has facilitated a better understanding of the work of mandate-holders and encourages proactive strategies on communications. The compilation of “good news stories” demonstrates the positive impact of communications in improving the human rights situation of individuals covered by this mechanism.

Some mandate-holders undertook ad hoc initiatives as part of follow-up to country visits. This included sending questionnaires to the governments of recently visited countries on the implementation of recommendations made, and a small number of follow-up visits. Evidence was gathered to demonstrate that measures to implement recommendations had been taken. In several cases, UNCTs also provided positive feedback on reports of fact-finding missions and their usefulness for the work of UNCTs in the area of human rights.

Relationships with civil society organizations, major partners of special procedures, have been strengthened. A survey on the relationship between OHCHR and civil society actors, undertaken in the framework of the Office’s efforts to implement OHCHR’s Plan of Action, indicated that civil society actors positively assessed their collaboration with special procedures and considered them one of the major human rights protection mechanisms. Solid collaboration with civil society has a direct impact on the effectiveness of the special procedures in all areas of their work. In turn, special procedures provide protection and contribute to the empowerment of civil society actors.

## FUNDING

Resources from the regular budget still do not adequately cover all requirements for the special procedures. Fewer than half of the professionals servicing special procedures are funded by the regular budget; the balance is funded through voluntary contributions and activities to build the capacity of the special procedures.

### STATEMENT OF INCOME AND EXPENDITURE

#### RESPONSE TO ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS: SUPPORT TO THE SPECIAL PROCEDURES

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	3,286,847
Adjustment	0
Income from contributions	2,641,095
Other funds available	0
<b>Total funds available</b>	<b>5,927,942</b>
Expenditure	3,671,393
<b>Closing balance</b>	<b>2,256,549</b>

### EXPENDITURE BREAKDOWN

#### RESPONSE TO ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS: SUPPORT TO THE SPECIAL PROCEDURES

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	3,203,745	2,376,759
Experts/consultants’ fees and travel	35,806	37,937
Travel:		
OHCHR staff	-50,893	141,125
Commission members	0	0
Representatives and other participants	35,741	49,962
Contractual services	0	0
General operating expenses	85	8,246
Supplies and acquisitions	24,536	8,246
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>3,249,020</b>	<b>2,633,822</b>
Programme support costs	422,373	342,397
<b>Total</b>	<b>3,671,393</b>	<b>2,976,219</b>

## VOLUNTARY CONTRIBUTIONS SUPPORT TO THE SPECIAL PROCEDURES

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Earmarking/allocation		Pledge US\$	Income US\$
<i>Unearmarked contributions</i>			
Canada	Special procedures	0	275,000
Finland	Special procedures	166,224	168,049
France	Special procedures	117,639	117,639
Qatar	Special procedures	0	25,000
United Kingdom	Special procedures	288,592	280,000
<i>Earmarking to special procedures</i>			
Belgium	Special procedures	213,415	0
Finland	Special procedures	120,627	121,951
France	Special procedures	135,685	135,685
Germany	Special procedures	304,878	302,663
Ireland	Special procedures	376,412	376,412
Norway	Special procedures	159,744	157,767
Spain	Special procedures	101,431	108,548
Sweden	Special procedures	424,328	389,386
<i>Specific earmarking</i>			
European Commission	Special procedures (civil and political mandates – SP1)	0	182,995
	Special procedures (civil and political mandates – SP2)	2,122,353	0
<b>Total</b>		<b>4,531,328</b>	<b>2,641,095</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## LIST OF SPECIAL PROCEDURES OF THE COMMISSION ON HUMAN RIGHTS

Status at the end of the 61st session of the Commission on Human Rights in April 2005.

### Thematic mandates

*Working Group on enforced or involuntary disappearances (1980)*

*Special Rapporteur on extrajudicial, summary or arbitrary executions (1982)*

*Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (1985)*

*Special Rapporteur on freedom of religion or belief (1986)*

*Special Rapporteur on the sale of children, child prostitution and child pornography (1990)*

*Working Group on arbitrary detention (1991)*

*Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (1993)*

*Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (1993)*

*Special Rapporteur on the independence of judges and lawyers (1994)*

*Special Rapporteur on violence against women, its causes and consequences (1994)*

*Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights (1995)*

*Special Representative of the Secretary-General for children and armed conflict (1997)*

*Independent Expert on the question of human rights and extreme poverty (1998)*

*Special Rapporteur on the right to education (1998)*

*Special Rapporteur on the human rights of migrants (1999)*

*Special Representative of the Secretary-General on the situation of human rights defenders (2000)*

*Special Rapporteur on the right to food (2000)*

*Special Rapporteur on adequate housing as a component of the right to an adequate standard of living (2000)*

*Independent Expert on the effects of economic reform policies and foreign debt (2000)*

*Special Rapporteur on human rights and fundamental freedoms of indigenous peoples (2001)*

*Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (2002)*

*Special Rapporteur on trafficking in persons, especially in women and children (2004)*

*Representative of the Secretary-General on the human rights of internally displaced persons (2004)*

*Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination (2005)*

*Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (2005)*

*Independent Expert on human rights and international solidarity (2005)*

*Special Representative of the Secretary-General on the issue of human rights and trans-national corporations and other business enterprises (2005)*

*Independent Expert on minority issues (2005)*

*Working Group on people of African descent (2002)*

### Country mandates

*Special Rapporteur on the situation of human rights in Myanmar (1992)*

*Special Representative of the Secretary-General for human rights in Cambodia (1993)*

*Independent Expert of the Secretary-General on the situation of human rights in Somalia (1993)*

*Special Rapporteur on the situation of human rights in Palestinian territories occupied since 1967 (1993)*

*Independent Expert of the Secretary-General on the situation of human rights in Haiti (1995)*

*Personal Representative of the High Commissioner on the situation of human rights in Cuba (2003)*

*Independent Expert on the situation of human rights in Liberia (2003)*

*Independent Expert on the situation of human rights in Burundi (2004)*

*Independent Expert on the situation of human rights in the Democratic Republic of the Congo (2004)*

*Special Rapporteur on the situation of human rights in Democratic People's Republic of Korea (2004)*

*Special Rapporteur on the situation of human rights in Belarus (2004)*

*Special Rapporteur on the situation of human rights in the Sudan (2005)*

*Independent Expert on the situation of human rights in Uzbekistan (2005)*





# IMPLEMENTATION OF HUMAN RIGHTS ACTIVITIES IN THE FIELD

## INTRODUCTION

OHCHR implements activities at the field level through a range of different modalities and implementing arrangements from country to regional offices. In 2005, OHCHR was present in over 40 countries through:

- OHCHR offices with full mandates in Bosnia and Herzegovina, Burundi, Cambodia, Colombia, Democratic Republic of the Congo, Guatemala, Nepal, Serbia and Montenegro and Uganda.
- Technical cooperation offices or projects in Angola, Azerbaijan, Central Asia (Kyrgyzstan, Kazakhstan, Tajikistan), Chad, China, the Islamic Republic of Iran, Liberia, the Former Yugoslav Republic of Macedonia, Mexico, Mongolia, Nepal, Palestine, Sierra Leone, Somalia, Sri Lanka, Sudan and Timor-Leste.
- Regional offices in Addis Ababa, Bangkok, Beirut, Pretoria, Santiago, Suva and a regional centre in Yaoundé.
- Human rights advisers within United Nations Country Teams (UNCTs) in Togo, Great Lakes, Somalia, Chad, Guyana, Mongolia, Sri Lanka, Uganda, Nepal, Yemen and Pakistan.
- Human rights components of United Nations peace missions in Afghanistan (UNAMA); Burundi (ONUB); Central Africa (BONUCA); Cote d'Ivoire (ONUCI); Democratic Republic of the Congo (MONUC); Ethiopia/Eritrea (UNMEE); Georgia/Abkhazia (UNOMIG); Guinea Bissau (UNOGBIS); Haiti (MINUSTAH); Iraq (UNAMI); Liberia (UNMIL); Sierra Leone (UNAMSIL/UNIOSIL); Sudan (UNMIS); Tajikistan (UNTOP); and Timor-Leste (UNOTIL).

During 2005, OHCHR began to apply the OHCHR Plan of Action to its work in the field. Importantly, the Plan of Action calls for closer partnerships with civil society and United Nations agencies through strategies including an increased commitment to

Action 2, activities to strengthen rights-based approaches and national protection systems, and the provision of human rights guidance to the United Nations Resident Coordinators. These strategies are pursued through country offices, through the reinforcement of existing regional offices and through the establishment of new offices.

During 2005, OHCHR established three new country offices in Guatemala, Nepal and Uganda.

In 2003, the Government of Guatemala asked OHCHR to establish an office in the country to succeed the United Nations Verification Mission in Guatemala (MINUGUA). An agreement was signed on 10 January 2005 and the OHCHR country office in Guatemala opened on completion of the process of ratification, in September 2005. The agreement provides a mandate to (i) monitor the human rights situation, with the aim of advising the Guatemalan authorities in formulating and implementing policies and programmes for the promotion and protection of human rights, and to (ii) report on the Office's activities and on the human rights situation in the country, as well as to present recommendations to strengthen human rights protection.

In Nepal, the opening of the office was prompted by the declaration of the state of emergency in February 2005. Following the signing of a two-year agreement with His Majesty's Government, the office in Nepal was opened with a mandate to, inter alia, assist the authorities in promoting and protecting human rights, monitor the situation of human rights and the observance of international humanitarian law throughout the country, and report on the situation, including through the High Commissioner's reports to the General Assembly and the Commission on Human Rights. The new office subsumed the functions of the senior human rights adviser working in Nepal since 2003.

In response to a need to strengthen national human rights monitoring and reporting capacity in Northern Uganda, OHCHR established a country office in Uganda in September 2005, initially for a period of two years until December 2007. The Memorandum of Understanding between the Government of Uganda and OHCHR provides for a comprehensive legal mandate, including promotion and protection of human rights, throughout the country. The long-term objectives of OHCHR's country engagement in Uganda are the development of a sustainable culture of respect for human rights in all conflict-affected areas of Northern and Northeastern Uganda; enhanced accountability and reduced impunity for human rights violations; and strengthened national human rights protection systems throughout the country.

The OHCHR Plan of Action calls for the establishment of standing capacities for rapid deployment. In accordance with this commitment, in the aftermath of the earthquake of 8 October that affected the North West Frontier Province and Azad Kashmir in Pakistan, OHCHR deployed a human rights adviser assigned to the United Nations Resident Coordinator. Activities included providing advice and support to the Resident Coordinator and the UNCT on the human rights dimension of the response to the disaster; collaboration with various humanitarian actors and the establishment of a United Nations Task Force on human rights, dealing with protection issues.

In September 2005, OHCHR established a regional office for the Pacific in Suva, Fiji Islands. During the initial phase, the newly posted regional representative endeavoured to establish networks with governments, United Nations agencies and programmes, regional organizations and non-state actors of the Pacific region. In Beirut, the regional office is part of the steering committee for the Common Country Assessment (CCA)/United Nations Development Assistance Framework (UNDAF) process and participates in related meetings and activities. The regional office established a human rights task force within the Lebanon UNCT in January 2005. Its main objectives are to integrate human rights as a cross-cutting issue into the work of the UNCT, to develop joint actions among the UNCT members to contribute to the strengthening of national human rights protection systems, and to promote dialogue and cooperation on general or specific human rights issues. Similar activities are

pursued in other regions where OHCHR is present with a regional or subregional office.

OHCHR's technical cooperation programme assists countries in building strong national human rights protection systems through practical action at the country level. During 2005, OHCHR supported a number of technical cooperation activities at the request of governments. These focused primarily on constitutional and legislative reform, national institutions, administration of justice, human rights education, training of key professional groups (judges, lawyers, prosecutors, police and prison administrators) and support to national parliaments. Some of these projects were implemented through a field-based programme manager or were undertaken in cooperation with the UNCT. For further details, see pages 120 to 174.

The OHCHR Plan of Action recognizes the need to ensure adequate substantive support to and backstopping of peace missions. During 2005, OHCHR provided advice and substantive support to the work of 15 human rights components of peace missions. In addition to country specific assistance, OHCHR also made available small amounts of funding for human rights capacity-building activities to be implemented by the human rights components of UNAMA, BONUCA, UNOMIG, UNTOP, UNOGBIS, UNOCI, UNMEE, UNMIL, and UNIOSIL. These projects included human rights training in the administration of justice for government officials, human rights awareness programmes, strengthening of national human rights protection institutions and empowerment of local authorities.

To ensure the implementation of OHCHR's work in the field, desk officers supported field operations from headquarters during 2005. A project entitled "headquarters support to field presences" was created to this effect and was used for the salary costs of desk officers.

In addition to voluntary funds, US\$ 9.5 million was spent in 2005 with funds from the United Nations regular budget for the work of the Capacity Building and Field Operations Branch.



**OHCHR offices with full mandates**

Bosnia and Herzegovina  
 Burundi  
 Cambodia  
 Colombia  
 Democratic Republic of the Congo  
 Guatemala  
 Nepal  
 Serbia and Montenegro  
 Uganda

**OHCHR regional offices/centres**

Addis Ababa  
 Bangkok  
 Beirut  
 Pretoria  
 Santiago  
 Suva  
 Yaoundé (centre)

**OHCHR technical cooperation offices and projects**

Angola  
 Azerbaijan  
 Central Asia (Kyrgyzstan, Kazakhstan, Tajikistan)  
 Chad  
 China  
 Islamic Republic of Iran  
 Liberia  
 Former Yugoslav Republic of Macedonia  
 Mexico  
 Mongolia  
 Nepal  
 Palestine  
 Sierra Leone  
 Somalia  
 Sri Lanka  
 Sudan  
 Timor-Leste

**Human rights advisers with United Nations Country Teams**

Togo  
 Great Lakes  
 Cameroon  
 Kenya  
 Somalia  
 Chad  
 Guyana  
 Mongolia  
 Sri Lanka  
 Uganda  
 Nepal  
 Yemen  
 Pakistan

**Human rights components of United Nations peace missions**

Afghanistan (UNAMA)  
 Burundi (ONUB)  
 Central African Republic (BONUCA)  
 Côte d'Ivoire (UNOCI)  
 Democratic Republic of the Congo (MONUC)  
 Ethiopia/Eritrea (UNMEE)  
 Georgia/Abkhazia (UNOMIG)  
 Guinea Bissau (UNOGBIS)  
 Haiti (MINUSTAH)  
 Iraq (UNAMI)  
 Liberia (UNMIL)  
 Sierra Leone (UNAMSIL/UNIOSIL)  
 Sudan (UNMIS)  
 Tajikistan (UNTOP)  
 Timor-Leste (UNOTIL)

## VOLUNTARY CONTRIBUTIONS IMPLEMENTATION OF HUMAN RIGHTS ACTIVITIES IN THE FIELD

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Earmarking/allocation		Pledge	Income
		US\$	US\$
<i>Unearmarked contributions</i>			
Bulgaria	Democratic Republic of the Congo	4,000	4,000
Denmark	Burundi	675,107	650,000
	Democratic Republic of the Congo	643,980	620,030
	Uganda	103,863	100,000
	HQ support to field operations	106,956	102,978
France	Colombia	154,414	154,282
	Timor-Leste (Commission of Experts)	100,000	100,000
Ireland	HQ support to field operations	200,000	200,000
Italy	Colombia	200,519	200,000
	HQ support to field operations	100,259	100,000
Netherlands	Angola	506,784	450,000
	Colombia	1,238,806	1,100,000
	Democratic Republic of the Congo	698,270	620,030
	Uganda	225,237	200,000
	HQ support to field operations	394,166	350,000
Nigeria	Democratic Republic of the Congo	4,982	4,982
South Africa	Democratic Republic of the Congo	22,541	22,541
Sweden	Colombia	347,121	318,537
Thailand	HQ support to field operations	20,000	20,000
United Kingdom	Angola	51,534	50,000
	Burundi	226,751	220,000
	Colombia	935,019	907,181
	HQ support to field operations	412,274	400,000
Other private donors	Democratic Republic of the Congo	50	50
<i>Earmarked to field offices</i>			
Ireland	Democratic Republic of the Congo	250,942	250,942
	Nepal	250,940	250,940
	Uganda	125,471	125,471
Norway	Angola	141,755	140,000
	Nepal	148,438	146,600
	Timor-Leste (Commission of Experts)	162,006	160,000
	Uganda	202,507	200,000
	HQ support to field operations	303,761	300,000

## VOLUNTARY CONTRIBUTIONS

### IMPLEMENTATION OF HUMAN RIGHTS ACTIVITIES IN THE FIELD (CONT.)

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Earmarking/allocation		Pledge	Income	
		US\$	US\$	
<i>Specific earmarking</i>				
Canada	Burundi	483,871	489,300	
	Colombia	80,645	81,793	
	Nepal	783,432	801,990	
	Uganda	483,871	489,300	
Denmark	Nepal	1,348,511	1,305,701	
European Commission	Burundi	0	328,424	
	Colombia	647,059	688,730	
	Democratic Republic of the Congo	0	544,091	
	Guatemala	0	439,948	
	Nepal	5,882,353	0	
Finland	Colombia	352,941	352,941	
	Nepal	1,206,273	1,201,923	
France	Nepal	120,919	120,627	
Germany	Colombia	121,951	121,065	
	Nepal	304,878	302,663	
Italy	Afghanistan	116,732	116,430	
	Bosnia and Herzegovina	51,881	51,746	
	Serbia and Montenegro	51,881	51,746	
Netherlands	Timor-Leste (Commission of Experts)	145,000	145,000	
New Zealand	Timor-Leste (Commission of Experts)	35,714	36,275	
Norway	Angola	328,947	297,084	
	Balkans	798,722	787,526	
	Burundi	79,872	78,883	
	Colombia	638,978	627,000	
	Darfur (Plan of Action)	319,489	0	
	Democratic Republic of the Congo	79,872	78,883	
	Guatemala	79,872	78,883	
	Nepal	1,157,439	1,159,865	
	Poland	Iraq	5,000	5,000
	Spain	Afghanistan	25,356	17,639
Colombia		567,247	112,754	
Guatemala		101,431	0	
Iraq		25,356	17,639	
Sweden	Cambodia	28,289	25,959	
	Colombia	990,099	908,567	
	Guatemala	707,214	648,976	
	Nepal	257,069	250,460	
Switzerland	Colombia	245,827	157,480	
	Nepal	704,072	698,397	
United Kingdom	Nepal	1,469,209	1,443,470	
	Timor-Leste (Commission of Experts)	0	40,000	
United States of America	Colombia	1,900,000	1,900,000	
	Darfur (Plan of Action)	0	300,000	
	Nepal	700,000	300,000	
<b>Total</b>		<b>32,385,725</b>	<b>26,072,722</b>	

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

IMPLEMENTATION OF HUMAN RIGHTS ACTIVITIES IN THE FIELD

**BUDGET AND EXPENDITURE**  
IMPLEMENTATION OF HUMAN RIGHTS ACTIVITIES IN THE FIELD

This table indicates the budgeted amount for planned activities as per the Annual Appeal 2005 and mid-year revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

	Annual Appeal Budget US\$	Revised Budget US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
<i>Global projects</i>				
Board of Trustees/Project review and evaluation	222,700	176,229	53,603	165,259
Headquarters support to field presences	0	1,257,202	1,463,736	726,849
<b>Sub-total</b>	<b>222,700</b>	<b>1,433,431</b>	<b>1,517,339</b>	<b>892,108</b>
<i>Africa</i>				
Technical cooperation	2,316,600	2,403,911	2,080,402	2,255,733
Burundi	1,349,051	1,572,488	2,316,419	2,171,398
Democratic Republic of the Congo	1,999,227	1,999,227	2,482,599	1,916,326
Uganda	0	1,367,200	831,469	0
Angola	930,736	930,737	1,463,807	1,100,877
Côte d'Ivoire (Commission of Inquiry)	0	0	196,933	134,594
Sudan (Darfur Plan of Action and support to UNMIS)	0	1,978,110	1,058,399	1,489,273
Sudan (Commission of Inquiry)	0	0	23,516	498,648
Sierra Leone TRC (finalization of the report and follow-up)	0	0	306,698	874,802
<b>Sub-total</b>	<b>6,595,614</b>	<b>10,251,673</b>	<b>10,760,242</b>	<b>10,441,651</b>
<i>Latin America and the Caribbean</i>				
Technical cooperation	2,058,900	1,889,444	1,643,046	1,961,199
Colombia	5,390,891	6,670,900	7,540,455	5,466,133
Guatemala	1,499,962	1,558,071	1,327,874	0
<b>Sub-total</b>	<b>8,949,753</b>	<b>10,118,415</b>	<b>10,511,375</b>	<b>7,427,332</b>
<i>Europe, Central Asia and the Caucasus</i>				
Technical cooperation	1,850,000	1,584,460	366,054	1,209,764
Bosnia and Herzegovina	504,771	703,572	619,425	460,142
Croatia	0	0	3,451	-29,511
Serbia and Montenegro	794,023	794,023	1,063,596	393,944
<b>Sub-total</b>	<b>3,148,794</b>	<b>3,082,055</b>	<b>2,052,526</b>	<b>2,034,339</b>
<i>Asia and the Pacific</i>				
Technical cooperation	2,334,300	1,736,573	1,297,890	1,834,983
Cambodia	930,216	381,605	110,214	638,821
Nepal	0	6,015,700	4,282,808	0
Afghanistan	184,981	166,710	265,140	73,669
Timor-Leste (Commission of Experts)	0	216,619	212,635	0
<b>Sub-total</b>	<b>3,449,497</b>	<b>8,517,207</b>	<b>6,168,687</b>	<b>2,547,473</b>
<i>Arab region</i>				
Technical cooperation	2,302,100	2,405,439	1,697,547	1,738,836
Iraq	297,868	72,300	503,387	327,310
<b>Sub-total</b>	<b>2,599,968</b>	<b>2,477,739</b>	<b>2,200,934</b>	<b>2,066,146</b>
<b>Total</b>	<b>24,966,326</b>	<b>35,880,520</b>	<b>33,211,103</b>	<b>25,409,049</b>

## ACTION 2

OHCHR continued to lead the inter-agency efforts for the implementation of the 2003 'Action 2' Plan. The Plan aims to develop the capacity of United Nations Country Teams (UNCTs) so that they can support the efforts of Member States, at their request, in strengthening relevant national systems and capacities to ensure the promotion and protection of human rights. UNCTs are in a unique position to support the efforts of Member States, with functional, relevant and effective assistance through cooperation among relevant United Nations agencies and programmes.

A global programme on Action 2 was established to provide system-wide, centralized support for human rights capacity-building at the country level, drawing upon the human rights expertise of OHCHR as well as the development, humanitarian and peace-keeping expertise of all United Nations agencies, programmes and departments. A Memorandum of Understanding has been signed by participating agencies under the global programme, which will be financially administered by UNDP.

US\$ 3.9 million was received in 2005 from donors for the UNDP-administered global Action 2 programme. From the funding made available so far, proposals were solicited from interested UNCTs to develop capacities on human rights-based approaches and joint programmes/strategies to strengthen support for national protection systems. 10 UNCTs have been selected for the first round of funding, and implementation will begin in 2006.

Under the Action 2 inter-agency framework, OHCHR led efforts to develop common guidance notes, tools and training materials for UNCTs to integrate human rights into their work. These included: a concept note on the national human rights protection system; a guidance note on the treaty bodies and special procedures; and a guidance note on establishing a human rights theme group or other appropriate coordination mechanism on human rights. OHCHR also worked closely with IASC/ECHA in developing new Human Rights Guidelines for Humanitarian Coordinators.

OHCHR also provided direct support to UNCTs for the implementation of Action 2 at country level, including by fielding several human rights advisors attached to the Office of the United Nations Resident Coordinator and providing support to UNCTs in integrating human rights into Common Country Assessments (CCAs) and United Nations Development Assistance Frameworks (UNDAFs) through provision of advice and in-country workshops, as well as making available the reviews and experiences of other UNCTs in this regard.



# HUMAN RIGHTS SUPPORT FOR PEACE-MAKING, PEACEKEEPING AND PEACE-BUILDING ACTIVITIES

## INTRODUCTION

OHCHR has offices with full mandates in Burundi, Democratic Republic of the Congo, Uganda, Colombia, Guatemala, Cambodia, Nepal, Bosnia and Herzegovina, and Serbia and Montenegro. They combine protection and promotion work and are all based on memoranda of understanding signed with the respective governments. These offices report directly to OHCHR and are funded from voluntary contributions provided to OHCHR, apart from the office in Cambodia, which also spent US\$ 836,842 from the United Nations regular budget in 2005.

In addition, OHCHR was responsible for substantive human rights activities in Afghanistan, Angola, Sudan and Iraq and undertook OHCHR fact-finding missions to Cote d'Ivoire, Sudan, Timor-Leste to investigate gross violations of human rights. In Cote d'Ivoire and Sudan the fact-finding missions were undertaken in 2004 with residual expenses incurred in 2005. Support was also provided to the Sierra Leone Truth and Reconciliation Commission in the finalization of its Report and follow-up dissemination activities. These activities are described in greater detail below.

## BUDGET AND EXPENDITURE

### HUMAN RIGHTS SUPPORT FOR PEACE-MAKING, PEACEKEEPING AND PEACE-BUILDING ACTIVITIES

This table indicates the budgeted amount for planned activities as per the Annual Appeal 2005 and mid-year revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

	Annual Appeal Budget US\$	Revised Budget US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
Burundi	1,349,051	1,572,488	2,316,419	2,171,398
Democratic Republic of the Congo	1,999,227	1,999,227	2,482,599	1,916,326
Uganda	0	1,367,200	831,469	0
Colombia	5,390,891	6,670,900	7,540,455	5,466,133
Guatemala	1,499,962	1,558,071	1,327,874	0
Cambodia	930,216	381,605	110,214	638,821
Nepal	0	6,015,700	4,282,808	0
Bosnia and Herzegovina	504,771	703,572	619,425	460,142
Serbia and Montenegro	794,023	794,023	1,063,596	393,944
Croatia	0	0	3,451	-29,511
Afghanistan	184,981	166,710	265,140	73,669
Angola	930,736	930,737	1,463,807	1,100,877
Côte d'Ivoire (Commission of Inquiry)	0	0	196,933	134,594
Sudan (Darfur Plan of Action and support to UNMIS)	0	1,978,110	1,058,399	1,489,273
Sudan (Commission of Inquiry)	0	0	23,516	498,648
Timor-Leste (Commission of Experts)	0	216,619	212,635	0
Iraq	297,868	72,300	503,387	327,310
Sierra Leone TRC (finalization of the report and follow-up)	0	0	306,698	874,802
Headquarters support to field presences	0	1,257,202	1,463,736	726,849
<b>Total</b>	<b>13,881,726</b>	<b>25,684,464</b>	<b>26,072,560</b>	<b>16,243,275</b>

## STATEMENT OF INCOME AND EXPENDITURE

## HUMAN RIGHTS SUPPORT FOR PEACE-MAKING, PEACEKEEPING AND PEACE-BUILDING ACTIVITIES\*

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	Burundi US\$	Democratic Rep. of the Congo US\$	Uganda US\$	Colombia US\$	Guatemala US\$	Nepal US\$	Bosnia and Herzegovina US\$	Serbia and Montenegro US\$	Croatia US\$	Afghanistan US\$
Opening balance	316,851	576,416	0	927,518	910,933	0	435,008	655,078	64,039	252,856
Adjustment <sup>1</sup>	0	0	0	0	0	0	0	0	0	0
Income from contributions	1,766,607	2,145,549	1,114,771	7,630,329	1,167,807	7,982,636	439,272	451,746	0	134,069
Other funds available	0	0	0	0	0	0	0	0	0	0
Total funds available	2,083,458	2,721,965	1,114,771	8,557,847	2,078,740	7,982,636	874,280	1,106,824	64,039	386,925
Expenditure <sup>2</sup>	2,316,419	2,482,599	831,469	7,540,455	1,327,874	4,282,808	619,425	1,063,596	3,451	265,140
Closing balance <sup>3</sup>	-232,961	239,366	283,302	1,017,392	750,866	3,699,828	254,855	43,228	60,588	121,785

\* Activities in Cambodia are administered by UNOG under a separate trust fund and therefore do not appear in this statement (see page 82 for the statement of income and expenditure for Cambodia).

<sup>1</sup> Includes transfers and/or refunds.

<sup>2</sup> Includes disbursements and unliquidated obligations as at 31 December 2005.

<sup>3</sup> Includes funds held by UNOG as at 31 December 2005.

## STATEMENT OF INCOME AND EXPENDITURE

## HUMAN RIGHTS SUPPORT FOR PEACE-MAKING, PEACEKEEPING AND PEACE-BUILDING ACTIVITIES\* (CONT.)

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	Angola US\$	Côte d'Ivoire (Commission of Inquiry) US\$	Sudan (Darfur Plan of Action and support to UNMIS) US\$	Sudan Commission of Inquiry US\$	Timor-Leste (Commission of Experts) US\$	Iraq US\$	Sierra Leone Truth & Reconciliation Commission (finalization of the report and follow-up) US\$	HQ support to field presences US\$	Total US\$
Opening balance	351,776	382,381	858,378	153,588	50,000	495,571	587,611	-113,843	6,904,161
Adjustment <sup>1</sup>	0	0	0	0	0	0	0	0	0
Income from contributions	937,084	0	300,000	0	481,275	22,639	0	1,472,978	26,046,762
Other funds available	0	0	0	0	0	0	0	0	0
Total funds available	1,288,860	382,381	1,158,378	153,588	531,275	518,210	587,611	1,359,135	32,950,923
Expenditure <sup>2</sup>	1,463,807	196,933	1,058,399	23,516	212,635	503,387	306,598	1,463,736	25,962,247
Closing balance <sup>3</sup>	-174,947	185,448	99,979	130,072	318,640	14,823	281,013	-104,601	6,988,676

\* Activities in Cambodia are administered by UNOG under a separate trust fund and therefore do not appear in this statement (see page 82 for the statement of income and expenditure for Cambodia).

<sup>1</sup> Includes transfers and/or refunds.

<sup>2</sup> Includes disbursements and unliquidated obligations as at 31 December 2005.

<sup>3</sup> Includes funds held by UNOG as at 31 December 2005.

## BURUNDI

### BACKGROUND

Further to Commission on Human Rights resolution 1994/86 and the High Commissioner's visit to Burundi in May 1994, a first Memorandum of Understanding between OHCHR and the Government was signed in June 1995, covering technical cooperation activities. In November 1995, OHCHR signed an additional agreement with the Government to allow for the deployment of human rights observers in Burundi.

Since 2005, OHCHR has embarked on an integration process with the human rights section of the United Nations Operation in Burundi (ONUB) and developed a joint comprehensive human rights programme for the period 2006-2007. The purpose of such cooperation and coordination is to avoid duplication of work between OHCHR and other partners, and to achieve a clear division of tasks and responsibilities. The integration policy also aims to ensure smooth transition after the withdrawal of ONUB by the end of 2006.

Several noteworthy events occurred in Burundi in 2005 that impacted on the work of OHCHR. These included the establishment of democratic institutions as a result of the electoral process, which started with the constitutional referendum of 28 February and ended with the election of the President of the Republic on 19 August. The process also involved the successful organization of communal polls on 3 and 7 June, of legislative polls on 4 July, of senatorial polls on 19 July and of hills elections, for local heads of villages, on 23 September.

The overall security situation improved markedly during the period under review. However, continued fighting between the *Force de Défense Nationale* (FDN) and the armed group *Parti pour la Libération du Peuple Hutu et Forces Nationales de la Libération* (PALIPEHUTU-FNL) meant that certain provinces (Bubanka and Bujumbura Rural) still suffered from insecurity. In these areas, clashes led to the deaths of several civilians and caused harm to many others. Large-scale massacres have noticeably decreased, but summary and extrajudicial killings, sexual violence and rape, arbitrary arrests and illegal detention, torture and ill-treatment, and acts of armed banditry by members of the national army and of the PALIPEHUTU-FNL are still common. The situation is aggravated by land ownership issues, the

proliferation of light weaponry within the civilian population and new forms of human rights violations such as witchcraft and poisoning which have been occurring all across the country, motivated by economic, personal or political reasons. General living conditions worsened and there were several strikes nationwide by nurses, civil servants working in the public primary and secondary schools, and by students and teachers at the public university.

On 21 December, the Security Council extended the mandate of the United Nations Mission in Burundi for six months, noting that the mission could end thereafter and that the withdrawal of the 5,000 peacekeepers could, at the request of the Government, be completed in the second half of 2006.

### OBJECTIVES

The aim of OHCHR in Burundi during the year was to assist the Government in promoting and protecting human rights and to contribute, through the fight against impunity, to the restoration of a culture of human rights and to sustainable peace in Burundi.

The immediate objectives of OHCHR-Burundi include:

- Strengthening national capacities in the area of human rights protection;
- Strengthening operational capacities in the area of administration of justice;
- Sensitizing all Burundians, including Government institutions and civil society, to human rights issues; and
- Mainstreaming human rights in all activities of the United Nations and Government partners.

In previous years, OHCHR played an important role in the monitoring of human rights violations. During 2005, this role was taken over by the human rights section of ONUB in accordance with its mandate contained in Security Council resolution 1545 (2004).

### IMPLEMENTATION

OHCHR's activities were carried out by three internationally recruited staff - one officer in charge, one finance and administration officer and one human rights officer. In addition there



were 21 nationally recruited staff including 6 in the professional category and 15 in the general service category. Two national staff were assigned to the sub-office in Ngozi and two to the sub-office in Gitega. During the last quarter of 2005, an international project officer was also deployed to the Burundi office.

#### ◆ HUMAN RIGHTS PROTECTION

OHCHR, jointly with ONUB, followed up previous investigations on the Gatumba killings of 13 August 2004. OHCHR provided technical assistance to ONUB on this issue.

During 2005, some 66,424 refugees were repatriated; 1,684 others returned spontaneously, bringing the total number of repatriates since 2002 to 294,084. Repatriates going back to their province of origin usually face serious issues relating to social reintegration; OHCHR therefore developed activities aimed at sensitizing communities on human rights and peace values.

OHCHR, in close collaboration with the Ministry for Human Rights as well as key partners such as the national network of human rights observers, conducted human rights monitoring in all 17 provinces by deploying 55 observers during and after the elections. In this context, OHCHR organized an information session for all partners on the report of the activities carried out in the framework of human rights monitoring in the first phase of the electoral process, namely the communal polls of 3 and 7 June 2005.

OHCHR investigated several individual cases of arrests and detention and regularly visited 6 of the 11 prisons in the country to assess detention conditions and to collect complaints from detainees. In November and December, national intelligence officers arrested some 500 civilians suspected of collaboration with the FNL. OHCHR, ONUB human rights section, *Ligue Iteka*, the *Association pour la protection des droits des prisonniers* (APRODH) and Human Rights Watch formed a working group that met with diplomatic representatives and senior Burundian officials to address massive and irregular arrests and detentions.

OHCHR provided technical and logistical assistance to the Independent Expert on the situation of human rights in Burundi, who carried out three working visits in Burundi and submitted reports to the General Assembly and the Commission on Human Rights.

#### ◆ ADMINISTRATION OF JUSTICE

**Training and legislative reform:** In the framework of the implementation of the law attributing criminal jurisdiction to the *Tribunaux de Grande Instance*, and at the request of the Ministry of Justice, OHCHR held a training session for 32 magistrates from the High Court and the *Bureau du Procureur Général de la République*, on human rights in the administration of criminal justice, from 20 to 24 June.

A workshop on the revision of the Criminal Code and the harmonization of the Penal Procedure Code was organized from 12 to 14 December 2005. The objectives were to contribute to the reform of the judicial system including the Criminal Code, to deepen the debate on the death penalty and to disseminate information on transitional justice mechanisms. Seventy magistrates, lawyers, law professors, representatives of civil society and of national and international organizations were present. In addition, at the request of the Ministry of Justice, OHCHR validated the Kirundi translation of the internal prisons rules and the Burundian Penitentiary Law so that detainees can be fully informed of their rights.

**Legal assistance programme:** In close collaboration with the Government and other partners, OHCHR held a seminar/workshop in Bujumbura on legal assistance as a means of realizing human rights. Over 80 magistrates, lawyers, representatives from national and international organizations, jurists and people working in the administration of criminal justice attended the proceedings in March 2005. Other activities of the legal assistance programme were carried out at 16 High Courts, three Appeal Courts, all military jurisdictions and the Appeal Chamber of the Supreme Court. 16 national lawyers supported by OHCHR closed 375 out of 836 cases. An assessment and closing workshop of the legal assistance programme was organized on 30 December 2005, and an agreement for the transfer of all remaining cases was signed between OHCHR, *Avocats Sans Frontières* and two national partners.

#### ◆ CAPACITY-BUILDING

**Assistance to civil society:** OHCHR continued to provide assistance through numerous training sessions to strengthen the capacity of civil society, including the NGO forum of human rights associations, the national network of human rights observers, journalists and women leaders of grass-roots

communities. Following a successive two-year training programme by OHCHR, the national network of human rights observers is now in a position to pool resources to combat human rights violations and to promote human rights in areas severely affected by the conflict. The formal establishment of the network is scheduled for early 2006.

With the aim of creating a national network of women leaders from grass-roots movements to combat sexual violence and abuses against women, OHCHR visited 15 provinces from August to October. Staff met with the provincial authorities to present the idea and request their support and endorsement. 196 women leaders from grass-roots movements in all communes of Burundi were trained in workshops throughout the year. Each workshop lasted five days, during which time the participants shared experiences of violence and abuse against women in their geographic areas and the response to these crimes by different institutions. OHCHR supported the drafting of the law, and work on the initial action plan for the network will commence in early 2006.

OHCHR continued its assistance to the *Collectif des Associations Burundaises des Droits de l'Homme* (CABDH) through an exchange of documents, the presentation of training modules, working meetings and cooperation in the organization of various activities. OHCHR also provided financial support for their daily operations.

**Training for military personnel:** In addition to training organized for police officers, OHCHR organized two days of reflection and sensitization on human rights issues for the leaders of the new Burundian National Police. All newly-appointed executive and senior management staff were present, bringing the total number of participants to 53.

#### ◆ HUMAN RIGHTS PROMOTION AND OUTREACH

As a result of collaboration with the *Radio-Télévision Nationale du Burundi* (RTNB), human rights programmes were produced and broadcasted by radio and television stations. These included roundtable conferences on ongoing human rights issues, fictional dramas on the rights of women and children and awareness-raising campaigns. RTNB started filming a documentary on OHCHR activities and achievements since the establishment of its Burundi office in 1995 in August 2005. OHCHR drafted a series of questions and answers on human rights which were

broadcasted on the radio shows of *Radio Nationale Vacances* and *Radio Rurale* as part of their youth programmes. The launch of two monthly magazines on human rights, to be broadcasted by the RTNB, was postponed for technical reasons.

OHCHR led the organization of the United Nations international day to support victims of torture focusing on challenges and perspectives on the fight against torture in Burundi. OHCHR also actively participated in the 16-day gender-based sexual violence campaign, with a special focus on sexual violence against children led by the Ministry for Human rights.

Assistance was provided to 10 national associations who were beneficiaries of financial assistance within phase IV of the framework of the Assisting Communities Together (ACT) project. OHCHR monitored the use of grants through advice and reporting.

#### ◆ MAINSTREAMING OF HUMAN RIGHTS

ONUB peacekeepers, including military observers and civilian police officers of the Kenyan, Nepalese and South African military contingents, were trained by OHCHR on general human rights concepts, international humanitarian law principles, the rights of the child in armed conflicts and human rights monitoring techniques. Training was also provided on preventing gender-based violence, sexual abuse and exploitation, and briefings were given on the human rights situation in the country and on how to deal with human rights violations witnessed or committed by colleagues.

A Memorandum of Understanding was signed with UNICEF on 4 October 2005. The two institutions will cooperate on the implementation of the Convention on the Rights of the Child, on the assistance to the Committee on the Rights of the Child and on communication and public information activities. OHCHR actively participated in all meetings of the various coordination groups, such as the bimonthly meetings of the inter-agency committee for information, communication and advocacy, and the weekly meetings of the contact group including all national and international NGOs, United Nations agencies and international cooperation partners. Weekly meetings were organized with ONUB's human rights section and the rule of law section, the United Nations Information Centre and UNDP on task-sharing among the various partners working in the area of human rights.

Human rights were mainstreamed in the inter-agency planning processes, namely the Consolidated Appeals Process (CAP) and the follow-up review of the Common Country Assessment and the United Nations Development Assistance Framework. OHCHR contributed to the CAP with four projects, mainly related to human rights protection for the most vulnerable groups and to strengthening the human rights culture.

## CONSTRAINTS

The political context made it very difficult to meet deadlines and to adhere to the tight schedule for implementing activities. All training activities of OHCHR were delayed, including the training sessions for the national networks for human rights observers and for women leaders of grass-roots movements against sexual abuse and violence. Other activities, such as the training of members of Parliament, were postponed to allow for the holding of legislative elections; arrangements will be made with the new members of the Parliament subject to their availability. This was also the case with the revision of the Criminal Code and the harmonization of the Criminal Procedure Code, which had been postponed by the former Minister of Justice.

With regard to the legal assistance programme, continued strikes by detainees and magistrates have greatly hampered the efficiency of the courts. The performance of the courts was affected by the failure of witnesses and plaintiffs to appear, by political events such as the elections and by the limited resources of the Government and partners. The lack of material and human resources also had a negative impact on the legal situation of detainees. The vast majority of detainees wait on average five years to be sentenced or to be released without charge.

## IMPACT AND ACHIEVEMENTS

The activities of OHCHR have resulted in increased awareness of human rights on the part of the authorities, and have reinforced national capacities for protection and monitoring. For instance, several investigative field missions were conducted by national human rights observers trained by the Office. An increasing number of people, associations, NGOs and political parties have requested OHCHR's expertise in training and its assistance in addressing human rights violations.

Through the legal assistance programme OHCHR was successful in disseminating notions of human rights and in raising the awareness of such issues among the general public.

Joint advocacy activities of OHCHR, ONUB's human rights section and national and international partners resulted in the release of a number of people who were arrested and detained arbitrarily and/or illegally on suspicion of collaborating with the FNL. They also resulted in better follow-up on the legal situation of detainees by the *Bureau du Procureur Général de la République*. The CABDH, which brings together over 50 human rights organizations, was initiated and organized by OHCHR. Through this network, CABDH provides a solid basis for the strengthening of the operational capacities of its member organizations. OHCHR's work also provided an opportunity for civil society, women leaders of grass-roots movements and the media to acquire knowledge in the area of protection and promotion of human rights. As a result, some of these entities are reorganizing themselves to fight human rights violations.

Following the work of OHCHR to strengthen judicial capacity and other work under the legal assistance programme, death sentences issued by courts became less frequent and tended to be replaced by shorter-term prison sentences. The number of discharged people remains significant and the right to a fair trial is increasingly respected. The judiciary system was strengthened and gained credibility with the help of lawyers working for the OHCHR legal assistance programme. OHCHR also assisted the Government in preparing its initial report to the Committee against Torture, which was 11 years overdue.

## COORDINATION

All OHCHR activities were conducted in close coordination with the Government and a variety of other partners. Regular working meetings were held with key ministries such as the Ministry for Human Rights, the Ministry for Social Action and the Promotion of Women, and the Ministry for Justice. Various activities were carried out with international and national partners, notably the non-governmental forum of human rights associations, the *Collectif des Associations Burundaises de promotion et de protection des Droits de l'Homme* (CABDH). These actions mainly focused on strengthening the coordination of human rights activities and programmes. OHCHR worked closely with United Nations agencies such as UNDP, UNESCO, OCHA, UNICEF, UNHCR,

UNFPA and the ONUB, and international and national NGOs working for the protection and promotion of human rights. OHCHR also actively participated in various meetings, seminars and missions organized by its partners.

## EVALUATION AND LESSONS LEARNED

Despite several constraints, OHCHR not only carried out its regular activities but also increased its interventions in all areas of action except for the regular monitoring of civil and political rights violations, which was transferred to ONUB. OHCHR was able to consolidate its activities in strengthening national capacities, notably by supervising the establishment of various human rights networks for national observers, journalists and women leaders of grass-roots movements.

The sustainability of the peace process depends on a strong commitment from the international community and increased vigilance. Due to the potentially volatile situation of human rights, OHCHR's work to protect and promote human rights is of crucial importance. OHCHR's technical assistance is very much in demand by all actors involved in the peace process and national reconciliation.

## EXPENDITURE BREAKDOWN

### BURUNDI

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	1,747,537	1,702,179
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	47,133	57,270
Commission members	0	0
Representatives and other participants	0	0
Contractual services	-54,401	-11,471
General operating expenses	148,337	185,427
Supplies and acquisitions	55,094	-23,130
Grants, contributions, fellowships and seminars	108,351	11,316
<b>Sub-total</b>	<b>2,052,051</b>	<b>1,921,591</b>
Programme support costs	264,368	249,807
<b>Total</b>	<b>2,316,419</b>	<b>2,171,398</b>

## VOLUNTARY CONTRIBUTIONS

### BURUNDI

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge US\$	Income US\$
<i>Governments</i>			
Canada	Burundi	483,871	489,300
Denmark	Unearmarked	675,107	650,000
Norway	Burundi	79,872	78,883
United Kingdom	Unearmarked	226,751	220,000
<i>Other donors</i>			
European Commission	Burundi ("human rights monitoring" project) <sup>1</sup>	0	328,424
<b>Total</b>		<b>1,465,601</b>	<b>1,766,607</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

<sup>1</sup> Second instalment of a contribution pledged in 2002.

## DEMOCRATIC REPUBLIC OF THE CONGO

### BACKGROUND

During 2005, significant developments in the Democratic Republic of the Congo (DRC) provided hope for a positive outcome for the transitional period due to end with the elections scheduled for June 2006. Despite the controversial extension of the transitional period beyond June 2005, the successful launch of the electoral process with a census in June 2005 and a referendum on the new Constitution in December 2005 opened the way for all Congolese to continue the transitional process until free and fair elections are held.

However, during 2005 a number of serious incidents threatened the success of the transitional process. These included situations where some actors in the transitional institutions threatened to pull out due to differences on sensitive issues such as the amnesty law; the combat-related deaths of United Nations peacekeepers in the Ituri area; increased insecurity in the eastern DRC and in Katanga as a result of renewed fighting between the *Forces Armées de la République Démocratique du Congo* (FARDC), Maï-Maï militias and foreign armed groups; the absence of state control in certain regions; the massacres committed against civilians; and widespread sexual violence against women and girls.

The international community and civil society remained determined to assist those political actors committed to establishing the rule of law and restoring peace in the DRC. At the institutional level, this led to approval of the constitution by eighty per cent of voters in the referendum. At the diplomatic level, continued contacts within the framework of the International Conference on Peace, Democracy and Development in the Great Lakes region as well as various high-level meetings between the DRC, Rwanda, Uganda and Burundi were all positive signs.

The visits of the Independent Expert on the situation of human rights in the Democratic Republic of the Congo and several trials by military courts of presumed perpetrators of human rights violations were also encouraging signs of the willingness of the Congolese authorities and the international community to engage in the fight against impunity. However, cases of arbitrary arrest and detention accompanied by torture and mistreatment

persisted and continued to be committed with total impunity. The same applied to numerous cases of sexual violence, embezzlement, looting of property, harassment and intimidation of human rights defenders, political activists, journalists and others.

Despite its limited resources, OHCHR conducted several activities related to the improvement of the human rights situation, the establishment of the rule of law and mechanisms to combat impunity through assisting national institutions and NGOs, working in coordination with United Nations partners and the United Nations Mission in the Democratic Republic of the Congo (MONUC), and facilitating the missions of the Independent Expert and the International Criminal Court.

### OBJECTIVES

During 2005 the strategy of OHCHR-DRC was designed to contribute to the overall objective of the United Nations in DRC in providing support and assistance to the transitional institutions. The specific objectives in the area of human rights were as follows:

#### Monitoring of the human rights situation

- Ensure effective coverage of the entire country to gather reliable and comprehensive information on the human rights situation to be provided to the High Commissioner for Human Rights, the Independent Expert and other special procedures of the Commission on Human Rights.
- Strengthen national and international judicial mechanisms in order to address and follow up on reported human rights violations.
- Ensure that internally displaced persons and refugees are able to return to their place of origin in accordance with international human rights norms.
- Support mechanisms aimed at protecting and assisting victims of sexual abuse, landmines and unexploded ordnances.

### Capacity-building

- Strengthen national human rights protection systems, Government structures, specialized commissions in Parliament dealing with human rights issues, transitional institutions and human rights NGOs.
- Provide support to the campaign on human rights education through the Ministries of Human Rights and Education and through human rights NGOs.
- Promote human rights mainstreaming within the United Nations system through training of the United Nations Country Team (UNCT) and human rights focal points and through distribution of relevant documentation.

## IMPLEMENTATION

During 2005, OHCHR deepened its knowledge of the human rights situation in the DRC and provided regular information and updates to the High Commissioner and the special mechanisms of the Commission on Human Rights. In this context, OHCHR conducted 10 monitoring missions (five in the western provinces, and the remainder in the East- Nord Kivu, Sud Kivu, Maniema and Province Orientale), including four joint missions with the human rights section of MONUC and three with United Nations agencies. The office also conducted 20 joint missions with United Nations partners on the protection and social reintegration of internally displaced persons and the implementation of the judicial component of the UNICEF/UNFPA/OHCHR joint programme against sexual and gender-based violence. OHCHR kept the Independent Expert fully informed of all relevant information regarding the human rights situation in the DRC, and provided him with assistance during his two missions to the country in 2005.

OHCHR made a significant contribution to the protection of victims and vulnerable groups as well as the fight against impunity. The office recorded 320 complaints of human rights violations including 10 collective complaints, brought more than 120 cases to the attention of relevant national and local authorities, and contributed towards finding appropriate solutions to these cases. The office transmitted 10 urgent appeal-requests concerning human rights violations to the special procedures mechanisms of the Commission on Human Rights, as well as 15 urgent appeals from the special procedures to the Ministry of Human Rights. In addition, OHCHR intervened in more than 200 cases

before the judicial authorities – civilian and military – to ensure the protection of victims of human rights violations, and transmitted all relevant information to the MONUC human rights section. The office provided financial support to 8 national NGOs who provided free legal assistance to more than 300 victims of sexual violence.

An important area of OHCHR's work was in contributing to strengthening the capacity of transitional institutions that promote and protect human rights. OHCHR provided logistical and financial assistance to the inter-ministerial committee responsible for coordinating the drafting of periodic reports to United Nations treaty bodies, thus assisting the Government in overcoming its accumulated reporting delays. It also provided logistic and financial assistance to the Ministry of Human Rights. During 2005 OHCHR trained 110 civil servants in charge of law enforcement and administration of justice in Equateur province and Kinshasa; 80 penitentiary staff in Bandundu, Bas-Congo, Equateur, Katanga, Kasai Occidental and Kasai Oriental provinces, and Kinshasa; and 120 lawyers, magistrates and paralegal staff in techniques for interviewing victims of sexual violence and of violations of international humanitarian law. The office also provided partial funding for workshops on the exercise of civil liberties in the electoral period organized by the National Observatory for Human Rights in Kinshasa and Mbuji-Mayi.

OHCHR contributed to promoting a culture of respect for human rights and to strengthening the capacity of civil society. The office trained 40 human rights defenders, 40 journalists and 80 members of civil society from eastern DRC in techniques of documentation and reporting on human rights and conflict prevention and resolution. It provided support for the participation of an NGO at the presentation of the DRC's initial report to the Committee against Torture in Geneva in November 2005 and funded 24 micro-projects submitted by NGOs working in eastern DRC on legal assistance, civil education, and protection of indigenous people. OHCHR produced theatre, radio and television programmes on human rights issues in eastern DRC, and distributed 22,000 copies of the Universal Declaration on Human Rights and 1,000 documents related to workshops organized by the office. A workshop on the harmonization of the legislation on sexual violence was organized for members of relevant NGOs.



OHCHR actively participated in human rights education activities in follow-up to the United Nations Decade for Human Rights Education (1995 – 2004). The Human Rights Documentation Centre was handed over to the Government, through the Ministry of Human Rights, and included a collection of more than 1,650 books and other resources such as computers, a copy machine, a television and a VCR. The office provided assistance to the Ministry of National Education in drafting a national programme on civil education and for human rights training organized by the Ministry for Women's Affairs for the District Administrators of the municipality of Kinshasa.

The mainstreaming of human rights into the programmes and activities of the members of the UNCT continued to be an important focus during 2005. OHCHR provided input for drafting the Common Country Assessment and coordinated both the monthly meetings of the thematic group on human rights and justice and, more broadly, all United Nations activities related to the protection and promotion of human rights in Goma. The office also participated in the joint initiative for combating sexual violence against women and young girls, and in drafting the United Nations Resident Coordinator's annual report.

In 2005, OHCHR's office in Kinshasa consisted of a director, an international human rights officer and 16 national staff. The Goma sub-office was staffed with an international human rights officer and 7 national staff members. UNOPS and UNDP were key implementing partners.

## CONSTRAINTS

The major constraints faced by OHCHR-DRC in 2005 were general insecurity in eastern DRC and northern Katanga and limited resources for capacity-building activities. The departure of two staff members and the temporary assignment of a staff member to OHCHR-Burundi also affected the implementation of some activities. Despite these factors, activities were still carried out successfully. Field missions revealed once again the immensity of the existing needs in the area of human rights for training, protection, education and increased awareness, as well as the need for sustained assistance to various national institutions.

## IMPACT AND ACHIEVEMENTS

The activities carried out by OHCHR in 2005 had a positive impact on the human rights situation in the DRC. The workshop on the harmonization of the national legislation on sexual violence resulted in a draft law proposal for amendments to the Criminal Code, the Code of Criminal Procedure and the Code on judicial organization and competence. These amendments would allow cases of sexual violence to be addressed more effectively. In addition, the monitoring of the human rights situation, including trial and detention monitoring, resulted in the release of many people in arbitrary detention, the improvement of detention conditions and some acquittals. Training on human rights and the administration of justice allowed those responsible for enforcing the rule of law to become familiar with international standards applicable to their work.

Support provided to the Ministry of Education resulted in the elaboration of a national programme on civil education including human rights components. The assistance provided to the inter-ministerial committee in charge of periodic reports to United Nations treaty bodies allowed the Government to overcome accumulated delays, particularly with regard to the Committee against Torture (the initial report was presented in November 2005) and the Human Rights Committee (third periodic report submitted).

The field missions to Ubundu, Buramba, Nyabiondo, Walikale and Kanyabayonga, prompted by massive human rights violations against civilians, raised the awareness of local authorities and the international community about the insecurity confronting local populations and the dysfunction of State structures responsible for protecting civilians. The joint missions of OHCHR, United Nations partners and the Governments of Equateur, Maniema and Province Orientale led to raised awareness of the Congolese authorities with regard to the rights of internally displaced persons. In addition, the training of the personnel of the penitentiary administration encouraged a changed attitude to detainees and raised awareness among Congolese authorities regarding detention conditions.

The training provided to NGOs strengthened their capacity and will help to improve their field work. The support provided to NGOs through micro-grants also reinforced their capacity to carry out field activities.

## EVALUATION AND LESSONS LEARNED

An internal evaluation exercise of the work in the DRC was carried out by OHCHR in the form of a staff retreat held in November 2005. Participants recommended the prioritization of staff training opportunities. They also suggested that OHCHR-DRC should further focus its efforts on capacity-building and increased interaction with other United Nations agencies and NGOs, in order to maximize the effect of efforts to strengthen the national human rights protection system.

Monitoring carried out in 2005 revealed weaknesses in the transitional institutions, especially in the human rights protection mechanisms. In spite of public declarations by Congolese authorities and the fact that the DRC has ratified many human rights-related instruments, the gap between commitment and practical implementation still remains significant. Moreover, the lack of democratic traditions coupled with the precarious working conditions of those responsible for enforcing the rule of law make human rights promotion a long-term undertaking. Therefore, to ensure positive and sustainable results, human

rights protection and promotion work by OHCHR should be maintained and should be part of a long-term strategy. OHCHR should also continue its monitoring activities, particularly during the electoral period, when freedom of expression and association could be violated. The technical assistance activities in support of learning institutions such as police and army academies, the Bar and magistrates' training centres should be continued, as should training of penitentiary personnel. There is also a need for reinforced collaboration with the Ministry of Human Rights and the Ministry of Justice.

The implementation of the activities in eastern DRC, which is still the site of massive human rights violations, enabled OHCHR to increase awareness of the situation in the four concerned provinces and to attempt to address some of these violations through its efforts to promote a culture of human rights. It also strengthened the position and credibility of OHCHR vis-à-vis the local authorities and population. In the framework of the World Programme for Human Rights Education (2005-2007) concerning primary and secondary education, appropriate support should be provided in future in order to progressively integrate human rights in the school curriculum.

### VOLUNTARY CONTRIBUTIONS DEMOCRATIC REPUBLIC OF THE CONGO

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge US\$	Income US\$
<i>Governments</i>			
Bulgaria	U earmarked	4,000	4,000
Denmark	U earmarked	643,980	620,030
Ireland	Field offices	250,942	250,942
Netherlands	U earmarked	698,270	620,030
Nigeria	U earmarked	4,982	4,982
Norway	DRC	79,872	78,883
South Africa	U earmarked	22,541	22,541
<i>Other donors</i>			
European Commission	DRC ("Goma" project) <sup>1</sup>	0	543,599
	DRC ("documentation centre" project) <sup>2</sup>	0	492
Private donor	U earmarked	50	50
<b>Total</b>		<b>1,704,637</b>	<b>2,145,549</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

<sup>1</sup> Second instalment of a contribution pledged in 2002.

<sup>2</sup> Final instalment of a contribution pledged in 2001.



## EXPENDITURE BREAKDOWN DEMOCRATIC REPUBLIC OF THE CONGO

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	956,736	994,910
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	90,169	93,882
Commission members	0	0
Representatives and other participants	0	0
Contractual services	478,946	356,201
General operating expenses	236,287	275,848
Supplies and acquisitions	305,299	-30,518
Grants, contributions, fellowships and seminars	105,341	5,541
<b>Sub-total</b>	<b>2,172,778</b>	<b>1,695,864</b>
Programme support costs	309,821	220,462
<b>Total</b>	<b>2,482,599</b>	<b>1,916,326</b>

## UGANDA

### BACKGROUND

The situation in Uganda reflects several distinct yet historically interlinked developmental stages. The southern, western and central districts of Uganda, including the capital Kampala, have registered socio-economic progress over the last 20 years, albeit while remaining heavily dependent on international development assistance and with significant and enduring human rights challenges. The twenty-year conflict in Northern Uganda with the Lord's Resistance Army (LRA) has resulted in over 1.5 million internally displaced persons living in sub-standard living conditions in overcrowded camps, suffering from continued abuses by all sides in the conflict, with limited freedom of movement and little access to land. The virtual absence of basic social services and a civilian administration of justice have further compounded the intolerable situation of the population in Northern Uganda. Living conditions and insecurity in Northeastern Uganda (Karamoja) are equally poor if not worse than in Northern Uganda (Acholi and Lango) as the plight of the Karimojong was exacerbated by severe climatic conditions, widespread insecurity as a result of the proliferation of small arms, inter-ethnic clashes and

traditional cattle-rustling. Until recently, both situations have been characterized by consistent neglect and lack of attention by national and international actors.

In response to a need to strengthen national human rights monitoring and reporting capacity in Northern Uganda, OHCHR sent a human rights adviser to the United Nations Country Team in Uganda during late 2004 and early 2005. Based on the assessment of the human rights adviser, OHCHR established a full-fledged field presence in Uganda as of September 2005. The Memorandum of Understanding between the Government of Uganda and OHCHR, initially for a period of two years until December 2007, provides for a comprehensive legal mandate throughout the country, including promotion and protection of human rights. This report covers the first four months of operations of OHCHR in Uganda, following the establishment of an OHCHR office and the recruitment of additional start-up staff.

### OBJECTIVES

The long-term objectives of OHCHR's country engagement in Uganda are to develop a sustainable culture of respect for human rights in all conflict-affected areas of Northern and Northeastern Uganda; enhance accountability and reduce impunity for human rights violations; and strengthen national human rights protection systems throughout the country.

The immediate objectives are to:

- Strengthen national and local capacity of Government and civil society organizations to systematically monitor and effectively respond to conflict-related human rights violations, including through training;
- Contribute to increased policy attention and action to protect the human rights of conflict-affected populations at national level;
- Strengthen national human rights protection systems, including reporting mechanisms under international human rights treaties; and
- Provide assistance and advice to the United Nations system on human rights, including by mainstreaming a human rights-based approach in humanitarian protection and development programming policies, strategies and activities.

## IMPLEMENTATION

Following the fielding of an OHCHR advance team to Uganda in July 2005, the head of office was deployed to the country in late August, followed by the head of the Gulu sub-office and a district human rights officer in September. By early December 2005, OHCHR Uganda had reached its initial staff complement consisting of a head of office, the head of the Gulu sub-office, one field security liaison officer, three district human rights officers, one special assistant/human rights officer, four national programme assistants and relevant support staff. The administrative officer position had not been filled by the end of 2005.

### ◆ STRENGTHENING HUMAN RIGHTS MONITORING AND RESPONSE

OHCHR conducted initial assessment missions to all districts in Northern Uganda (Gulu, Kitgum, Pader, Lira and Apac) to assess the human rights situation, to evaluate the national human rights capacity of Government and civil society and to introduce relevant national, local and international partners present in the districts to the mandate and functions of OHCHR. Another initial assessment mission to Karamoja (Moroto and Kotido) was conducted to assess the human rights situation in the subregion, to introduce relevant national, local and international partners present in the subregion to the mandate and functions of OHCHR and to make recommendations on potential OHCHR engagement in the Karamoja subregion.

OHCHR took over the secretariat of the protection working group in Gulu and actively facilitated the monthly meetings of the group bringing together international, national and local human rights actors. Basic human rights training for trainers of the Uganda People's Defence Forces (UPDF) in Jinja and basic human rights training for UPDF officers and soldiers in Gulu District were conducted. OHCHR facilitated training on human rights investigative techniques for officers of the Uganda Human Rights Commission (UHRC) and, in cooperation with OCHA, facilitated the development of the terms of reference and launching of the district human rights promotion and protection sub-committees under the national policy on internally displaced persons. In addition, OHCHR participated in two joint special investigations into specific human rights incidents, with local authorities and with other United Nations agencies.

### ◆ INCREASED POLICY ATTENTION ON HUMAN RIGHTS VIOLATIONS

OHCHR supported the implementation of monitoring structures under the national policy on internally displaced persons. This occurred through regular participation in the implementation process and through technical assistance to the inter-agency technical committee at the level of the Office of the Prime Minister, and to the national human rights promotion and protection sub-committee chaired by the Uganda Human Rights Commission. Substantive and technical contributions were also made to policy discussions relating to camp decongestion and land rights issues within the framework of the national policy on internally displaced persons. OHCHR actively participated in the donor human rights working group and was nominated as the chair of the working group for 2006. The office also regularly participated in donor coordination working groups on Northern Uganda, on gender and on democracy.

### ◆ STRENGTHENED HUMAN RIGHTS REPORTING MECHANISMS

OHCHR held introductory and follow-up meetings with all relevant Government authorities. This included meetings with the Ministry for Foreign Affairs, the Ministry of Justice, the Ministry for Gender, Labour and Social Development and the Uganda Human Rights Commission to develop a follow-up mechanism to recent concluding observations by the Committee on the Rights of the Child and the Committee against Torture. The meetings also aimed to develop regional awareness-raising workshops in five subregions to sensitize the general population on Uganda's human rights treaty obligations and to disseminate international human rights treaties in local languages.

OHCHR identified the Uganda Human Rights Commission as its principal national partner and developed a contribution agreement through which OHCHR would provide for 12 national human rights monitors, in the form of a grant, to strengthen the reporting and monitoring capacity of the Uganda Human Rights Commission in Northern Uganda and to fully support the establishment of civil military coordination centres in all districts in Northern Uganda. In addition, OHCHR developed a joint programme with WHO on human rights and the right to health.

## ◆ MAINSTREAMING HUMAN RIGHTS

The human rights adviser conducted basic training on the human rights-based approach to development with the UNCT during the development of the United Nations Development Assistance Framework (UNDAF) 2006-2010. OHCHR also participated actively in the preparatory and consultative processes for the UNDAF. The human rights adviser, in cooperation with UNDP, developed a number of joint programmes for OHCHR and UNDP within the UNDAF framework 2006-2010 and led the process of developing a United Nations protection strategy for Uganda.

OHCHR actively participated in the development of the Consolidated Appeals Process (CAP) for 2006 for Uganda, integrating human rights into humanitarian strategies, policies and activities, and made specific contributions under the protection, rule of law and human rights sector. The office also participated regularly in the meetings of the UNCT and provided human rights advice to all United Nations partners.

## CONSTRAINTS

OHCHR Uganda was only operational for four months during the reporting period and only reached its initial staffing level in early December 2005. These delays in deployment and logistics limited operational capacity during 2005. In particular, the absence of adequate support, of administrative staff and of vehicles slowed down implementation in Kampala and in the districts.

## IMPACT AND ACHIEVEMENTS

By the end of 2005, OHCHR established a robust field presence in Northern Uganda and, based on district assessments, identified substantive priority areas to guide OHCHR's engagement. These areas are: lack of access to justice; lack of civilian policing; transitional justice; and land and property rights.

The negotiation process leading to a comprehensive Memorandum of Understanding with a full OHCHR human rights promotion and protection mandate demonstrated the political will and readiness of the Government of Uganda to improve compliance with its human rights treaty obligations. OHCHR

established open and frank communication channels with the Government and the security sector institutions regarding the prevention of and response to human rights violations.

During its period of operation, Government authorities and civil society organizations looked to OHCHR to provide strategic direction in human rights work and to generally ensure that internationally accepted standards were adequately implemented. Substantive advice and interventions contributed to increased attention at policy level to conflict-related human rights issues, including consideration of land rights issues and the protection implications of the proposed decongestion process.

District human rights structures under the national policy on internally displaced persons were successfully established and launched. The initial basic human rights training for armed forces led to an interest in continuing such training more systematically. Human rights mainstreaming was strengthened within the UNCT, particularly in the UNDAF and CAP planning processes.

## EVALUATION AND LESSONS LEARNED

The first evaluation for OHCHR Uganda is scheduled for mid-2006. During its first months in operation, OHCHR recognized that the initial operational planning for engagement in Uganda was inadequate, in terms of human and financial resources and geographical outreach, considering the serious human rights challenges in the country. As a result, OHCHR Uganda developed a more comprehensive strategy for the biennium 2006-2007, envisaging an increase in substantive and support staff but also a geographical expansion to the marginalized and often forgotten Teso and Karamoja subregions of Northeastern Uganda.

The comprehensive Memorandum of Understanding between OHCHR and the Government of Uganda, which encompasses the whole range of human rights promotion and protection activities, could be considered a model agreement for future OHCHR country engagement strategies. An expanded presence in Uganda, as foreseen for 2006 and 2007, should be at an optimal level of country engagement.

## VOLUNTARY CONTRIBUTIONS UGANDA

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Canada	Uganda	483,871	489,300
Denmark	Unearmarked	103,863	100,000
Ireland	Field offices	125,471	125,471
Netherlands	Unearmarked	225,237	200,000
Norway	Field offices	202,507	200,000
<b>Total</b>		<b>1,140,949</b>	<b>1,114,771</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## EXPENDITURE BREAKDOWN UGANDA

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	318,281	0
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	21,515	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	69,960	0
General operating expenses	41,250	0
Supplies and acquisitions	273,807	0
Grants, contributions, fellowships and seminars	11,000	0
<b>Sub-total</b>	<b>735,813</b>	<b>0</b>
Programme support costs	95,656	0
<b>Total</b>	<b>831,469</b>	<b>0</b>

## COLOMBIA

### BACKGROUND

Established in 1996, the mandate of the office in Bogotá has been extended until 2006. Its role is to observe and monitor the human rights situation and the application of international humanitarian law, while assisting Government authorities in formulating and implementing policies, activities and measures to promote human rights. At its 61st session, the Commission on Human Rights reiterated its strong support for the office in Colombia and its work against ongoing violations of human rights and international humanitarian law in Colombia.

The human rights situation in 2005 was characterized by a series of grave violations linked to civil and political rights, and by unresolved challenges in the area of economic, social and cultural rights. Official statistics were still unable to adequately reflect this situation, but generally showed a downward trend. Major violations included extrajudicial executions and forced disappearances associated with violations linked to the administration of justice and impunity; arbitrary detentions, torture and cruel and inhuman or degrading treatment; attacks on freedom of expression; and acts of sexual violence. While these violations are not part of a deliberate State policy, the lack of acknowledgement and insufficient corrective action by the authorities are obstacles to surmounting them. The situation of

poverty, which affects more than half of all Colombians, particularly ethnic groups, women and children, includes high levels of inequality. Illegal armed groups, particularly the *Fuerzas Armadas Revolucionarias de Colombia* (FARC-EP) and paramilitaries, continued to commit serious human rights violations.

In implementing the 27 recommendations proposed by the High Commissioner for Human Rights to the Government, certain State institutions made greater efforts to advance the process, whereas others did not take timely, pertinent and consistent measures. At the end of the year, the picture of implementation was varied and the overall process was less expeditious than desired. Positive measures taken by the Government in the field of prevention and protection include the adoption of protocols to regulate certain processes of the Inter-Institutional Early Warning Committee (CIAT) and an increased budget for the protection programmes of the Ministry of the Interior; the signing of the framework agreement for cooperation between the office in Colombia and the Ministry of Defence; some efforts to address the requirements of the Constitutional Court with regard to proper attention for displaced persons; adoption of certain norms; the ratification of international treaties; and progress in drawing up a Plan for Education in Human Rights. The illegal armed groups continued to openly disregard the recommendations of the High Commissioner.

In May 2005, the High Commissioner visited Colombia. During her visit, she held meetings with the President and Government officials, as well as with members of Congress, the Constitutional Court, the Procurator-General, the Ombudsman for Human Rights, the Attorney-General, civil society organizations, churches, the diplomatic community and agencies of the United Nations system. She visited the southern parts of Bogotá and also travelled to the Department of Chocó where she met with various authorities and representatives from local communities, NGOs and the diocese of Quibdó.

## OBJECTIVES

The OHCHR long-term objective is to assist in strengthening the capacity of national institutions responsible for the promotion and protection of human rights and the rule of law.

Between 2004 and 2006, according to its multi-year strategy, the office has five focus areas:

- Systematic and analytical observation of respect (or lack thereof) for human rights and international humanitarian law;
- Provision of advisory services to State and Government authorities and institutions, and to representatives of civil society;
- Provision of technical cooperation and assistance to State and Government authorities and institutions, and to representatives of civil society, with a specific focus on seeking implementation of the High Commissioner's recommendations;
- Provision of technical cooperation and assistance to support implementation of Action 2 within the United Nations system; and
- Promotion and dissemination of human rights norms and international humanitarian law.

## IMPLEMENTATION

OHCHR prioritized its work according to the High Commissioner's 27 recommendations. The recommendations cover prevention and protection; armed conflict; the rule of law and impunity; economic and social policies; the promotion of a culture of human rights; and the provision of advice and technical cooperation. In its advisory and technical cooperation activities, the office focused on strengthening the national capacities of Governmental and non-governmental institutions to promote and protect human rights.

In Colombia, OHCHR has a head office in Bogotá and sub-offices in Bucaramanga, Cali and Medellín. By the end of 2005, a total of 71 staff worked for OHCHR, including 30 international staff and 41 national staff. In addition, there were 17 national consultants and two international consultants. During 2005, the work in Colombia fit into four thematic areas: Observation and monitoring of human rights and international humanitarian

law; legal and thematic follow-up and advice; technical cooperation; and public information and human rights promotion.

#### ◆ OBSERVATION AND MONITORING

OHCHR in Colombia, through its offices in Bogotá, Bucaramanga, Cali and Medellín, carries out its observation work based on thematic and geographical priorities, in order to systematically monitor the situation of human rights and international humanitarian law in the country. This activity allows patterns and tendencies to be identified, and the resulting analysis makes it possible for the office to design its work with the State and the civil society.

OHCHR staff conducted approximately 300 visits to the field, 33 per cent more than in 2004, each averaging between two and four days each. During these observation missions, human rights officers routinely visited civil and military authorities, Ombudsmen, public prosecutors, municipal representatives, representatives of the judiciary, and representatives of civil society such as NGOs and church leaders, to gather information on the human rights situation. Priority was given to those regions and departments where the human rights situation was determined to be most urgent, such as Antioquia, Córdoba, Arauca, Bolívar, Cauca, Caquetá, Norte de Santander and Putumayo. By the end of the year, OHCHR had received 2,403 complaints, of which 1,789 were admitted for further investigation. Compared to 2004, there was an increase in the number of cases recorded.

Throughout 2005, OHCHR conducted several missions to conflict areas, such as the Departments of Caquetá and Putumayo, where military operations are taking place. Its regular presence in these abandoned regions allowed the office to obtain important information related to human rights violations and breaches of international humanitarian law, which were not always reported by the media. Reliable information was directly communicated to high-level Government officials, in order to obtain an effective response to the concerns raised. In June, the office conducted a field visit to San Onofre, Sucre, where several mass graves had been discovered in March. The mission was accompanied by officials from the embassies of Austria, the United Kingdom and the United States in Colombia. The mission gave representatives of the international community the chance to better understand the work and methodologies of the office, as

well as to experience a first-hand approach to the situation of grave human rights violations in the field.

#### ◆ LEGAL ADVICE AND ASSISTANCE

OHCHR continued its dialogue with the authorities, particularly with the Office of the Vice-President, various ministries, the Congress and the judicial branch. Follow-up was done on the legislative agenda of the Congress, the national legal system was analysed, and State policies in fields within its mandate were evaluated. The office provided advice to different State entities and civil society organizations on the application and interpretation of international instruments on human rights and humanitarian law. In addition, OHCHR analysed Government policies and programmes for their conformity to international principles, including the rule of law, the administration of justice and the fight against impunity, the rights of women, the situation of children, and economic, social and cultural rights. In this regard, various advisory documents were produced during the drafting of and debate on the justice and peace law with a view to promoting victims' rights and the basic principles of truth, justice and reparation applicable within the framework of transitional justice.

Through internal workshops, the office in Colombia furthered the inclusion of a gender perspective in its observation and analysis of the human rights situation. With support from UNIFEM, integration of the gender perspective into technical cooperation projects by the office was also increased. OHCHR contributed to the preparation of reports and analysis on regulations relating to abortion and the implementation of resolution CSW 48/3 on women and children taken as hostages. It also provided documents in support of the thematic and legal strengthening of the institutional capability of the Office of the High Commissioner in terms of the rule of law, peace and security, transitional justice, non-discrimination, women and gender. The High Commissioner's report on Colombia and a strategy for following up on its recommendations were also prepared.

#### ◆ TECHNICAL COOPERATION

During the year, OHCHR carried out a series of activities and trainings, with both State institutions and civil society organizations, aimed at increasing the level of knowledge on human rights and international humanitarian law. They contributed



to enhancing the efficiency and effectiveness of the State in protecting and promoting human rights and international humanitarian law. In November 2005, OHCHR signed a cooperation agreement with the Minister of Defence to carry out an independent analytical study on the integration of human rights and international humanitarian law into training given to the security forces.

To advance a national action plan for human rights, OHCHR participated in joint meetings between the Presidential Program for Human Rights and representatives of the Alliance of Social and Related Organizations, the Colombia-Europe-United States Coordination and the Colombian Platform for Human Rights, Democracy and Development. These meetings aimed to advance the drafting process and to reach agreement on various aspects of the national action plan. During the year, the office also contributed to overcoming various difficulties that arose during the dialogue between the Government and human rights organizations. With advice from OHCHR, the technical committee for human rights, composed of the Ministry of Education, the Office of the Ombudsman and the Presidential Program for Human Rights, was able to draft a national action plan on human rights in the educational system.

In 2005, a new activity was initiated with the Attorney-General's Office and OHCHR provided advice to:

- The human rights unit, for the implementation of diagnostic recommendations, and its special sub-unit in designing case analyses of links between members of the security forces, civilian officials, private individuals and paramilitary groups;
- The Victim and Witness Protection Programme, for the implementation of the recommendations contained in the assessment that was done by the Office in 2001;
- The National Commission for Administering the Career of Prosecutors, concerning the development of a regulatory framework, its procedures and all activities necessary for implementation; and
- The School of Criminal Investigation and Forensic Sciences to develop an institutional training programme in human rights and international humanitarian law, which was approved by the institutional commission.

The Office continued to work towards strengthening institutions responsible for penitentiary policy, and control bodies responsible for monitoring the situation of persons deprived of freedom. Participants in the project also included the National Institute of Prisons and Penitentiaries (INPEC), the Ministry of Interior and Justice, the Office of the Ombudsman for Human Rights, the Procurator-General's Office and civil society organizations. Visits were made to 7 pilot prison centres to observe the degree of progress in implementing recommendations made by OHCHR, and further assistance was provided to encourage greater compliance. In coordination with the National Prison School and INPEC, approximately 270 prison staff received human rights training and a network of 18 trainers from the INPEC was formed, conducting further training in the 6 regional offices of INPEC. These trainers will conduct future training, ensuring that capacity in the Institute will be sustained beyond the project's duration.

#### ◆ TRAINING

During 2005, the office continued its work on institutionalizing training in human rights and international humanitarian law in State organizations and in other sectors. Training is an essential element of OHCHR's strategy in Colombia to contribute towards strengthening national capacity in these fields.

Several training courses were provided to prosecutors, with a particular focus on equality, gender and international humanitarian law. This training helped to enlarge the network of trainers in Colombia. OHCHR and the Office of the Ombudsman carried out the first programme for training on the use of the *Manual for Classifying Conduct that Violates Human Rights and International Humanitarian Law*, with more than 100 Government officials, university professors and advisers. Seminars were conducted with the Procurator-General's Office on the application of the *Practical Guide on Evidence in Disciplinary Investigations into Violations of Human Rights and Breaches of International Humanitarian Law*. Approximately 150 officials participated in these training sessions, including regional and provincial judicial procurators, municipal ombudsmen and special investigators.

Courses on training in human rights and international humanitarian law were carried out with approximately 500 participants from the Colombian Family Welfare Institute (ICBF), the College of Judges and Prosecutors of Medellín, the Apostolic

Vicariate of San Vicente del Caguán, and teachers from the schools of the Archdiocese of Cali. OHCHR also trained 90 members of the coordinating committees of the development and peace programmes of Eastern Antioquia, Meta and Montes de María in basic concepts of human rights and international humanitarian law. These activities were carried out in collaboration with the UNDP networks programme (*Programa Redes*).

Within the Assisting Communities Together (ACT) programme, 6 projects were carried out for the promotion of human rights at the local level in several regions of the country. In late 2005, a new phase of ACT projects was launched, to be carried out in collaboration with UNDP.

#### ◆ ACTIVITIES WITH THE UNITED NATIONS SYSTEM

Within the framework of the inter-agency action plan for the integration of human rights into the activities of the United Nations (Action 2), the UNCT carried out the work plan it had adopted. OHCHR continued to facilitate the technical working group on human rights for the United Nations system, which has attracted an active core of human rights focal points from nine United Nations agencies. The working group designed a mapping instrument that can be used as a tool to ensure human rights mainstreaming in all phases of the project cycle. It also delivered a series of five courses in human rights, international humanitarian law, and a rights-based approach to development, taking into account a gender perspective, to United Nations officials in various regions of the country.

OHCHR also conducted two advanced courses for heads of agencies, deputies and focal points on the integration of a human rights focus in relation to the Common Country Assessment/United Nations Development Assistance Framework process, which was attended by a total of 61 participants including nine heads of agencies. In the area of gender, OHCHR took part in inter-agency meetings of the gender roundtable and the network against harassment and sexual violence. Emphasis was placed on activities to promote the inclusion of a gender perspective in public policies related to the achievement of the Millennium Development Goals. The Office also contributed to the preparation of a guide to incorporate a gender perspective in inter-agency missions and in projects carried out by the United Nations system in Colombia.

#### ◆ PUBLIC INFORMATION AND HUMAN RIGHTS PROMOTIONAL ACTIVITIES

In 2005, OHCHR issued 55 press releases, held 19 lectures and organized 8 press conferences including one for the visit to Colombia of the United Nations Working Group on Enforced or Involuntary Disappearances. More than 30 interviews were given to the national and international media regarding the High Commissioner's recommendations and the topic of human rights in the country. Field missions by a United Nations team of journalists were organized to publicize the work of the Office and the situation in the country. The national OHCHR web page was visited 250,000 times.

Publications produced by the office in Colombia included 10,000 Spanish copies and 1,000 English copies of the High Commissioner's recommendations for Colombia; 2,500 copies of the High Commissioner's annual report on the human rights situation in Colombia in 2004; 10,000 copies of the Universal Declaration of Human Rights for Children; and 20,000 copies of a new information brochure about the office in Colombia. 10,000 calendars for 2005 were also printed and distributed. A total of 50,000 copies of publications, including books, reports, recommendations, copies of presentations and press releases were distributed. In order to disseminate the Universal Declaration of Human Rights among children, drawing workshops were carried out in different regions of the country.

A book of photographs, *Colombia: Images and Realities*, was published in English and Spanish, as a result of a photography contest on human rights held in 2003. To commemorate International Human Rights Day, a free concert was held in Bogotá with the participation of the singer Itona; local artists in Medellín gave another free concert. In Bucaramanga, a photography exhibition presenting pictures from the aforementioned book was held in cooperation with the city's Chamber of Commerce. The office contributed to the preparation of a thematic issue of the monthly bulletin *Red de Gestores Sociales*, published by the Office of the First Lady, to disseminate information about human rights among public civil servants throughout the country.



## CONSTRAINTS

During 2005, the ongoing conflict in Colombia led to increased requirements for security measures while monitoring the human rights situation. Several technical cooperation activities were disrupted by threats against participants such as representatives of the Office of the Attorney-General, judges and municipal representatives.

## IMPACT AND ACHIEVEMENTS

OHCHR's presence in Colombia contributed to the protection of vulnerable populations, and to building stronger relationships with the Government and civil society. The work of the office helped to increase the visibility of human rights violations and breaches of international humanitarian law, thereby encouraging the

adoption of counter-measures and adequate responses. In addition, the office was able to obtain first-hand information as quickly as possible and to better focus its cooperation with local counterparts. Through activities involving dialogue, the office served as a bridge between State entities and civil society organizations and provided support for the design and implementation of regional public policies on human rights and humanitarian law.

Advice provided by the office on the justice and peace law raised awareness of international norms, principles and standards. Some of the office's observations were taken into account in the development of the law. This work has notably contributed to and broadened the debate about the necessity for a legal framework, with appropriate mechanisms that fully recognize and guarantee victims' rights to truth, justice and reparation, and that regulate the situation of illegal armed groups involved in the process of demobilization and in peace negotiations.

## VOLUNTARY CONTRIBUTIONS COLOMBIA

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge US\$	Income US\$
<i>Governments</i>			
Canada	Colombia	80,645	81,793
Finland	Colombia	352,941	352,941
France	Unearmarked	154,414	154,282
Germany	Colombia	121,951	121,065
Italy	Unearmarked	200,519	200,000
Netherlands	Unearmarked	1,238,806	1,100,000
Norway	Colombia	638,978	627,000
Spain	Colombia <sup>1</sup>	567,247	112,754
Sweden	Colombia + unearmarked	1,337,220	1,227,103
Switzerland	Colombia <sup>2</sup>	245,827	157,480
United Kingdom	Unearmarked	935,019	907,181
United States of America	Colombia	1,900,000	1,900,000
<i>Other donors</i>			
European Commission	Colombia ( <i>Fiscalia</i> project) <sup>3</sup>	0	367,315
	Colombia ("prisons conditions" project) <sup>4</sup>	0	321,415
	Colombia ("municipal plans and human rights" project)	647,059	0
<b>Total</b>		<b>8,420,626</b>	<b>7,630,329</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

<sup>1</sup> Pledge amount consists of a contribution of US\$ 507,151 paid in 2006 and of US\$ 60,096 from the Catalan Agency for Cooperation and Development. The income amount consists of the payment of a contribution pledged by Spain in 2004 (US\$ 54,274) and of the contribution paid by the Catalan Agency (US\$ 58,480).

<sup>2</sup> Consists of two pledges (US\$ 169,491 and US\$ 76,336), the second one was paid in early 2006.

<sup>3</sup> First instalment of a contribution pledged in 2004.

<sup>4</sup> Second instalment of a contribution pledged in 2002.

The office increased knowledge of the recommendations made by the High Commissioner within the United Nations system and raised awareness of the need for a rights-based approach. Through its work with the recommendations of the High Commissioner, OHCHR has, over the last three years, enabled the Government to articulate specific responses to human rights and international humanitarian law violations needed to improve the situation in the country. The recommendations have been adopted by numerous international and national civil society organizations, providing a strong platform for bringing about change.

December 2004, after 10 years of verifying human rights and helping the country to implement the far-reaching peace agreements.

However, despite previous work, human rights are still not adequately protected in Guatemala. As shown in the various reports and recommendations of special rapporteurs and treaty bodies, the human rights situation in Guatemala continues to be of concern, with increasing levels of violence and threats against human rights defenders and little progress made in bringing the perpetrators to justice. Overcoming racial discrimination and protecting the human rights of indigenous people remain challenges at the social, legal, and institutional levels.

In 2003, the Government of Guatemala requested that OHCHR establish an office in the country to succeed MINUGUA. On 10 January 2005, an agreement was signed between OHCHR and the Government of the Republic of Guatemala to establish an office, which entered into force on 20 September 2005. The agreement provides the OHCHR Guatemala office with a mandate to: monitor the human rights situation, with the aim of advising the Guatemalan authorities in formulating and implementing policies and programmes for the promotion and protection of human rights; report on the office's activities and on the country's human rights situation; and present recommendations to strengthen human rights protection. The current mandate runs for three years, until 20 September 2008. OHCHR started deploying staff to the office in July 2005, with the director arriving when the office officially opened in September 2005.

EXPENDITURE BREAKDOWN COLOMBIA		
The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).		
US\$	2005	2004
Staff costs	5,289,186	3,904,632
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	272,289	215,424
Commission members	0	0
Representatives and other participants	0	0
Contractual services	132,845	76,243
General operating expenses	601,834	540,905
Supplies and acquisitions	341,156	100,082
Grants, contributions, fellowships and seminars	51,566	0
<b>Sub-total</b>	<b>6,688,876</b>	<b>4,837,286</b>
Programme support costs	851,579	628,847
<b>Total</b>	<b>7,540,455</b>	<b>5,466,133</b>

## GUATEMALA

### BACKGROUND

Since the Guatemalan peace agreements were signed in 1996, ending 36 years of conflict that killed an estimated 200,000 people, OHCHR has implemented consecutive technical cooperation projects in Guatemala, with the aim of promoting and protecting human rights. These initiatives have been implemented in close coordination with the United Nations Country Team (UNCT) and the United Nations Verification Mission in Guatemala (MINUGUA). MINUGUA officially concluded at the end of

### OBJECTIVES

Based on the mandate under the 2005 agreement, the office's main tasks are to observe the human rights situation in Guatemala and to provide advice through its technical cooperation activities, with the aim of promoting and protecting human rights in the country. Immediate objectives are to:

- Provide analytical information on the human rights situation to the Government and other State entities, through monitoring activities and in close cooperation with national institutions such as the Ombudsman's Office and local NGOs;
- Enhance the capacity of civil society organizations, vulnerable groups (including indigenous peoples) and public

officials (police, civil servants and penitentiary staff) to protect and promote human rights, through training activities and advisory services;

- Ensure that national legislation conforms to international human rights standards, through providing advice and recommendations;
- Raise awareness of human rights (particularly of human rights violations affecting vulnerable groups) and build a human rights culture, through working with opinion makers and communicators within and outside the Government and disseminating information on international standards in cooperation with both Governmental and non-governmental partners; and
- Support the integration of human rights into the programming of the UNCT, through increasing the capacity of United Nations agencies using, inter alia, training modules and methodologies.

## IMPLEMENTATION

When the Office started its activities in September 2005, much effort was put into establishing good working relations with major partners - Governmental and non-governmental institutions, the international community and local civil society organizations - in order to identify future priorities and gain knowledge about the present human rights situation.

The office, which is located in Guatemala City, gradually increased its staff during the period. At the end of December 2005, the office had four international staff members (including the director and a security officer); five United Nations volunteers; and 13 national staff members.

### ◆ THE ANNUAL REPORT

During November and December 2005, the office drafted the High Commissioner's first report on the human rights situation in Guatemala for the Commission on Human Rights, to be presented during the 62nd session of the Commission. The report describes problems related to violence (including criminal violence, violence in prisons and violence against women); to the rule of law and impunity (including transitional justice issues, and problems related to the lack of independence of the judicial system, the national civil police and the Department of Public Prosecution); to poverty and economic, social and cultural

rights; and to discrimination and inequality (affecting indigenous peoples in particular).

A central idea in the report is the State's lack of capacity to comply fully with its role as a duty-bearer in the protection of human rights. This weakness hampers the State's ability to prevent, investigate and punish violent acts as well as to implement public policies to address poverty, discrimination and the lack of opportunities for vulnerable groups. In total, the report presents 24 recommendations, directed to the Government, Congress, the President, the judicial branch, the Ombudsman and civil society. These recommendations will form the basis for the Office's future technical cooperation activities in the country.

### ◆ OBSERVATION

OHCHR undertook an assessment of existing institutional capacities in the country, with the aim of developing an effective strategy for technical assistance. The resulting strategy is reflected in the Guatemala office's work plan for the biennium 2006-2007. Within the framework of the annual report, an overall assessment of the human rights situation was also made, identifying the main problems and priorities. Through five field missions conducted by office staff supporting the National Council for Disaster Reduction (CONRED) after the tropical storm Stan in October 2005, the office was able to observe the situation in the damaged areas and assess possible human rights problems resulting from the disaster.

In relation to the observation of thematic human rights issues, OHCHR conducted four studies: one on the situation of the human rights defenders, which was submitted to the Special Rapporteur on human rights defenders; a second on transitional justice issues in the country; and a third study of the progress made so far on the implementation of the recommendations of the Special Rapporteur on contemporary forms of racism. A fourth study was made on the follow-up to the recommendations of the Special Rapporteur on the situation of the rights and fundamental freedoms of indigenous people, which was presented at a public event organized by various Mayan organizations.

### ◆ TECHNICAL COOPERATION, CAPACITY-BUILDING AND ADVISORY SERVICES

Significant efforts were devoted to planning and preparing the implementation of the Guatemala office's technical cooperation and advisory activities during the first months. However, the office was also able to undertake various initiatives during this time. Together with the Presidential Commission against Discrimination and Racism (CODISRA) and the UNCT, OHCHR launched a series of video and radio spots on the recommendations of the Special Rapporteur on human rights and fundamental freedoms of indigenous peoples, as well as a manual and a compilation of international instruments on indigenous peoples' rights.

The office provided technical advisory services to the Presidential Commission on Human Rights (COPREDEH) and various victims' organizations regarding the creation of a National Commission responsible for locating persons who disappeared during the internal conflict. The office also provided advice to the congressional commission on the modernization of the justice system and to the Human Rights Commission of the Congress on the ratification of the Optional Protocol to the Convention against Torture.

Within the framework of the joint UNCT programme providing support to the National Civil Police, a new proposal for technical assistance was formulated with ministerial and police authorities to take into account recent structural reforms and to incorporate their requests. OHCHR also provided technical assistance on the initial development of a human rights manual/interactive CD-ROM, which will be continued in 2006, and designed its strategy to assist three National Civil Police thematic units (the multi-ethnicity, gender equity and human rights units). The office also contributed to designing activities for a second joint project with the UNCT on support to the institutions created by the peace agreements. OHCHR will participate in the implementation of this project in 2006.

Within the framework of an ICRC campaign on disappeared persons called "The Right to Know", the office presented a study on the status and use of international instruments and mechanisms on forced disappearances at a Central American regional meeting of victims' organizations. To deal with the existing crisis in the country's penitentiary system, the office participated in various seminars and discussions concerning the situation and

possible reforms of the prison system, and discussed future cooperation with the COPREDEH President and the Director of the Penitentiary System. The office also supported the production of video documentation on the reform of the penitentiary system in Guatemala.

In developing its strategy for activities during the biennium 2006-2007, the office held several meetings with COPREDEH and the Human Rights Ombudsman (PDH) to identify possible future areas of cooperation. Concrete proposals include the provision of support to the auxiliaturas (the ombudsmen working locally in each department of the country) and to the defensores indigenas (the special ombudsmen for indigenous peoples) on human rights observation and reporting.

### ◆ MAINSTREAMING AND COOPERATION WITH THE UNCT

The office worked in close cooperation with the UNCT in Guatemala during its first months of existence. Together with the UNCT, the office participated in several meetings with the Government to support the development of the second report on progress towards achieving the Millennium Development Goals. The office also actively contributed to the discussion on the contents of the *Human Development Report 2005*, on ethnic and cultural diversity.

The severe consequences of the tropical storm Stan, in terms of human as well as material losses, were assessed and addressed in close cooperation with the UNCT and Government entities. The office participated in the development of the Flash Appeal, and at a later stage its staff helped CONRED to train local authorities in using technical instruments to register the arrival of humanitarian help.

The Special Rapporteur on the right to food visited Guatemala from 26 January to 4 February 2005. In preparation for this visit, OHCHR assisted the UNCT to develop a preliminary report on this issue using a rights-based approach. Following the Special Rapporteur's visit, the Guatemalan Congress passed a national law on food security, which recognizes the right to food and establishes specific mechanisms for its protection and progressive realization. Based on this normative framework and the recommendations of the Special Rapporteur, OHCHR has formulated a strategic approach for 2006 to be incorporated in the recently approved joint United Nations programme on nutrition.

## ◆ PROMOTION, DISSEMINATION AND AWARENESS-RAISING ACTIVITIES

After the establishment of the office in Guatemala, a series of public information and press activities were held and contact was made with all important media directors, journalists and columnists. The office's web page ([www.oacnudh.org.gt](http://www.oacnudh.org.gt)) was launched in December on International Human Rights Day. A documentation centre with important and updated human rights information was opened. The OHCHR press and information officer worked in close cooperation with the Resident Coordinator's office and within the United Nations inter-agency group for communication and information.

## CONSTRAINTS

Delays in ratification of the agreement significantly delayed the establishment of the office in Guatemala. OHCHR began setting up the office following ratification at the end of July but could not officially commence operations until the agreement entered into force and the director of the office arrived, at the end of September 2005. Therefore, although activities were originally planned to begin in January 2005, the office only became operational in the last three months of the year. Much of the work during the first months focused on planning and drafting the first annual report of the High Commissioner on the human rights situation. The Office's technical cooperation and advisory activities will commence large scale implementation only at the beginning of 2006.

An additional constraint was the tropical storm Stan, which caused immense destruction, loss of lives and the displacement of thousands of people in the affected areas. The storm naturally shifted both the Government's and OHCHR's priorities, and planned activities had to give way to relief efforts during the months of October and November 2005.

## IMPACT AND ACHIEVEMENTS

One of OHCHR's main achievements during 2005 was the High Commissioner's first report on the human rights situation in Guatemala, which contains a detailed analysis of the current problems and presents recommendations on how to improve the situation. These recommendations have already generated

vivid discussion in the country on how to better promote and protect human rights. They will, as indicated above, form the basis for the office's future technical cooperation activities.

Another achievement during the first months of the office's operation was the creation of a close network of contacts with Governmental and non-governmental actors in the country, and the development of more extensive contacts between these actors. This will be a key to the success of the office's observation and capacity-building activities and the future sustainability of improvements made.

OHCHR's awareness-raising activities have contributed to the strengthening of the still weak human rights culture in the country by increasing media coverage on human rights issues. Awareness of the office's mandate and activities among civil society and the general public also increased as a result.

Finally, advice provided by OHCHR to the legislative, executive and judicial branches of the State on draft legislation and the creation of new human rights mechanisms (such as the national forensic institute and the national commission responsible for locating persons who disappeared during the internal conflict) have contributed to raising awareness of international human rights standards and to increasing the commitment to comply with these standards.

Given the Guatemala office's relatively short period of existence, direct beneficiaries of the work undertaken were primarily limited to the office's main partners including the Human Rights Ombudsman's Office; the Presidential Commission on Coordination of Human Rights Policies (COPREDEH); the Ministry of Interior and the General Direction of the Penitentiary System; the Congress' Human Rights Commission; the Human Rights NGOs alliance within the National Human Rights Movement and the Pro Justice Movement; the main indigenous peoples' rights organizations and organizations working with the victims of past crimes.

## FUNDING

Additional expenditures amounting to US\$ 129,385 can be found on page 138, in support of the technical assistance activities described above. The funding source for these activities is the Voluntary Fund for Technical Cooperation.

## VOLUNTARY CONTRIBUTIONS GUATEMALA

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Norway	Guatemala	79,872	78,883
Spain	Guatemala	101,431	0
Sweden	Guatemala	707,214	648,976
<i>Other donors</i>			
European Commission	Guatemala ("national protection system" project) <sup>1</sup>	0	439,948
<b>Total</b>		<b>888,517</b>	<b>1,167,807</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

<sup>1</sup> First instalment of a contribution pledged in 2004.

## EXPENDITURE BREAKDOWN GUATEMALA

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	595,021	0
Experts/consultants' fees and travel	93,425	0
Travel:		
OHCHR staff	54,019	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	166,400	0
General operating expenses	129,800	0
Supplies and acquisitions	136,445	0
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>1,175,109</b>	<b>0</b>
Programme support costs	152,764	0
<b>Total</b>	<b>1,327,874</b>	<b>0</b>

## CAMBODIA

### BACKGROUND

The field office in Cambodia and the Special Representative of the Secretary-General for human rights in Cambodia were established in 1993, following the conclusion of the mandate of the United Nations Transitional Authority in Cambodia. Their mandates combine the monitoring and protection of human rights with technical assistance and advisory services. At its 61st session, the Commission on Human Rights, in resolution 2005/77, further invited the Secretary-General, United Nations agencies, and the international community, including NGOs, to continue to assist the Government in ensuring the protection and promotion of the human rights of all people in Cambodia.

The Memorandum of Understanding between the Royal Government of Cambodia and OHCHR, regarding the implementation of a technical cooperation programme on human rights, was renewed for a two-year period and came into effect on 12 January 2005. The programme includes:

- Providing continuing assistance to the Government in promoting and protecting human rights;
- Promoting greater integration of human rights into education, health and other development programmes;
- Providing technical support for the Government's reform programmes, including in the areas of administration of justice and the legislative process;



- Encouraging the participation of civil society and promoting public education in democracy and human rights;
- Providing, upon the Government's request, technical assistance and advice in fulfilling its responsibilities, including submission of reports in accordance with its international human rights treaty obligations; and
- Providing advice and assistance to the Government and its civil society partners in establishing a national human rights institution.

## OBJECTIVES

The long-term objective of OHCHR's work in Cambodia is to help strengthen national institutions to safeguard and uphold respect for human rights under the rule of law, and to develop policies, laws and practices consistent with Cambodia's international human rights commitments. Immediate objectives included:

- Supporting the Special Representative in carrying out his mandate;
- Enabling individuals, groups and associations working for human rights to fulfil their responsibilities;
- Promoting transparent and accountable government and encouraging the informed, effective and meaningful participation of citizens in political and public life;
- Contributing to reform of the justice sector, focusing on essential laws, measures to build an independent judiciary, and access to justice for the poor;
- Contributing to safeguarding the human rights and livelihoods of rural populations and indigenous peoples by working on natural resource questions from a human rights perspective;
- Promoting increased understanding of the provisions of international human rights instruments and meaningful cooperation with the treaty bodies and other international mechanisms and procedures;
- Clarifying, integrating and operationalizing human rights and rights-based approaches to development in the work of the UNCT, the Consultative Group of Donors, and NGOs and civil society;
- Promoting the realization of economic, social and cultural rights; and
- Fostering a positive environment for human rights work, including through improved dissemination of information and public outreach.

## IMPLEMENTATION

OHCHR implemented activities through its main office in Phnom Penh, a regional office in Battambang, and a presence in the Municipal Court of Phnom Penh. The management structure consisted of the chief's office, an administration unit, technical cooperation activities and protection activities. Together, the office consists of 7 international and 18 national staff members.

### ◆ PROTECTION

OHCHR monitored the overall human rights situation, investigated complaints of human rights violations, and regularly raised its concerns with national and local authorities and requested their intervention. It gave first priority to cases where NGOs and activists encountered serious difficulties with the authorities as a result of their advocacy work. OHCHR acted in cases involving charges of defamation, misinformation and incitement; in illegal arrests and other serious breaches of fair criminal process; in land disputes and in the illegal acquisition of land and violent forced evictions.

OHCHR focused on the rights to freedom of assembly, freedom of association and freedom of expression, regularly raising concerns about restrictions in Phnom Penh and the provinces. In addition, the office followed up on unresolved cases of human rights violations and assisted in the preparation of the Special Representative's report on continuing patterns of impunity in Cambodia. The report is intended to promote understanding and dialogue within Cambodia about the nature and impact of impunity and measures to overcome it.

### ◆ LAND AND NATURAL RESOURCES

OHCHR advocated for the implementation of the recommendations made in the report of the Special Representative regarding a human rights perspective on land concessions for economic purposes. The office responded to disputes that arose in this area and monitored the continuing award of land and other concessions relating to Cambodia's natural resources. Together with the Special Representative, the office advocated that no more concessions be granted until sub-decrees to implement the 2001 Land Law were adopted and put into effect.

The office received increasing numbers of reports about the alienation of Cambodia's indigenous peoples from their land.

It advocated respect for the special protection provided to indigenous peoples under international law, and a moratorium on sales and concessions of land eligible for indigenous collective title until the relevant legislation is in effect.

#### ◆ RULE OF LAW AND THE JUSTICE SECTOR

The office contributed to efforts to reform the justice sector, focusing on Cambodia's need for an independent and professional judiciary. Together with the Special Representative, the office gave priority to the Supreme Council of Magistracy and to a sound law on the status of judges and prosecutors. A well-functioning Supreme Council of Magistracy, free from executive interference, is essential in safeguarding the independence and professional conduct of judges. In addition, the office maintained a presence in the Municipal Court of Phnom Penh, and worked with other courts. Staff provided regular advice on the right to due process and on trial procedures to ensure compliance with human rights standards.

The office observed some 28 court hearings ranging from high profile trials to proceedings against community leaders and villagers protesting the loss of land and resources. It monitored the "emergency campaign" against corruption in the judiciary launched by the Prime Minister on 3 March, and observed the trial of judges, prosecutors and clerks from the Phnom Penh Municipal Court who were found guilty of corruption and complicity in corruption and sentenced to four years in prison. Serious irregularities were recorded in this trial, as in most other hearings observed.

The office participated in the formal legal and judicial reform process through the technical working group on legal and judicial reform, one of 18 technical working groups established under the consultative group process. It worked to promote accessible laws, consistency between laws, and the conformity of all laws with the international human rights treaties accepted by Cambodia. The office focused on those laws essential to establishing the rule of law in Cambodia, most of which have been on the agenda for the last decade. The Code of Civil Procedure only reached the National Assembly in July 2005.

The office continued to participate in efforts to address corruption and to promote access to information held by the public authorities. In addition, the office continued to cooperate with

the Royal School for Judges and Prosecutors. 55 students from the School's first intake class graduated in November 2005. It also monitored a continuing dispute in the Bar Association following elections in October 2004, when the Bar elected an independent lawyer as its new president. The dispute has undermined the Bar's functioning and independence.

#### ◆ IMPLEMENTING ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The office gave particular attention to the right to adequate housing, and to preventing forced evictions, especially in Phnom Penh. It facilitated the mission of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living from 22 August to 2 September. The office also continued to support the finalization of Cambodia's initial report under the International Covenant on Economic, Social and Cultural Rights, which was due in 1994.

#### ◆ INTERNATIONAL HUMAN RIGHTS TREATIES

Cambodia is party to six international human rights treaties, most of which it acceded to in 1992. It signed the Optional Protocol to the Convention against Torture in September 2005. The office advocated the ratification of the Optional Protocol and sought to assist the Government in complying with its treaty reporting obligations.

#### ◆ PUBLIC INFORMATION

The office distributed human rights publications, laws and information materials to the general public, NGOs, students and Government officials. It regularly translated reports, statements and United Nations resolutions into Khmer. A fourth edition of the Compilation of Laws in Khmer was published in September and the office began distribution to Governmental and non-governmental institutions throughout Cambodia. The Compilation includes revised translations of international human rights treaties and revised and new translations of other international instruments, such as the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Independence of the Judiciary. A new web site was set up in April to make available all public documents issued since the establishment of the office in Cambodia.



### ◆ COOPERATION WITH OTHER ORGANIZATIONS AND GROUPS

The office cooperated with UNESCO in the organization of a national workshop on rights-based education with the Minister of Education. It assisted the Resident Coordinator in organizing a workshop on human rights-based approaches to programming for United Nations staff and national counterparts. It also worked with the ILO on issues relating to indigenous peoples and freedom of assembly and association.

The office participated in technical working groups on land and on legal and judicial reform, established as part of the consultative process between donors and the Government under the co-chairmanship of the World Bank and the Ministry of Economy and Finance. It also attended quarterly meetings of the Government Donor Coordinating Committee.

### ◆ THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL

The office assisted the Special Representative of the Secretary-General for human rights in carrying out his mandate to maintain contact with the Government and people of Cambodia. Having served as the Secretary-General's Special Representative since 2000, the Special Representative ended his term on 31 October. During 2005, he issued several public statements, and completed a report on continuing patterns of impunity in Cambodia.

The Secretary-General appointed a new Special Representative on 1 November 2005. The office facilitated his first mission to Cambodia from 28 November to 5 December, and assisted in the preparation of his report to the 62nd session of the Commission on Human Rights. The Special Representative paid particular attention to Cambodia's Constitution and the rule of law, to the independence of the judiciary, to the need to combat continuing patterns of impunity, to the management of land and natural resources in a sustainable and just manner, to freedom of association and assembly and freedom of expression, and to creating an environment suited to the conduct of legitimate political activity.

## IMPACT AND ACHIEVEMENTS

As part of the UNCT, the office worked well with other agencies to integrate human rights norms and standards more fully into country-level analysis and planning, and to implement human rights standards in development programmes. The support provided to the Special Representative of the Secretary-General fostered an enabling environment for human rights work and work with international agencies, NGOs and donors.

Protection activities focused on safeguarding human rights through monitoring, research and analysis, and reporting on the human rights situation. Technical cooperation activities helped to develop the institutional capacity, laws, policies, and practices necessary to implement international human rights agreements and instruments. The administration unit provided personnel, administrative, financial, and logistical support, and served as the security focal point. The detailed study of selected land disputes helped to raise recurring problems in the management of natural resources and the mechanisms for addressing disputes and related violations of human rights.

The Office also provided regular briefings to diplomats, international organizations, liaised with the media, and hosted meetings to discuss common concerns. Overall, beneficiaries of OHCHR's work included NGOs and civil society organizations, victims of violations of human rights, judges, prosecutors, the courts, and the Ministries of Interior, Justice, Land Management and Women's Affairs.

## CONSTRAINTS

Some activities were delayed by a protracted recruitment process for international staff, following the restructuring of office programmes in 2004.

## FUNDING

In addition to funds from voluntary contributions detailed below, US\$ 836,842 was used from the United Nations regular budget in support of the above-mentioned activities.

## VOLUNTARY CONTRIBUTIONS CAMBODIA

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Sweden	Cambodia	28'289	25'959
<b>Total</b>		<b>28'289</b>	<b>25'959</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## STATEMENT OF INCOME AND EXPENDITURE CAMBODIA

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	1,845,485
Adjustment <sup>1</sup>	-20,899
Income from contributions	25,959
Other funds available <sup>2</sup>	56,985
Total funds available	1,907,530
Expenditure <sup>3</sup>	110,214
<b>Closing balance<sup>4</sup></b>	<b>1,797,316</b>

<sup>1</sup> Includes adjustments to prior year expenditures, savings and refunds to donors.

<sup>2</sup> Includes interest income.

<sup>3</sup> Includes disbursements & unliquidated obligations as at 31 December 2005.

<sup>4</sup> Includes all funds held as at 31 December 2005.

## EXPENDITURE BREAKDOWN CAMBODIA

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	50,740	191,234
Experts/consultants' fees and travel	57,312	133,594
Travel:		
OHCHR staff	-23,439	54,300
Commission members	0	0
Representatives and other participants	0	3,572
Contractual services	17,223	81,194
General operating expenses	22,726	64,900
Supplies and acquisitions	-17,566	22,566
Grants, contributions, fellowships and seminars	-9,462	13,970
<b>Sub-total</b>	<b>97,533</b>	<b>565,330</b>
Programme support costs	12,681	73,491
<b>Total</b>	<b>110,214</b>	<b>638,821</b>

## NEPAL

### BACKGROUND

By early 2005 the human rights situation in Nepal was widely considered, both internationally and domestically, to be critical. This included the humanitarian law violations in the conduct of the conflict and a wide range of civil and political, economic, social and cultural rights affecting the wider population. On 1 February 2005, His Majesty King Gyanendra dismissed the Government, citing the failure to hold elections and combat the insurgency effectively, and declared a state of emergency for three months, suspending some fundamental rights. Hundreds of political opposition and civil society leaders were arrested and held in detention for several weeks to several months. From 1 February onwards, executive authority in Nepal was exercised directly by King Gyanendra, as Chairman of the Council of Ministers.

On 10 April 2005, the High Commissioner signed a two-year Agreement with His Majesty's Government to establish an office in Nepal. This was followed, on 15 April, by resolution 2005/78 of the Commission on Human Rights, welcoming the Agreement. The High Commissioner appointed a representative to head the new office, which subsumed the functions of the OHCHR senior human rights adviser to the United Nations Resident Coordinator, in Nepal since 2003.

### OBJECTIVES

The Agreement between OHCHR and His Majesty's Government mandates OHCHR to monitor the situation of human rights and observance of international humanitarian law in the context of

the armed conflict, to strengthen national capacity for the protection of human rights, to advise State authorities, and in particular to advise and assist the National Human Rights Commission. The office is required to report on its activities and the human rights situation, including through reports from the High Commissioner to the General Assembly and the Commission on Human Rights. From May 2005 to April 2006, taking into consideration the human rights situation, OHCHR categorized its priority concerns as (1) those related to the armed conflict, including breaches of international humanitarian law; (2) restrictions on democratic rights; and (3) long-standing human rights concerns, including gender and caste discrimination.

Within these broader objectives, when refining priorities periodically, the office has taken into consideration major changes in the situation within the country, including a unilateral cease-fire by the CPN-Maoist from September 2005 to January 2006 and the decision by opposition political parties and civil society to call for mass peaceful demonstrations beginning in autumn 2005 in favour of restored democracy.

## IMPLEMENTATION

The representative of the High Commissioner arrived in Nepal on 7 May 2005 leading an initial team of 10 human rights officers and support staff, to implement the office's mandate as well as to prepare for the arrival of the full contingent of staff at the end of the year. By the end of 2005, the office had 53 national and international staff. In addition to headquarters in Kathmandu, the mission structure comprises four regional offices (Nepalgunj, covering the Far Western and Mid-Western regions; Biratnagar, covering the Eastern region; Pokhara covering the Western region; and Kathmandu, covering the Central region). The initial deployment of staff to Nepalgunj took place in August and to Biratnagar in December, with the Pokhara and Kathmandu regional offices opening in early January 2006. Headquarters includes the office of the representative; a protection section; a capacity-building, training and best practices section; a public information and outreach unit; an administrative services unit; and a field security and safety unit. By the beginning of 2006 the number of staff increased significantly to 75 national and international staff.

Since May 2005, OHCHR has investigated reports of summary and extrajudicial executions, the killing of and the failure to pro-

tect civilians, disappearances and abductions, arbitrary arrest and detention, torture, child recruitment, sexual and gender-based violence, and violations of the rights to freedom of expression, freedom of assembly and freedom of association, among others. It found that responsibility for these violations lay variously with the State authorities or the Communist Party of Nepal (Maoist) (CPN (Maoist)), and in some limited instances with vigilante groups. Particular attention was given to monitoring and intervention to protect human rights in the context of public demonstrations and OHCHR sought to prevent violence by the security forces and conducted investigations where violence occurred.

The office raised specific concerns with the State authorities and with the CPN (Maoist) through meetings and communications as well as through letters, public statements and reports, seeking action to end ongoing violations, to prevent reoccurrences, and to bring perpetrators to justice. The Government and its security forces generally showed good cooperation with OHCHR in terms of access and availability. They responded to most written communications, although some responses fell far short of the information requested and little action was taken to address impunity. The CPN (Maoist) committed to allow OHCHR staff freedom of movement and access. OHCHR also met and raised human rights concerns with CPN (Maoist) leaders and cadres who have taken action on a number of individual cases; the majority of cases, however, received no response.

OHCHR provided advisory services and technical assistance to a variety of partners, including State authorities. OHCHR also worked closely with the National Human Rights Commission, with UNDP and donors to organize a comprehensive review of assistance to the Commission to be carried out in early 2006. This review was based on recommendations from an assessment of the National Human Rights Commission carried out in July 2005, led by the head of OHCHR's national institutions unit.

OHCHR worked closely with the United Nations Country Team (UNCT), participating in weekly UNCT meetings, and chairing a United Nations inter-agency human rights protection working group established at the head of agency level. In addition, the office provided expert guidance and coordination for the visits to Nepal of special procedure mandate-holders, provided substantive input to the work of treaty bodies and advocated for implementation of treaty body recommendations.

## CONSTRAINTS

Despite a very rapid initial deployment in May 2005, administrative and logistical obstacles led to delays in recruitment and deployment of the full contingent of staff and delivery of vehicles and other equipment. In addition, while the OHCHR office in Nepal is the largest OHCHR field presence, the operation is nevertheless small when measured with the seriousness and complexity of the human rights situation in Nepal, and the challenging terrain.

## IMPACT AND ACHIEVEMENTS

OHCHR's rapid deployment to Nepal in early May was widely praised and the set-up of the mission was facilitated by excellent donor support in 2005. Through a mixture of monitoring and visibility, investigations, reporting, advocacy, partnerships and capacity-building, OHCHR is considered by a wide range of actors in Nepal (State authorities, civil society, the media, and the international community) to have had a significant impact on the human rights situation. On a number of specific concerns, the impact was measurable: the number of disappearances, the number of civilians killed in the context of the conflict, the number of instances of detained Maoists tortured, and the numbers of persons detained in army camps, have all fallen substantially from previously reported levels. The Maoists have issued renewed commitments to human rights and have taken specific actions with regard to the protection of internally displaced persons and of persons taken prisoner. Following an OHCHR investigation and report there has been no repeat by Maoists of the attacks on civilian buses that killed civilians in June 2005.

Beneficiaries of OHCHR's activities include persons affected by or vulnerable to violations of international human rights and breaches of international humanitarian law. Civilians in areas of regular armed conflict, Maoists detained by the security forces, security forces and civilian authorities captured or abducted by the Maoists, children and internally displaced persons are among those persons for whom OHCHR has clear indicators demonstrating improved respect for their human rights resulting from OHCHR's interventions. Arrested and detained leaders of civil society, detained political party activists, participants in public demonstrations, journalists and human rights defenders are also among those persons who have benefited directly from

OHCHR's interventions in the area of democratic rights. Human rights defenders working to address caste and gender rights concerns have been beneficiaries of OHCHR's efforts to address long-standing human rights concerns.

The High Commissioner presented a report on Nepal to the 60th session of the General Assembly in November 2005 and in late 2005 began preparations for a report to the 62nd session of the Commission on Human Rights in 2006, which will now be considered by the Human Rights Council. OHCHR has also released several reports on ad hoc investigations, including on the killing of civilians and on breaches of international humanitarian law.

## EVALUATION AND LESSONS LEARNED

Despite not having its full contingent of staff during 2005, the first eight months of operation of the Nepal office showed that even a limited number of human rights personnel were able to have a significant impact on the human rights situation. As additional staff arrived they were able to function effectively almost immediately upon arrival, showing that both recruitment and the office's methodology for the organization and implementation of its human rights mandate were sound. It is important to note that the office was able to very quickly establish credibility with a wide range of State and civilian authorities as well as with the CPN-Maoist, and with civil society. This credibility, and regular communication with all three sets of actors, was further bolstered by firm and consistent support from the international community which did not hesitate to give human rights central prominence in discussions on Nepal. All these factors have been significant in assuring the effective impact of OHCHR in Nepal.

## VOLUNTARY CONTRIBUTIONS

## NEPAL

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Canada	Nepal	783,432	801,990
Denmark	Nepal	1,348,511	1,305,701
Finland	Nepal	1,206,273	1,201,923
France	Nepal	120,919	120,627
Germany	Nepal	304,878	302,663
Ireland	Field offices	250,940	250,940
Norway	Nepal + field offices	1,305,876	1,306,465
Sweden	Nepal	257,069	250,460
Switzerland	Nepal	704,072	698,397
United Kingdom	Nepal	1,469,209	1,443,470
United States of America	Nepal	700,000	300,000
<i>Other donors</i>			
European Commission	Nepal	5,882,353	0
<b>Total</b>		<b>14,333,532</b>	<b>7,982,636</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## EXPENDITURE BREAKDOWN

## NEPAL

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	1,762,418	0
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	282,197	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	20,000	0
General operating expenses	745,600	0
Supplies and acquisitions	964,880	0
Grants, contributions, fellowships and seminars	15,000	0
<b>Sub-total</b>	<b>3,790,095</b>	<b>0</b>
Programme support costs	492,712	0
<b>Total</b>	<b>4,282,808</b>	<b>0</b>

## BOSNIA AND HERZEGOVINA

## BACKGROUND

The human rights situation in Bosnia and Herzegovina has remained static for some time. Progress in furthering protection systems, in establishing the rule of law and in improving governance and economic development has been slow. Problems remain intractable in the face of political interests and economic constraints, particularly in the area of transitional justice which includes institutional reform, restitution, justice for victims and protection for those made vulnerable by conflict. As of 1 January 2005, the War Crimes Chamber of Bosnia and Herzegovina took over the major role in prosecutions. There are serious concerns that the overall failure to ensure support and protection for witnesses will undermine its ability to provide justice.

There is a persistent lack of sustainable solutions to the predicament of internally displaced persons and returnees. Widespread discrimination on the grounds of ethnicity, gender and political affiliation continues, and poverty now affects more than 50 per cent of the population. Compliance with domestic and

international legal obligations is far from satisfactory. Nationalist parties still dominate and discrimination persists, largely due to the constitutional demarcations of authority established by the Dayton Peace Agreement, with little authority at the State level and continued obstacles to the harmonization of legislation.

OHCHR addresses specific human rights concerns in Bosnia and Herzegovina that include: the lack of progress in developing protection systems for the economic and social rights of vulnerable groups; continued impunity for alleged war criminals still in positions of authority, (a particular concern for the issue of police reform); continued discrimination on the basis of gender and failure to comply with the gender law; and the failure to provide adequate support and protection systems for victims and witnesses of war crimes and trafficking. There are also real concerns about the lack of protection for asylum-seekers, other aliens and those with dual citizenship.

## OBJECTIVES

- To ensure increased and sustainable human rights protection, in particular with regard to the economic and social rights of vulnerable groups, non-discrimination, women's rights, impunity, and trafficking.
- To increase the capacity of the Government and civil society to comply with treaty body processes, including reporting and follow-up to recommendations.

## IMPLEMENTATION

### ◆ TRANSITIONAL JUSTICE

Transitional justice was a core focus of the office in 2005. Key issues include the failure to: provide effective social and economic protection for those made vulnerable by the conflict; secure restitution and compensation; ensure effective institutional reform; and, more broadly, to provide access to justice for all.

In 2004 concerns were raised about the fairness of the State Court, and OHCHR was asked to monitor certain trials involving organized crime and corruption. In 2005, the office issued a report entitled *Compliance with Human Rights Standards in Criminal Proceedings*, which highlighted failures to comply with human rights standards in pre-trial procedures and during trials.

The report was given to key partners, including the President of the State Court and the High Representative, and resulted in changes to procedures for the selection of prosecutors, more stringent monitoring of the court and greater delegation of authority to national actors. OHCHR also monitored selected trials in the War Crimes Chamber of the State Court in order to ascertain, inter alia, the effectiveness of support for witnesses. The monitoring showed serious failings in the system and demonstrated that a coherent course of action is needed to address the identified shortcomings.

In the context of establishing a truth commission, OHCHR assisted in bringing together victims groups for initial discussions, which revealed concerns about establishing a truth commission at this stage and the lack of transparency and proper participation of civil society in the process of its establishment. OHCHR worked together with OSCE to advocate for compliance with Human Rights Chamber decisions to establish commissions of inquiry in some 14 locations in the country, and to devise a strategy for how these could lead to truth, justice and respect for the rule of law.

OHCHR continued its work with groups made vulnerable by the conflict, issuing analyses and submissions to the Committee against Torture, participating in numerous and regular meetings with victims' groups to explain the legal frameworks, and intervening in individual cases where it was clear that they involved a denial of rights. In July, OHCHR produced the *Report on the Enjoyment of the Rights of Families of Missing Persons in Bosnia and Herzegovina*, which was widely disseminated among local and international actors in the country. It provides a framework and guidelines for State actors on meeting the needs and respecting the rights of families of missing persons.

### ◆ GENDER

Gender discrimination remains a major issue in almost all areas, ranging from lack of participation in public life to lack of recognition and assistance to victims of sexual violence during conflict. OHCHR engaged in numerous activities to promote equality, including the implementation of the gender law, together with NGOs, UNDP and UNICEF. OHCHR drafted a commentary on the gender law that provides practical guidelines for all actors on making it effective, which will be published in 2006. The Office also intervened in specific cases where legislation has not been brought into conformity with the gender law. For example, the



election law limits the opportunity for the participation of women in public life. OHCHR cooperated with the national gender institutions and NGOs to address this matter, working with key actors to identify obstacles to participation as a result of the law and to propose amendments.

Domestic violence remains a major problem, and OHCHR continued to provide training on the law as it relates to gender-based violence in various municipalities. The office supported the NGO Lara in producing research on this issue. Together with Global Rights, OHCHR worked with judges of the Minor Offence Courts, police and NGO representatives to implement the law on protection of victims of domestic violence in the Federation of Bosnia and Herzegovina.

#### ◆ INTERNALLY DISPLACED PERSONS

The situation of 186,000 displaced persons remains unresolved. From 9 to 15 June OHCHR and UNHCR facilitated the visit of the Representative of the Secretary-General on the human rights of internally displaced persons. OHCHR also cooperated with the NGO Vasa Prava to raise awareness among State bodies of the problems faced by internally displaced persons who are victims of war torture. This activity will be continued during 2006.

#### ◆ HUMAN TRAFFICKING

Despite the adoption of a coherent national plan of action and relatively progressive laws on the protection of victims, trafficking in persons remains a serious concern due to difficulties in law enforcement. In May, OHCHR launched a project and hired a consultant to assess the current situation, identify gaps in the protection of victims and develop a set of indicators to improve the collection of data on trafficking in Bosnia and Herzegovina. Gaps in the response to trafficking were identified in the following areas: in the implementation of existing measures and in making the division of responsibilities among the actors involved more clear; coordination of relevant institutions, particularly regarding referral and protection of victims; and in the availability of basic information about current trends in trafficking, as a result of the lack of an effective information-gathering and exchange system.

Based on this assessment OHCHR, in cooperation with the State coordinator and NGOs, contributed to the Government plan of activities for 2006, including the development of trafficking

indicators and a data collection system. The office organized a meeting with the State Prosecutor to clarify the legal status of victims and the approach used by the Prosecutor. It also conducted training for Government representatives, including law enforcement officials, on the implementation of international and national legal standards to fight trafficking in human beings. The office participated in the meetings of the State group against trafficking in Bosnia and Herzegovina with the NGO sector, and in other meetings on trafficking organized by the State coordinator and international agencies.

OHCHR prepared a draft paper on development of indicators on human trafficking, with a view to strengthening the system of data gathering on trafficking in Bosnia and Herzegovina. These indicators are intended to be used in the future as a tool to assess trafficking trends and modalities in the country. The office also produced the *Legal Manual on Protection of Trafficking Victims*.

In order to identify gaps in the system of protection of victims and to assess the effectiveness of resettlement as a long-term solution, the office organized a visit to Sweden to meet relocated victims of trafficking. The outcome of this visit will be made public in 2006. In cooperation with the NGO Vasa Prava, OHCHR monitored cases of trafficking and offered advice and assistance to victims. The office also facilitated the visit to Bosnia and Herzegovina by the Special Rapporteur on trafficking in persons and provided comments on her report.

OHCHR also took part in regional initiatives and events on the issue of trafficking. At a meeting of experts held in Vienna in June 2005, the office contributed to drafting a provisional analysis of the existing jurisprudence for the protection of women trafficked for sexual exploitation. Also in Vienna, OHCHR attended meetings of the Alliance Expert Coordination Team organized by the OSCE Special Representative on Trafficking. The office collaborated in an assessment of the "Elaboration of a European Union template and collection plan for Statistical Information and Analysis on Missing and Sexually Exploited Children and Trafficking in Human Beings," which was carried out by the Alliance Expert Coordination Team at the request of the EU, and prepared comments on the EU Plan of Action on Trafficking. With UNICEF and OSCE/ODHIR, OHCHR launched the third SEE RIGHTS report, commissioned by the three organizations on country activities for the prevention of trafficking in Southeast Europe. Credit must be given to UNICEF for the tremendous work they put into this project. OHCHR also

facilitated cooperation between the Government of Bosnia and Herzegovina and the Anti-Corruption and Anti-Trafficking regional organization network (ACTA).

#### ◆ TREATY BODY REPORTING

Training on treaty body reporting conducted by OHCHR in 2004 continued into 2005. It aimed to raise awareness and develop expertise on the part of the Government and NGOs on the United Nations human rights system and reporting obligations. Reports for the Committee on the Rights of the Child, the Committee against Torture, the Committee on Economic Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination were completed in 2005; those for the Committee on the Elimination of Discrimination against Women and the Human Rights Committee will be completed in 2006. For all reports, OHCHR organized meetings giving the Government the opportunity to present its work and providing NGOs with a forum to discuss their input and prepare submissions for the committees. NGOs presented joint statements to the committees. OHCHR also made submissions to the Committee against Torture and the Committee on Economic, Social and Cultural Rights, as well as to the Committee on the Elimination of Racial Discrimination in view of the Committee's session in March 2006.

OHCHR organized a preparatory workshop to strengthen national human rights protection mechanisms that was attended by NGOs, the media and national human rights institutions. Government representatives were invited to specific sessions. A second workshop was held in Geneva for some of the participants.

#### ◆ HUMAN RIGHTS-BASED APPROACHES TO DEVELOPMENT AND POVERTY REDUCTION STRATEGIES

The publication entitled "Methodology and Tools for Human Rights-Based Assessment and Analysis" was produced and launched by OHCHR and UNDP in Bosnia and Herzegovina in June 2005 further to the Rights-Based Municipal Assessment Project (RMAP). This publication aims to design and test methodologies for human rights-based development and is the result of the completion of 18 human rights-based municipal assessments conducted as a basis to design municipal development plans. The package was distributed to NGOs in the country and the region, as well as to international organizations.

#### ◆ TRAINING AND PUBLIC PRESENTATIONS

OHCHR organized various training sessions on human rights and supported the development and dissemination of human rights training material. OHCHR in particular assisted the International Council of Voluntary Agencies in the publication of *Human Rights Monitoring in Bosnia and Herzegovina*, which highlights the importance and role of NGOs in independent monitoring and protection of human rights, through the experience of a small group of NGOs on monitoring poverty reduction strategy papers. OHCHR provided introductory training on human rights-based approaches to the members of the Legal Issues Group, a group of legal experts from the region, which is part of the Southeast European Refugee Assistance Network (SEERAN). Trainings were also provided to OSCE field offices. On these occasions, the RMAP tools package was distributed to the participants. During the course of the year, OHCHR gave presentations on elements of transitional justice at events designed to raise awareness of the problems in Bosnia and Herzegovina.

#### ◆ INTERNATIONAL HUMAN RIGHTS DAY

On 16 December, to celebrate International Human Rights Day, OHCHR organized a conference on taking stock of human rights in Bosnia and Herzegovina, which brought together the Prime Minister, Government representatives, NGOs and international organizations to assess progress made in human rights protection in 2005. In preparation for this event and in cooperation with OSCE, the office organized a series of meetings with NGOs in Sarajevo, Banja Luka and Tuzla, focusing on social protection, gender equality and law enforcement. Questionnaires were sent out to NGOs on all areas identified as priorities in 2004.

## CONSTRAINTS

In the area of transitional justice, OHCHR could not meet the demands placed on it due to a lack of human resources. Although partnerships with other organizations such as the International Commission on Missing Persons were very productive, it was difficult to ensure that the correct methodology was applied by all actors involved and that human rights were respected in the process.



In addition, constant amendments and different initiatives for reform of the legal framework protecting victims of torture delayed the anticipated launch of the OHCHR report on torture victims. In this regard, the lack of Government resources and the absence of a law at the State level were also major constraints.

As concerns gender issues, the legal and institutional framework limited the scope of OHCHR's possible achievements. There are few truly independent NGOs in Bosnia and Herzegovina and those that exist lack resources. On trafficking, continued lack of real understanding of the issue by Government authorities was a major constraint. The lack of monitoring and evaluation mechanisms added to the general lack of reliable information about trafficking trends and responses. International agencies did not have a human rights-based approach to trafficking, resulting in a lack of effective cooperation, especially on the issue of protection of victims. The weak position of local NGOs also resulted in poor protection for victims of trafficking.

## IMPACT AND ACHIEVEMENTS

In the area of transitional justice, OHCHR's report on the State Court's compliance with human rights standards resulted in changes in procedures for the selection of prosecutors, more stringent monitoring of the court and greater allocation of authority to national actors. Monitoring of war crimes trials contributed to raising awareness of the need for proper support and protection for witnesses. However, further action remains necessary in 2006 to develop an integrated course of action to address the identified shortcomings.

As a result of the office's activities regarding vulnerable groups, awareness and understanding of the legal framework was significantly improved, but the inability of stakeholders to drive this process forward reduced its impact. Regarding trafficking, the assessment and report prepared by OHCHR in 2005 were used as a basis for the Government's plan of activities for the year 2006. The visit to Sweden provided vital information on the process of protection of victims of trafficking in Bosnia and Herzegovina and the resettlement process. The development of indicators will be finalized, and the indicators need to be tested, approved by the State Coordinator's Office and implemented by the agencies responsible for data collection.

The work on treaty body reporting benefited greatly from the input of OHCHR headquarters. The committees also expressed their appreciation for the quality of the submissions made by OHCHR and its assistance in the process. The concluding observations issued by the committees are both relevant and useful.

The conference and meetings organized by OHCHR in connection with International Human Rights Day have led to direct consultations between NGOs and the Ministry of Human Rights.

## EVALUATION AND LESSONS LEARNED

While OHCHR can claim major success in identifying many of the problems in the transitional justice process, and though the office has had a major impact on the Court, it remains to be seen whether the procedures that have been developed and advocated will be implemented by partners such as OSCE, the Office of the High Representative in Bosnia and Herzegovina, and the Court itself. OHCHR's independence and proven track record on gender issues allowed the Office to retain the trust of NGOs who provide accurate analysis of these issues.

### EXPENDITURE BREAKDOWN BOSNIA AND HERZEGOVINA

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	484,301	337,641
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	17,155	9,558
Commission members	0	0
Representatives and other participants	0	0
Contractual services	20,032	32,171
General operating expenses	50,066	38,422
Supplies and acquisitions	-23,718	-10,587
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>547,836</b>	<b>407,205</b>
Programme support costs	71,589	52,937
<b>Total</b>	<b>619,425</b>	<b>460,142</b>

## VOLUNTARY CONTRIBUTIONS

### BOSNIA AND HERZEGOVINA

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Italy	Bosnia and Herzegovina	51,881	51,746
Norway	Balkans	393,035	387,526
<b>Total</b>		<b>444,916</b>	<b>439,272</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## SERBIA AND MONTENEGRO

### BACKGROUND

OHCHR established a field presence in the former Federal Republic of Yugoslavia in March 1996, with a mandate to monitor, promote and protect human rights. This arrangement was formalized through a status agreement with the Government in 1998. When the State Union of Serbia and Montenegro was formed in January 2003, a Memorandum of Understanding was signed between its Council of Ministers and OHCHR, reaffirming the terms of the earlier agreement and expanding the mandate to include advisory services and technical support to strengthen national capacities and institutions for the protection and promotion of human rights.

Effective implementation of core human rights obligations remains a major challenge for Serbia and Montenegro. The development of independent national human rights institutions remains an important need, as does coming to terms with impunity, such as through the recognition and prosecution of war crimes. There has been little progress in this area and only a few perpetrators have been brought before domestic courts. Constructive participation by civil society in the transitional process of Serbia and Montenegro is an ongoing challenge.

In Montenegro, despite efforts to improve the human rights record, some critical issues persist: violations of international humanitarian law in the 1990s have not been addressed, cases of police violence are frequently reported, and the independent media is faced with libel suits brought by Government officials.

Human rights defenders and members of the opposition are often the targets of threats or attacks. The situation of displaced persons remains a major concern, with some 17,000 from Kosovo. Uncertainties prevail in the context of the talks on the future status of Kosovo and of the referendum on the independence of Montenegro.

In Kosovo, the human rights situation raised serious concerns because of new and ongoing violations and the slow rate of improvement. Moreover, frequently Serbs, Roma, Ashkali and Egyptians could not enjoy freedom of movement, either because of actual incidents of violence or their lack of confidence to do so due to intimidation and discrimination, both real and perceived.

There was widespread concern that impunity prevailed in Kosovo. Although a number of criminal cases were brought to court following the incidents of violence of March 2004, many perpetrators have not been brought to justice. The situation appears even more worrying when considering cases involving war crimes, enforced disappearances and abductions, and political and ethnic motivated crimes from the period 1998-2001.

### OBJECTIVES

The objective of OHCHR is to contribute to the development of a stable democratic society with a solid legal framework that protects rights holders, offers strong national redress mechanisms and fosters diversity and tolerance. The immediate objectives are to monitor and report on the human rights situation, and to support the effective implementation of international human rights standards as the Government undertakes legislative and

institutional reforms. These objectives are pursued through a strategy of practical cooperation on human rights issues with relevant authorities, international organizations and other United Nations agencies, and representatives of civil society at the community level.

In Kosovo, taking into account the large international presence and its own resource constraints, the Office focused on areas where it was able to make unique contributions and fulfil its specialized role within the United Nations system. It also aimed at working and coordinating as closely as possible with other international and local actors. The main objectives related to strengthening local human rights capacity, promoting action to end discrimination, and mainstreaming human rights into the activities of the international presence.

## IMPLEMENTATION

In 2005, the number of staff members was radically reduced in Belgrade to one officer-in-charge, three national professional staff and two support staff. The Montenegro sub-office was closed at the end of 2005. Activities were implemented by OHCHR staff in both Serbia and Montenegro, local experts hired as short-term consultants and by local organizations. The latter were funded through grant agreements for specific assignments.

Throughout its regular activities, the office worked in coordination with the United Nations Country Team (UNCT) on human rights assessments related to development and humanitarian aspects, and with the Council of Europe on human rights and civic education. It worked on an ongoing basis with Government representatives from the Ministry of Foreign Affairs of Serbia and Montenegro and Ministry of Interior of Serbia, and Office of the General Inspector, as well as municipal bodies, and with numerous NGOs active in human rights. The Human Rights Contact Group, composed of NGOs and international organizations working on human rights, established by OHCHR in 2001, was further developed outside Belgrade through regional groups in Sandzak, Vojvodina, Southern Serbia, and Montenegro. In Kosovo, a number of activities were implemented in collaboration with the Finnish Human Rights Support Programme with which OHCHR has a Memorandum of Understanding.

### ◆ MAINSTREAMING HUMAN RIGHTS INTO THE WORK OF THE UNCT

In Serbia and Montenegro, the office consistently brought the most critical human rights issues to the attention of the United Nations agencies, actively contributing to the work of the UNCT in order to strengthen the human rights framework. In Kosovo, OHCHR contributed to further mainstreaming human rights into the work of the UNCT. To this end, a human rights theme group was created, which prepared plans for joint programming activities in 2006.

### ◆ TREATY BODIES AND SPECIAL PROCEDURES

In Serbia and Montenegro, OHCHR led the UNCT in providing comments for the Committee on Economic, Social and Cultural Rights. The office also assisted national NGOs in Serbia and in Montenegro in the preparation of a shadow report to the Committee. The Pristina office provided guidance to the United Nations Interim Administration in Kosovo (UNMIK) to assist it in reporting on the implementation of the International Covenant on Civil and Political Rights. The office prepared a report on the situation of human rights defenders in Serbia and Montenegro and organized a series of meetings with NGOs to introduce the declaration on human rights defenders and discuss the situation of human rights defenders in the country. In addition, the office helped a human rights NGO to present a case to the Working Group on Enforced or Involuntary Disappearances, while the Pristina office provided information to several special procedures with thematic mandates that were of relevance to the situation in Kosovo.

### ◆ LEGISLATIVE REFORM AND IMPLEMENTATION

OHCHR in Kosovo provided comments to UNMIK and the Provisional Institutions of Self-Government on a number of pieces of draft legislation. The office supported efforts by the Provisional Institutions of Self-Government and the Department of Justice of UNMIK to implement anti-discrimination legislation promulgated in 2004. OHCHR in Kosovo provided support and advice on a number of related areas including on the drafting of new legislation on the use of languages, promoting ethnic diversity among judges and prosecutors and increasing access to justice for members of minority groups.

◆ **INSTITUTIONAL REFORM**

In close cooperation with OHCHR headquarters in Geneva, the Kosovo office provided advice to UNMIK on legislation and its decision in May to replace the international Ombudsperson with a locally based institution.

OHCHR promoted the implementation of the recommendations of the Council of Europe Venice Commission on the creation of additional human rights mechanisms in Kosovo. The Pristina office advocated for the creation of human rights units as focal points for implementation and monitoring capacities in each Ministry of the Provisional Institutions of Self-Government and obtained a written commitment from the Prime Minister on this initiative, which was undertaken in collaboration with the OSCE Mission.

◆ **COMBATING IMPUNITY**

The office monitored the most important organized crime and war crimes trials in Serbia. OHCHR continued to advocate for progress in investigations into mass graves in Serbia, in particular the Batajnica mass grave, and for the police to identify suspects. Nine suspects, of whom six were policemen still in service, were arrested at the end of 2005 and are currently under investigation. OHCHR intervened with the Inspector General of the Public Security Police to investigate a range of allegations of police misconduct. The office continued research on torture and ill-treatment by the police in Serbia.

In Montenegro, OHCHR closely monitored developments in cases of forced evictions in Podgorica, in cooperation with local NGOs, the housing coordinator of the Stability Pact for South-eastern Europe and UNDP.

◆ **HUMAN RIGHTS EDUCATION AND PROMOTION**

OHCHR regularly met with the Protector of Human Rights and Freedoms in Montenegro with a view to supporting its human rights capacity. OHCHR supported the development of national capacity to introduce human rights education into the curriculum in formal education (primary and secondary schools) and ensured the translation of human rights education material into the local languages.

OHCHR staff gave lectures and interviews on a wide range of issues, including on treaty body reporting as concerns both State and alternative reports. To celebrate International Human Rights Day, OHCHR brought together more than 30 NGOs from different local communities in Serbia and organized additional events for the promotion of human rights. In addition, the office organized a roundtable on violence as a danger to human rights, with well-known national panellists. This event was widely covered by the press.

◆ **TRAFFICKING, GENDER AND GENDER-BASED VIOLENCE**

OHCHR took part in discussions and roundtables with other international and national organizations of the Stability Pact Task Force on trafficking in human beings. The office participated with UNICEF and OSCE/ODIHR at the launching of the 2005 report on the status of trafficking in human beings in Southeast Europe.

**CONSTRAINTS**

In 2005, the deteriorating financial situation of human rights NGOs, including prominent ones, combined with the absence of an appropriate legislative framework for the civil society sector, contributed to further weakening civil society. Threats and verbal attacks against the most prominent human rights defenders by high-level politicians and the continuous rise of right-wing nationalism revealed the hostile attitude of a significant section of the political class towards civil society and a defensive attitude vis-à-vis demands for the protection of human rights. Civil society organizations are still not recognized as partners.

Cooperation with national partners has involved some constraints. National counterparts remain fragile in an environment that is largely antagonistic to human rights. The political environment made project implementation difficult. Capacity-building efforts are frequently undermined or underused because of suspicious if not hostile attitudes towards requests for human rights protection. The Office recognized the need to intervene with the authorities and support their human rights-related responsibilities by providing advice rather than implementing activities on its own.

The passivity of the authorities in addressing the most politically sensitive human rights issues in both Serbia and Montenegro, such as war crimes, casts doubt on the commitment to respect, protect and fulfil human rights. The recommendations issued by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights were not discussed publicly, and four reports to treaty bodies are pending. The long-awaited establishment of a national human rights institution in Serbia has not yet been achieved, and a suitable law on anti-discrimination is still missing.

In Kosovo, the Provisional Institutions of Self-Government have extremely limited capacities for the implementation of activities in the field of human rights. Few new staff members with appropriate backgrounds were hired during the year. These factors seriously constrained the possibilities to provide support and in particular training to the Provisional Institutions of Self-Government. The resources of OHCHR, modest in relation to the human rights challenges in Kosovo, were a further constraint. One of the main lessons learned from previous experience has been the need to promote information-sharing and coordination.

## IMPACT AND ACHIEVEMENTS

In Serbia and Montenegro, knowledge of United Nations human rights mechanisms and of specific recommendations made by the treaty bodies was enhanced within Ministries and civil society as a result of activities conducted by the Office. As a consequence of the active role of OHCHR in promoting the integration of human rights into development programmes, civil society is more aware of the importance of monitoring the poverty reduction strategy from a human rights perspective. The impact of persistent human rights training, promotion and education by OHCHR also led to a greater awareness of human rights issues at the community level. In Montenegro, the office established fruitful cooperation with the Protector of Human Rights and Freedoms.

Beneficiaries of OHCHR's work included: representatives from the State Union of Serbia and Montenegro and from each Republic, as well as members of Parliament; professionals from the media; NGOs and other civil society organizations; minority groups, in particular the Roma; women and children, especially victims of trafficking and other forms of violence; students and

young people; and prisoners and detainees. Other beneficiaries were the UNCT, individual United Nations agencies and organizations, and international agencies. In Kosovo, beneficiaries included officials of the UNMIK administration and officials in the Provisional Institutions of Self-Government, including members of the Kosovo Assembly. They also included professionals from the judiciary, media, NGOs and other civil society organizations, minority groups, including Roma, and women and children. Other beneficiaries were the United Nations Kosovo Team and individual agencies, as well as other international organizations.

In Kosovo, a number of pieces of legislation incorporated improvements suggested by OHCHR and their compliance with international human rights standards was strengthened. The Government made a written commitment to strengthen human rights capacities in all Ministries of the Provisional Institutions of Self-Government and a draft plan for creating a human rights strategy for the Provisional Institutions of Self-Government was prepared. An action plan for the implementation of the Anti-Discrimination Law was adopted by the cabinet of the Provisional Institutions of Self-Government.

Advice given by OHCHR contributed to the transfer of the institution of the Ombudsperson to a local institution and to help maintain continuity. OHCHR interventions and its support to the interventions of the Representative of the Secretary-General on the human rights of internally displaced persons contributed to obtaining commitments from UNMIK and the Provisional Institutions of Self-Government to relocate internally displaced persons. UNMIK published, in electronic format, the international instruments applicable to Kosovo in the local languages, using translations provided by OHCHR.

## VOLUNTARY CONTRIBUTIONS SERBIA AND MONTENEGRO

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Italy	Serbia and Montenegro	51,881	51,746
Norway	Balkans	405,687	400,000
<b>Total</b>		<b>457,568</b>	<b>451,746</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## EXPENDITURE BREAKDOWN SERBIA AND MONTENEGRO

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	758,854	255,443
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	33,224	2,655
Commission members	0	0
Representatives and other participants	0	0
Contractual services	54,180	39,234
General operating expenses	110,962	37,903
Supplies and acquisitions	-26,225	13,004
Grants, contributions, fellowships and seminars	0	384
<b>Sub-total</b>	<b>930,995</b>	<b>348,623</b>
Programme support costs	132,601	45,321
<b>Total</b>	<b>1,063,596</b>	<b>393,944</b>

## AFGHANISTAN

### BACKGROUND

The December 2001 Bonn Agreement, endorsed by Security Council resolution 1383, initiated the process of assistance from the international community to build security, governance, rule of law and human rights institutions in Afghanistan. Following national elections in September 2005, the Bonn process was completed by the inauguration of Parliament and the establishment of Provincial Councils. The international community will continue to assist Afghanistan under a new agreement called the Afghanistan Compact.

During 2005, OHCHR continued its work on strengthening the national human rights promotion and protection system in Afghanistan. This included continued support for the work of the human rights unit in the United Nations Assistance Mission in Afghanistan (UNAMA), participation in technical cooperation projects to support the work of the Afghanistan Independent Human Rights Commission (AIHRC) and assistance for the Government of Afghanistan in fulfilling its reporting obligations under international human rights treaties. In addition, OHCHR actively supported the transitional justice process in Afghanistan.

In Afghanistan, OHCHR is represented by the head of the human rights unit of UNAMA.

### OBJECTIVES

- Provide advice on integrating human rights into UNAMA's work and help UNAMA ensure that all United Nations activities integrate the promotion and protection of human rights.
- Assist the Government and AIHRC, through the human rights unit of UNAMA, in promoting and protecting human rights.
- Implement human rights provisions under the Bonn agreement.
- Support the AIHRC to enhance its effectiveness.
- Support the mandate of the Independent Expert of the Commission on Human Rights on Afghanistan.
- Support the mandate of the High Commissioner to report to the General Assembly and the Commission on Human Rights (the Commission) on the human rights situation in Afghanistan and the achievements in technical assistance in the field of human rights.
- Support transitional justice processes.



## IMPLEMENTATION

The High Commissioner submitted the mapping report documenting past human rights violations to the Government and AIHRC in January 2005. At the same time, the publication of the AIHRC report *Call for Justice* was launched. The latter is the result of countrywide consultations on dealing with past human rights abuses. Subsequently, the President's Office, AIHRC and UNAMA/OHCHR developed a national action plan on peace, reconciliation and justice in Afghanistan, which was first presented at a conference at The Hague in June and later endorsed by the Cabinet in December. The plan envisages a comprehensive approach to transitional justice in Afghanistan and has five elements: symbolic measures, institutional reform, truth-seeking and documentation, reconciliation and accountability.

In line with the action plan on peace, reconciliation and justice, OHCHR, UNAMA and AIHRC organized a three-day conference on truth-seeking and reconciliation in December. The conference included countrywide representatives and was preceded by a national consultation process. This conference was the first public discussion on the various methods and processes for dealing with crimes of the past.

The Ministry of Foreign Affairs inaugurated the launch of the technical cooperation project to build sustainable capacities on treaty reporting within the Government in November. A technical adviser from OHCHR assisted the Ministry with initial preparations and training for two months. Under this project the Government will draft an expanded common core document and one treaty body report over a 15 month period.

With the support of OHCHR, the UNAMA human rights unit participated and provided advice during the drafting of the Common Country Assessment (CCA) and United Nations Development Assistance Framework (UNDAF) with a view to integrating a rights-based approach into this programming instrument. The UNAMA human rights unit further built human rights awareness within the United Nations Country Team (UNCT) through regular briefings on human rights developments and incidents. It further initiated the discussion on establishing a thematic group on human rights within the UNCT as a more continuous body to assist the UNCT in fully integrating human rights into the programmes of United Nations agencies.

At the request of the Government of Afghanistan, UNAMA and AIHRC conducted a joint political rights verification exercise before the first Parliamentary and Provincial Council elections in September and October. Through countrywide monitoring, investigation and verification, the exercise determined the extent to which the current environment would be conducive to free and fair elections. Between June and October, three joint reports were published on the fundamental freedoms of expression, association, peaceful assembly and movement and the three principles of non-discrimination, non-intimidation and non-partiality. The reports provided detailed analysis of the general political environment throughout Afghanistan, verified cases of violations and included recommendations aimed at improving conditions before the elections.

OHCHR, through the UNAMA human rights unit, continued to provide support to AIHRC in developing and strengthening its capacity through a joint technical cooperation project with UNAMA and UNDP. AIHRC implemented its activities in six key areas: monitoring and investigation, women's rights, child rights, human rights education, transitional justice and the rights of the disabled. During the year, AIHRC indicated to its partners that it wished to commence a new project under different arrangements, with funding being received directly from donors and managed by the Commission. Under this arrangement, OHCHR and UNAMA would continue to provide political support and technical assistance. Consultants were engaged to advise on this transition, which will be completed on 31 March 2006.

Assistance was provided to the Independent Expert on Afghanistan during his second mission to Afghanistan from 30 January to 7 February and his subsequent report to the 61st session of the Commission on Human Rights. At the same Commission session, the High Commissioner for Human Rights was given the mandate to report on the human rights situation in Afghanistan and achievements in technical assistance in the field of human rights at following sessions of the General Assembly and the Commission. The UNAMA human rights unit provided information and assistance in the drafting of the High Commissioner's first report on Afghanistan to the General Assembly in October. Similar support was provided to the Special Rapporteur on violence against women, its causes and consequences, who undertook a mission to Afghanistan in July.

UNDP administered the finances of both the joint UNAMA/OHCHR/UNDP project in support of the AIHRC and the project on building sustainable capacity on treaty reporting within the Government of Afghanistan. The projects were implemented by AIHRC and by the Ministry of Foreign Affairs, with support from OHCHR.

## CONSTRAINTS

Afghans experienced improvements in the protection and promotion of human rights through the work of the AIHRC, OHCHR and UNAMA; however, the security situation remained very volatile. The work of human rights defenders, including the AIHRC, was sometimes constrained by illegal armed groups that impeded the authority of the central Government in parts of the country. Of further concern were a number of threats and attacks against human rights defenders. The security situation was considered insufficient for carrying out forensic investigations into mass graves in Afghanistan and this matter will be reviewed again in the spring and summer of 2006.

## IMPACT AND ACHIEVEMENTS

The truth-seeking and reconciliation conference created momentum and spearheaded public discussion on steps to address crimes of the past. It was the first opportunity for representatives from various regions to thoroughly discuss methods and processes for dealing with the past. Conclusions from the conference and the consultations that preceded it reinforced the findings in the *Call for Justice* report and showed the will and the aspirations of the people to end impunity through dealing with perpetrators of violations of human rights in the past and present. The technical meeting that followed the conference provided a more focused forum for human rights actors involved in the transitional justice process in Afghanistan to come up with concrete recommendations to maintain the momentum and to ensure the effective implementation of the action plan on peace, reconciliation and justice.

Efforts are continuing to build the capacity of the Ministry of Foreign Affairs and other responsible Ministries to be able to meet Afghanistan's reporting obligations under international human rights treaties.

The CCA and UNDAF explicitly recognize a rights-based approach in their analysis and implementation strategy. The representation of OHCHR through the chief of UNAMA human rights unit in the UNCT helps ensure that human rights are taken into consideration in the activities of United Nations agencies.

The joint political rights verification exercise included clear recommendations aimed at making the environment more conducive to a credible election. These recommendations were taken up with relevant Governmental counterparts and the international community on a continuous basis; they led to improvement in the exercise of key rights ahead of the elections and contributed to improving the conditions for the electoral process. The successful joint verification campaign was also an important contribution towards building the capacity of AIHRC and proved to be an invaluable experience for the undertaking of similar campaigns in the future.

UNAMA human rights officers successfully intervened in a number of individual cases of women and children caught up in the criminal justice system. They worked jointly with AIHRC in addressing violations against women and children throughout the country. The capacity of AIHRC was continually strengthened and its role as the leading national human rights institution remains central in the national human rights protection system of Afghanistan.

The international community was kept informed of the human rights situation in Afghanistan through the various reports submitted to the General Assembly and the Commission by the Independent Expert, the Special Rapporteur and the High Commissioner for Human Rights.

## EVALUATION AND LESSONS LEARNED

An external evaluation of the Afghanistan project was conducted and the positive findings of the evaluations suggested that the management capacities of AIHRC have improved significantly and that AIHRC is ready from 1 April 2006 to administer external funding on the basis of bilateral donor agreements.



## VOLUNTARY CONTRIBUTIONS AFGHANISTAN

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Italy	Afghanistan	116,732	116,430
Spain	Afghanistan <sup>1</sup>	25,356	17,639
<b>Total</b>		<b>142,088</b>	<b>134,069</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

<sup>1</sup> Pledge amount consists of a 2005 contribution paid in early 2006, and income amount consists of the payment of a 2004 contribution.

## EXPENDITURE BREAKDOWN AFGHANISTAN

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	207,924	0
Experts/consultants' fees and travel	-65,194	65,194
Travel:		
OHCHR staff	46,907	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	0	0
General operating expenses	6,500	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	38,500	0
<b>Sub-total</b>	<b>234,637</b>	<b>65,194</b>
Programme support costs	30,503	8,475
<b>Total</b>	<b>265,140</b>	<b>73,669</b>

## ANGOLA

### BACKGROUND

Since 1995, successive peacekeeping missions in Angola have contained a human rights component. With the formal and effective end of the war in Angola in 2002 and the withdrawal of the last peacekeeping mission in 2003, OHCHR established a field presence to ensure continuity in the implementation of the uncompleted tasks previously mandated by Security Council resolution 1433/2002. Within this mandate, the Office offered its

technical assistance services to the national authorities and to civil society with a view to enhancing national capacities and to implementing recommendations made by international human rights mechanisms, thus improving the overall human rights situation. The initial project covered the period May 2003 to end-2004 and has subsequently been extended twice, until the end of 2007, so as to cover the forthcoming electoral process.

During 2005, major human rights challenges remained, characterized by destroyed or neglected infrastructures in the administrative as well as in the social sector, political polarization and intolerance, outdated legislation and a weak civil society. This situation has led to general poverty and limited access to basic services in the areas of education, health and justice, as well as curtailed freedom of expression.

### OBJECTIVES

Aiming to consolidate peace and democracy through the strengthening of national capacities in human rights and the rule of law, the OHCHR office in Angola pursued the following four overall objectives in 2005:

- Incorporate human rights into policies and programmes of the Government and of non-governmental and international actors, including the United Nations;
- Promote the rule of law and improved access to justice;
- Promote the enjoyment of civil and political rights, particularly in view of the electoral process; and
- Promote economic, social, and cultural rights and a human rights-based strategy to combat poverty.

## IMPLEMENTATION

A human rights office, consisting of three international and three national human rights officers, and two national project assistants, has been responsible for project implementation under the supervision of the United Nations Resident Coordinator. UNOPS and UNDP are responsible for financial management of the project.

### ◆ MAINSTREAMING HUMAN RIGHTS

The office supported the human rights department of the Ministry of Justice in the implementation of training workshops with provincial human rights committees. With the holding of six provincial workshops in 2005 this cycle has now been completed, with workshops held in all 18 provinces. Two other provinces hosted follow-up sessions to evaluate the results obtained and plan further action.

Support to the elaboration process of the national human rights action plan has continued, although with considerable difficulties and at a slow pace. The coordination committee, made up of the focal points of relevant State bodies, political parties, and civil society organizations, gathered contributions for the action plan from the different stakeholders. A workshop on the action plan was held with public and private media.

The office in Angola, supported by an international consultant, extended ongoing support to the human rights Ombudsman who was elected in the beginning of the year. In particular, support was provided to the development of the legal framework governing his Office, the Organic Law on the Ombudsman's Office and the Statute of the Ombudsman. The office continued to advocate for close cooperation with civil society which resulted in civil society input on draft laws.

In response to the Government's readiness to comply with its reporting obligations under the human rights conventions, OHCHR offered advice and support to the Ministry of Foreign Affairs. Following a four-day training workshop on treaty body reporting and the new modality of a common core report in May, the Ministry set up an inter-sectoral working group to prepare outstanding reports under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

OHCHR continued to advocate with the Ministry of Foreign Relations for the ratification of the remaining principal international human rights treaties: the Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of all Forms of Racial Discrimination, the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, as well as the African Union and Southern African Development Community conventions and protocols.

The office had regular exchanges with its partners, including the Government (in bilateral meetings), donors and NGOs, to discuss its activities. It also circulated adapted and translated versions of its periodic reports to ensure consistent information. The office regularly participated in the meetings of the humanitarian coordination group composed of Government ministers, heads of United Nations agencies, international NGOs, and donors. Responding to the demand from national NGOs, the office provided a meeting room, access to the Internet and copy facilities. The head of the Angola office actively took part as a full member in the work of the UNCT, and members of the staff were actively engaged in several thematic working groups established by the UNCT.

The office and the Dutch Institute for Southern Africa (NIZA) supported a conference on human rights defenders initiated by the Angolan NGO Mãos Livres. The conference was attended by State and Government officials including ministers, parliamentarians, the Ombudsman and the Prosecutor General, in addition to NGO representatives from all 18 provinces. Human Rights Day 2005 was commemorated in an official ceremony at the National Assembly, organized by the National Assembly's Human Rights Commission and the Angola office, in the presence of guests from the diplomatic corps, United Nations agencies, political parties and civil society organizations.

The office facilitated an initiative by 18 Angolan NGOs to set up the Angolan Human Rights Council, which is still in the process of formal establishment. It also encouraged parallel efforts to establish a human rights house. Two representatives of the Norwegian Human Rights House Foundation visited Angola to sound out about the possibility to give support to such a project. In addition, the office facilitated the participation of two representatives of civil society in the 61st session of the Commission on Human Rights and of one representative at a human rights defenders conference in Norway.

### ◆ PROMOTING THE RULE OF LAW, ACCESS TO JUSTICE AND RECONCILIATION

In a joint initiative with the Ministry of Justice, UNDP, UNICEF, UNICRI and the Angolan Bar Association, OHCHR convened a three-day conference in March on access to justice in order to offer substantive support and guidance to the work of the Government's commission on the reform of the justice system. OHCHR assisted the Ministry of Justice in organizing the first phase of a two-week training course on mediation for 25 participants, implemented as a follow-up to the recommendations of the conference on access to justice. The recommendations from this conference are to be fully integrated into a joint programme among four United Nations agencies to support the Judicial Reform Commission. OHCHR also engaged in consultations with Government and national experts on methods and opportunities to carry out a study on traditional justice. Following alarming reports on the human rights situation in the two diamond-rich Lunda provinces, the office supported an initiative by the Angolan Bar Association to verify the reported facts and prepare a report and relevant recommendations to Government, Parliament, and the Prosecutor General's Office. The office backed an Angolan human rights NGO which arranged legal support for a group of peasants allegedly tortured and arbitrarily imprisoned by the administrator of a private estate, leading to the sentencing of the perpetrator.

Based on the recommendation by the Special Representative of the Secretary-General for human rights defenders to develop human rights monitoring capacities, especially during the election campaign, the office undertook a series of discussions with the Government, the Prosecutor General's Office, donors, NGOs, and the UNCT on how to establish an adequate protection structure in the country. A training on human rights monitoring took place in November with participants from national and international NGOs and United Nations staff. With seven more provincial workshops held in 2005, all provinces have now been covered by the civic education and human rights training programme implemented by the National Police with OHCHR support, in cooperation with Angolan NGOs and the Friedrich Ebert Foundation. The office also contributed to a workshop on human and refugee rights co-organized by UNHCR and Immigration Services.

### ◆ PROMOTING CIVIL AND POLITICAL RIGHTS

Throughout the year, the office supported an information and awareness programme on human rights, broadcasted nationwide by the Angolan National Radio. The office also supported the project of an Angolan NGO to edit an informative and educational journal on human rights, which is distributed countrywide free of charge. The office contributed to the discussions on the new media law by providing and widely circulating the Portuguese translation of the Declaration on the Principles of Freedom of Expression in Africa and participated in a roundtable on the law.

The office supported three activities related to reconciliation, democracy, the rule of law, and elections: the first one implemented by an Angolan NGO in Benguela province (an area of reported political tensions); the second with traditional authorities, implemented by the Catholic Church in Kwanza Sul province; and the third organized by the National Counselling Centre in Huambo. In Benguela the Methodist Church trained a group of human rights counsellors with the support of the office. In addition, the office has been participating in the gender joint programming project initiated by UNDP, UNFPA and UNIFEM.

### ◆ PROMOTING ECONOMIC, SOCIAL, AND CULTURAL RIGHTS

With co-funding from FAO, UNDP and OHCHR, the Angolan NGO network Rede Terra started to implement a dissemination project on the new land law in four provinces. OHCHR also engaged in discussions with FAO, the Angolan NGO ADRA and the Angolan Bar Association on a joint programme on land rights in Huambo province. With OHCHR support, the Angolan NGO network FONGA held a five-day workshop on economic, social, and cultural rights as a pilot project with a view to holding similar sessions in other provinces.

OHCHR engaged in constructive discussions with the National Institute for the Research and Development of Education of the Education Ministry, with UNICEF and other United Nations agencies, and with civil society towards the inclusion of human rights education at the primary and secondary level of the education system. As part of the United Nations technical working group on HIV/AIDS, the office participated in a joint programme implemented by several United Nations agencies under the leadership of UNAIDS to support Angolan efforts to contain the spread of the disease and support affected persons. The office

also contributed to the elaboration of the regulations governing the National Commission for the Fight against HIV/AIDS and to the regulation of the law on HIV/AIDS.

The office continued to support the housing rights organization SOS Habitat in its efforts to protect communities' housing rights. In addition, the office discussed the poverty reduction strategy paper with the Planning Ministry with regard to monitoring its implementation with a human rights perspective.

Work with the rest of the United Nations agencies on social and economic rights, within the framework of the UNDAF, was prepared in order to take more concrete forms in 2006.

## CONSTRAINTS

During 2005, several factors made the effective and timely implementation of the programme difficult. Work on the national human rights action plan did not progress as planned, due to limited capacity in the Ministry of Justice and delays on the part of the national consultant. The Ministry of Justice was also unable to ensure an integrated, comprehensive strategic approach for the work of the provincial human rights committees, which often left them inactive. Regular and consistent coordination with partners in the Government has not always been possible. The United Nations thematic group on human rights needed more active support by partners in order to fully mainstream human rights.

## IMPACT AND ACHIEVEMENTS

In 2005, the National Assembly elected and inaugurated the Ombudsman, implementing article 142 of the 1992 Constitutional Law. In addition, with substantive technical assistance from the office, the Government of Angola made notable advances towards complying with its reporting obligations under the various human rights treaties to which it is a party.

The conference on access to justice was a welcome opportunity to exchange views and information with other countries on this issue. As a tangible result, the Ministry of Justice decided to follow up on the recommendation to create pre-judicial mediation and arbitration mechanisms to relieve the existing overstretched

system; it convened the first two-week technical training on this in October. In addition, the office reached an agreement with the Prosecutor General's Office to cooperate in the establishment of a countrywide human rights monitoring network, as the main national State partner in this project.

During the year, the training cycles with the provincial human rights commissions and provincial police commands were concluded. After some apparent local resistance, the workshop with the Human Rights Commission in Lunda Norte finally took place and various serious concerns in this diamond-rich province were discussed very openly. A special workshop in the municipality of Mavinga in Kuando Kubango province succeeded in defusing political and ethnic tensions. During the year, over 300 police officers in seven provinces took part in the human rights training program.

The regular human rights radio programme acquired a distinguished place in the programme schedule of Rádio Nacional de Angola. High profile personalities from State, civil society and professional associations regularly accepted the invitation to discuss subjects of general concern.

The office prioritized the involvement, strengthening and coordination of civil society organizations and networks, contributing to new synergies and greater cohesiveness amongst these organizations. As a result several NGOs decided to set up a human rights council and to pursue the initiative to create a human rights house. The office supported several civic education projects implemented by partner NGOs, to promote a better understanding of reconciliation, democracy, and elections.

## EVALUATION AND LESSONS LEARNED

An external evaluation of OHCHR's office in Angola took place in May-June 2005. The evaluation team concluded that the objectives, outputs, and activities were "highly relevant" in relation to the overall objectives of OHCHR and the country-specific objectives of the United Nations system in Angola in the area of human rights. The team noted that the processes supported by the office had not yet achieved sustainability and may not do so by the end of the current project period. The evaluation recommended the development of benchmarks to determine

the completion of the operation and suggest an appropriate time to terminate the Angola office. The office incorporated these elements into the new phase for the two-year project 2006-2007, with emphasis on the establishment of a national protection system (Governmental and non-governmental), the existence and effective working of the Ombudsman's Office, the operationalization of a human rights network, and the preparedness of the UNCT to take over the human rights tasks.

## EXPENDITURE BREAKDOWN ANGOLA

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	1,021,980	512,073
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	16,804	82,146
Commission members	0	0
Representatives and other participants	0	0
Contractual services	28,436	300,270
General operating expenses	91,635	69,634
Supplies and acquisitions	106,244	3,608
Grants, contributions, fellowships and seminars	29,690	6,496
<b>Sub-total</b>	<b>1,294,789</b>	<b>974,227</b>
Programme support costs	169,018	126,650
<b>Total</b>	<b>1,463,807</b>	<b>1,100,877</b>

## VOLUNTARY CONTRIBUTIONS ANGOLA

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Netherlands	Unearmarked	506,784	450,000
Norway	Field offices + Angola	470,702	437,084
United Kingdom	Unearmarked	51,534	50,000
<b>Total</b>		<b>1,029,020</b>	<b>937,084</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## CÔTE D'IVOIRE COMMISSION OF INQUIRY

### BACKGROUND

The Secretary-General requested that the High Commissioner for Human Rights establish a Commission of Inquiry in accordance with the provision of the Linas-Marcoussis Agreement and in response to requests from the Government of Côte d'Ivoire and the Security Council. The Commission was put in place on 22 June 2004 and was mandated to:

- Investigate serious human rights and international law violations committed in Côte d'Ivoire since 19 September 2002;
- Establish the facts and circumstances concerning such violations and, if possible, identify the perpetrators; and
- Extend to neighbouring countries its investigations on such violations, if deemed necessary.

The Commission was composed of five highly qualified independent experts, with recognised expertise in human rights and international humanitarian law, and knowledge of the region. It visited Côte d'Ivoire from July to September 2004 and extended its investigations to neighbouring countries Burkina Faso, Ghana, Liberia and Mali.

The work of the Commission was completed on schedule, and it submitted its finalized report to the High Commissioner, who forwarded it to the Secretary-General. The document was given to the Security Council for its consideration.

The Commission was primarily funded by regular budget funds; voluntary contributions were used to purchase vehicles and equipment. The work of the Commission is reported on in greater detail in the Annual Report 2004. Expenditures in 2005 represent outstanding payments from 2004 and the liquidation of the previous year's obligations and commitments.

## EXPENDITURE BREAKDOWN CÔTE D'IVOIRE (COMMISSION OF INQUIRY)

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	50,378	0
Experts/consultants' fees and travel	-14,857	14,857
Travel:		
OHCHR staff	-13,856	104,253
Commission members	0	0
Representatives and other participants	0	0
Contractual services	0	0
General operating expenses	151,729	0
Supplies and acquisitions	883	0
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>174,277</b>	<b>119,110</b>
Programme support costs	22,656	15,484
<b>Total</b>	<b>196,933</b>	<b>134,594</b>

## SUDAN – DARFUR PLAN OF ACTION AND SUPPORT TO UNMIS

### BACKGROUND

A special political mission, the United Nations Advance Mission (UNAMIS), was deployed to Sudan in August 2004 to prepare for a United Nations peace operation following the signing of a peace treaty. This mission was later succeeded by the United Nations Mission in Sudan (UNMIS) following the signing of the Comprehensive Peace Agreement (CPA) by the northern and southern parties to the conflict on 9 January 2005 and further to Security Council resolution 1590 of 24 March 2005. The mandate of the human rights component of UNMIS includes ensuring an adequate human rights presence and providing expertise within the mission to carry out human rights promotion, civilian protection and monitoring activities.

2005 was therefore a year of transition and consolidation for OHCHR's activities in the Sudan. The human rights monitors who started their activities in Darfur in July 2004 were integrated in the human rights section of UNMIS as of 1 April 2005; the



technical cooperation activities undertaken since March 2001 were transferred to UNMIS as of 1 July 2005; the Darfur Commission of Inquiry assisted by OHCHR completed its work in January 2005. Thus, as of mid-2005, all human rights-related activities, including monitoring, protection and promotion as well as support to special procedures, were implemented through the UNMIS human rights section.

In Darfur, violations of the Humanitarian Ceasefire Agreement signed in April 2004 between the Government of Sudan, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) continued unabated during the reporting period. The Darfur peace talks in Abuja did not result in any significant progress in 2005 and early 2006. However, in early 2005, the dynamics of the Darfur conflict changed: the large-scale killings and massive displacements that characterized the first two years of the conflict have decreased. Direct attacks on civilians were less frequent from January to June 2005. However, there was an increase in acts of banditry and lootings, most often by unidentified actors. This violence and criminal activity had an important effect on humanitarian operations, temporarily limiting access to specific areas. Human rights officers continued to receive reports of violations including extrajudicial killings, sexual violence, rape and gang rape, arbitrary arrest and detention, and ill treatment and torture in detention. Militias were not disarmed, which contributed to an ongoing atmosphere of insecurity amongst the displaced populations who expressed fear of being assaulted, raped or killed. A climate of impunity persisted.

It is worth noting, however, that on 9 July 2005 an Interim Constitution, based on the CPA and composed of several protocols and agreements, was signed. Article 1 of the Interim Constitution placed the advancement of human rights and freedoms as one of the foundations of the state. At the same time, the state of emergency that had lasted 16 years was lifted (with the exception of the three states of Darfur in west Sudan and the states of Kasala and the Red Sea in east Sudan) and several political detainees were released.

Following the recommendation of the Sudan Commission of Inquiry established by the Security Council, the situation in Darfur was referred to the International Criminal Court by the Security Council in March 2005, as the Commission had found that crimes against humanity and war crimes may have taken place in Darfur. The Prosecutor of the Court announced in June

2005 that it had formally opened an investigation into the situation in Darfur. Sudan has also established a Special Criminal Court for the Events in Darfur. The issue of accountability for past crimes is therefore likely to continue to be a key concern.

## OBJECTIVES

- Investigate, monitor and report on human rights violations in Darfur, including unlawful, extrajudicial and arbitrary killings, torture and other cruel, inhuman, or degrading treatment or punishment, arbitrary detention and arrest, sexual violence including rape, and harassment, as well as threats to and intimidation of NGOs, in an impartial manner, and recommend corrective actions to the Government of the Sudan.
- Assess the human rights situation in the South and the rest of the Sudan and submit reports to the mission as part of its efforts to support the implementation of the CPA.
- Monitor the police, prosecution and judiciary responsible for ensuring accountability for human rights abuses at the local and national level.
- Visit and monitor places of detention to follow up specific cases, with a focus on the legality of detentions and ill-treatment and/or torture of detained persons.
- Coordinate and collaborate in human rights-related policy and operational activities within UNMIS and with United Nations agencies.
- Work closely with the African Union Mission in Sudan (AMIS) on human rights-related activities.
- Contribute to the strengthening of human rights and the rule of law through the provision of legal advice and assistance in the drafting of legislation, and support the strengthening and establishment of national institutions for the promotion and protection of human rights.
- Support the capacity-building and empowerment of Sudanese actors in the area of human rights.

## IMPLEMENTATION

### ◆ DARFUR PLAN OF ACTION

This section describes activities undertaken by OHCHR during the period January to March 2005 prior to the transfer of activities to UNMIS.

### Monitor and investigate human rights violations

The main focus of the work of the human rights officers in Darfur was on monitoring and reporting on human rights violations. Regular meetings were held with Sudanese authorities to follow up on issues related to investigation of cases and prosecution of perpetrators of criminal offences. They also observed trial proceedings in an effort to assess the Government's willingness to conduct appropriate investigations and prosecute perpetrators according to fair standards.

Training activities were organized to strengthen the capacity of the OHCHR human rights officers deployed in the Sudan to monitor and document human rights violations. The human rights officers also maintained regular contacts with Government officials, and often shared information and publications on international human rights standards.

### Mechanisms for the protection of vulnerable groups

Sexual harassment, rape and gang rape continued unabated in Darfur during the reporting period. Some perpetrators were identified as being members of law enforcement agencies, armed forces and/or pro-Government militia. The Government has taken some initiatives to tackle this sensitive issue, but it is too early to evaluate the impact these measures will have on the reduction of sexual violence in Darfur.

In cases of rape and other serious violent crimes, Sudanese law requires the completion of a standardized medical evidence form by a registered doctor. Criminal Form 8 is intended to ensure that standard elements of evidence are collected during investigation. On 11 December 2004, in response to concerns that this procedure prevented victims in Darfur from directly accessing medical treatment, the Minister of Justice issued an amended criminal circular stating that criminal procedures should be undertaken without being restricted by the medical examination requirements. Human rights officers and representatives from the Government of Sudan undertook a joint visit to the three Darfur states to disseminate and raise awareness on the amended circular.

A State Decree was issued on 6 March 2005 by the Wali of South Darfur, establishing a State Committee on combating gender-based violence. Human rights officers in Nyala and Khartoum raised a number of concerns on the terms of the Decree and suggested that United Nations representatives participate as observers in sessions of the State Committee when recommendations are made, including those on ways to strengthen the

existing law enforcement structures so that they address the issue of impunity regarding sexual violence.

Human rights officers also constructively engaged with the African Union civilian police on cases of sexual violence and followed up on investigations carried out by the Sudanese police. Joint patrol mechanisms between the police and the African Union civilian police were also put in place in several locations of North and South Darfur to prevent sexual abuses from occurring and to protect women venturing outside the camps. Human rights officers monitored the progress and effectiveness of this new mechanism: in North Darfur, the deployment of troops from the African Union seemed to improve the security situation in and around some of the camps, including Shangil Tobayi, and prevented violations from occurring.

### Dialogue with the Government of Sudan and other entities

In all three Darfur states, human rights officers engaged in regular discussions with the Office of the Prosecutor, members of the judiciary, the police and local authorities. They continued to liaise and maintain regular contacts with authorities to advocate and follow up on individual cases to ensure that investigations were undertaken into specific incidents, including beatings, killings, rape, torture in detention and death in custody. In this regard, human rights officers attended weekly meetings with the Advisory Council for Human Rights.

### ◆ SUPPORT TO UNMIS

This section describes activities undertaken by UNMIS with the support of OHCHR from 1 April 2005. UNMIS' headquarters is located in Khartoum. The human rights component of the mission is also located in Khartoum with four regional offices in Darfur (El-Fasher, Nyala, El-Geneina and Zalingei) as well as human rights officers deployed in South Sudan (Juba, Abyei) and Eastern Sudan (Kassala). In a second phase human rights officers will be deployed in Rumbek, Malakal, Wau, Kadugli and El Damazin. The human rights component of UNMIS has therefore considerably expanded its field presence and its technical cooperation activities. Its work was divided into two main clusters: a capacity- and institution-building cluster and a monitoring and information management cluster. At the end of 2005, UNMIS human rights section had 57 international human rights officers (14 of which are international United Nations volunteers), and 15 nationals. The majority of staff are located in the four Darfur field offices.



UNMIS human rights section implemented technical cooperation activities in collaboration with and with the substantive and financial support of OHCHR. They ensured proper coordination with other actors in Sudan working in related areas, in particular with UNDP, UNICEF and other parts of UNMIS. It also ensured that training materials, publications, and other resource materials produced by OHCHR were used in the context of the activities.

### **Human rights monitoring**

All human rights officers received specialized training on the national legal system, monitoring and documenting human rights violations and on monitoring sexual and gender-based violence. A database was set up for storing and retrieving information collected by human rights officers in different field offices.

The Government deployed a number of criminal investigation teams across Darfur to provide technical expertise and establish criminal investigation departments. Human rights officers held a meeting in June with the special investigation team, which was established in May 2005 to improve the aptitude of the police in identifying perpetrators through increased police forensic capacity. Human rights officers closely monitored the work of the special investigation team to assess its effectiveness. Initial findings suggested that the special investigation team had little impact.

UNMIS human rights officers continued to monitor and report on the human rights situation including matters related to the Special Criminal Court on the Events in Darfur established on 7 June 2005. Human rights officers in all three states of Darfur continued to engage with the Office of the Prosecutor, members of the judiciary, police, national security and local authorities, and to participate in both the field protection working groups and the gender-based violence field working groups. In Darfur, a plan for additional satellite offices was approved and implemented. A Darfur regional coordinator was appointed for El-Fasher (North Darfur) with the role of ensuring consistency and coherence in the strategies and policies of the human rights section across the states of Darfur.

In Khartoum, human rights officers actively followed up on a number of issues, particularly the development of the violent clashes between police and internally displaced persons in the Soba area in Khartoum and events following the death of First Vice President John Garang. Human rights officers also monitored and provided information to the mission on restrictions imposed

on NGOs and the media. In the South, transitional areas, and the East, human rights officers regularly conducted missions to remote locations and systematically collected information on human rights violations.

Human rights officers continued to monitor detention facilities and the legality of detentions. UNMIS human rights section gained access to prisons in most parts of the country. Similar access for unannounced visits to national security and military intelligence detention facilities was not granted. In Khartoum no access to national security and military intelligence detention facilities was approved. In addition, human rights officers in South Darfur gained access for the first time to a SLA detention facility in Eastern Jebel Mara in November 2005.

The UNMIS human rights section produced both regular situation reports as well as thematic reports. A weekly report based on information collected by field offices was prepared and submitted to the mission and others.

### **Sexual and gender-based violence issues**

Throughout the reporting period, human rights officers in Darfur, Juba, Abyei and Port Sudan undertook a range of advocacy and awareness-raising activities regarding gender-based violence. These activities included human rights training, art and photography exhibitions, distribution of international standards, public rallies and open discussions on legal reform.

### **Joint implementation mechanism sub-committee on human rights and protection**

Launched in January 2005, the joint implementation mechanism sub-committee on human rights and protection (Sub-JIM) is a subsidiary body of the joint implementation mechanism. The director of the UNMIS human rights section co-chairs the Sub-JIM meetings. During the reporting period the Sub-JIM met on nine occasions. Substantive discussions took place on specific deficiencies in the Government's policies regarding human rights violations in Darfur and other regions. A field visit was conducted in December to the Mornei internally displaced persons camp in West Darfur by representatives of the Government of National Unity, the UNMIS human rights section and some embassies to verify the reported human rights abuses in the camp. The purpose was to make the Sub-JIM respond to specific situations and communicate concerns to local authorities.

### Capacity-building

The UNMIS human rights section began conducting technical cooperation projects in November. It conducted a major workshop on a human rights approach to national budgeting that was held for 50 members of the National Assembly, representing 11 political parties, designed to increase awareness of Sudan's obligations under the International Covenant on Economic, Social and Cultural Rights. On the national human rights commission, the UNMIS human rights section organized a meeting on an effective law for the establishment of an independent human rights commission, which was attended by members of the National Assembly, Council of States, officials from the Government of National Unity, the Government of the Southern Sudan and civil society representatives.

The UNMIS human rights section organized a consultation meeting with the legislative department of the Ministry of Justice and other relevant actors on the harmonization of national laws with international human rights standards. Consultations were also organized on gaps in the legal framework for the protection of women's human rights. On treaty reporting, a consultation meeting was organized for national NGOs to discuss the role of civil society in relation to Sudan's reporting obligations under the international human rights treaties.

Human rights officers provided and coordinated several workshops in Darfur, as well as in Juba and Port Sudan, on the promotion and protection of human rights. The workshops were attended by the Southern Sudan Legislative Assembly (in the South), and lawyers, students, academics, political parties and local authorities (in Darfur and Port Sudan). The human rights section also conducted workshops on specific issues such as the Bill of Rights and the Interim National Constitution. Training was also conducted on human rights and law enforcement for United Nations Civilian Police and African Union officers. The human rights section also conducted training programmes for staff of the Sudan Social Development Organization (SUDO) in all the four regions of Darfur.

### Special procedures of the Commission on Human Rights

The UNMIS human rights section provided support to the visit of the Representative of the Secretary-General on the human rights of internally displaced persons and the Special Rapporteur on the situation of human rights in Sudan, in October. UNMIS organized and supported the mission of the Special Adviser of

the Secretary-General on the Prevention of Genocide to Sudan, including all three states of Darfur, in September 2005.

## CONSTRAINTS

National security forces and the military intelligence, which do not fall under the jurisdiction of the civilian judicial system, were effectively not accountable for alleged crimes committed. This fact was clearly demonstrated in numerous cases of sexual and gender-based violence. Immunity for members of the security forces and the interference of military and security officials in cases involving members of the security forces often caused delays in the examination of cases or led to their outright dismissal.

Major obstacles prevented most victims from seeking accountability. Many women did not report incidents out of fear of reprisals. The Sudanese authorities generally denied the allegation and intimidated the victims and witnesses into withdrawing their charges. Police stations still refused to register or investigate complaints of sexual violence and rape. If cases were registered, often police officials did not effectively investigate them. Victims were also discouraged from reporting due to the lack of redress.

Difficulties in gaining access to detention centres continued, in particular when requesting access to detainees in military intelligence and national security detentions places, from which most allegations of ill-treatment and torture emanated.

Due to volatile security situations, access to certain areas in the three Darfur states was denied and "no-go" areas expanded to other locations. On some occasions, human rights officers were harassed by national security officers and their freedom of movement was not respected. Access to victims and witnesses therefore remained an issue and in several instances local and international humanitarian organizations faced intimidation from the Sudanese authorities for reporting cases of sexual violence and rape.

The integration of OHCHR human rights officers into the UNMIS human rights section required several adjustments. The increase in the number of staff and the recurrent security problems, such as the obligation to travel in convoys, made it more complicated for human rights officers to be mobile and carry out field visits, as transportation was sometimes insufficient. Lack of interpreters in the three states of Darfur was also a constraint.

## IMPACT AND ACHIEVEMENTS

The strong presence of international actors, including the human rights officers, contributed to an increase in the international attention given to the situation in Darfur. This led to more political pressure to stop the violations, which eventually translated into some changes on the ground. In the overall context of the CPA, positive developments were achieved with the drafting of an Interim Constitution, which contains strong human rights provisions, including for the establishment of an independent national human rights commission. In addition, the Government took action in response to the sexual violence in Darfur, in particular in relation to the amended circular 2/2004 on Criminal Form 8 and the establishment of a State Committee on combating gender-based violence in South Darfur. Human rights officers continued to monitor the implementation of these commitments.

In addition, the Government issued a plan to eliminate violence against women in Darfur which was launched on 28 November 2005 at a press conference in Khartoum. The plan contains concrete short-term and long-term measures to be taken by the Government of National Unity to bring an end to the prevailing culture of impunity in Darfur regarding rape and other gender-based violence. Many of the measures reflect key recommendations contained in the High Commissioner's report on access to justice for victims of sexual violence.

OHCHR/UNMIS human rights officers worked in close collaboration and coordination with other United Nations agencies, international and local NGOs and the African Union Mission during the reporting period. They also continued to attend and actively participate in common protection forums such as the working groups on protection and the working groups on gender-based violence, established in Khartoum and in the field locations. These proved to be important fora for the coordination of human rights promotion and protection activities with other partners on the ground.

## EVALUATION AND LESSONS LEARNED

The work in Darfur represented a major operation for OHCHR. The experience highlighted the need to establish an urgent response capacity within the Office to enable it to respond to deteriorating human rights situations in a more effective and predictable manner. A rapid response mechanism implies that qualified personnel can be selected and deployed quickly, together with adequate equipment and logistical support. Equally essential is the need for selected staff members to receive specific in situ trainings and extensive briefings prior to deployment. The need for OHCHR to have effective and efficient administrative support to set up and maintain a field operation was quite evident in Darfur and was also apparent in similar circumstances such as the establishment of subsequent field operations, for instance in Uganda and Nepal. Despite the operational obstacles faced, it is clear from the experience gained that the presence of human rights officers in the midst of a so-called "complex emergency" is fundamental for the international community, as the information provided by them was critical to the overall and local policy processes. More significantly, the presence of human rights officers contributes to building an environment enhancing the protection of human rights in the areas of deployment.

In relation to ongoing peacekeeping work in Sudan, the Interim Constitution itself will not be sufficient to guarantee the promotion of human rights. An understanding of how the implementation of different human rights provisions will work in practice needs to be developed among all levels of Sudanese society, including the Government, police, security forces and civil society groups. A focus on strengthening an independent judiciary and a free press is essential and the reform of the National Security Service will be a key issue.

The current situation has created a space in which the United Nations can assist in the promotion of human rights in Sudan through the strengthening of Sudanese civil society and the strengthening of institutions, in particular by providing support for the national human rights commission. OHCHR provided such technical assistance in November 2005 and will continue its work into 2006.

## VOLUNTARY CONTRIBUTIONS

### SUDAN (DARFUR PLAN OF ACTION AND SUPPORT TO UNMIS)

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge US\$	Income US\$
<i>Governments</i>			
Norway	Darfur (plan of action)	319,489	0
United States of America	Darfur (plan of action)	0	300,000
<b>Total</b>		<b>319,489</b>	<b>300,000</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## EXPENDITURE BREAKDOWN

### SUDAN (DARFUR PLAN OF ACTION AND SUPPORT TO UNMIS)

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	896,105	504,110
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	135,007	92,420
Commission members	0	0
Representatives and other participants	0	0
Contractual services	3,797	4,813
General operating expenses	23,571	7,654
Supplies and acquisitions	-97,631	708,944
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>960,849</b>	<b>1,317,941</b>
Programme support costs	97,550	171,332
<b>Total</b>	<b>1,058,399</b>	<b>1,489,273</b>

## SUDAN COMMISSION OF INQUIRY

The Darfur Commission of Inquiry was established by Security Council resolution 1564 under chapter VII of the Charter of the United Nations which was adopted on 18 September 2004.

The Commission was mandated to:

- Investigate reports of violations of international humanitarian and human rights law in Darfur by all parties;

- Determine whether acts of genocide had occurred;
- Identify the perpetrators of such violations with a view to ensuring that they are held accountable; and
- Draft a report with findings to be submitted to the Security Council.

The report of the International Commission of Inquiry on Darfur was submitted in January 2005 to the Secretary-General (S/2005/60). OHCHR directly assisted and supported the work of the International Commission. The report concluded that the Government of Sudan and Arab militias/Janjaweed were both responsible for systematic and widespread violations of international human rights law and international humanitarian law, which may amount to war crimes and crimes against humanity. The Commission recommended that the Security Council refer the situation to the International Criminal Court (ICC) and the Security Council followed this recommendation in its resolution 1593/2005. On 6 June, the Prosecutor of the ICC declared that he would open an official investigation into the Darfur situation.

The Sudanese authorities warned that the decision of the ICC to investigate reported war crimes in Darfur could jeopardize efforts to bring peace. A new Special Criminal Court for the Events in Darfur was established on 7 June 2005 by Decree of the Sudan Chief of Justice and was entrusted to carry out justice and to prosecute alleged war criminals.

The activities of the Sudan Commission of Inquiry are reported on in greater detail in the Annual Report 2004. Expenses in 2005 represent residual costs incurred further to the submission of the Commission's report in January 2005.

## EXPENDITURE BREAKDOWN SUDAN (COMMISSION OF INQUIRY)

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	0	0
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	0	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	126	0
General operating expenses	-41,433	41,991
Supplies and acquisitions	56,789	399,290
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>15,482</b>	<b>441,281</b>
Programme support costs	8,034	57,367
<b>Total</b>	<b>23,516</b>	<b>498,648</b>

## TIMOR-LESTE COMMISSION OF EXPERTS

### BACKGROUND

In January 2000, an International Commission of Inquiry established by Commission on Human Rights resolution 1999/S-4/1 of 27 September 1999 concluded that serious violations of human rights and humanitarian law had occurred in East Timor and recommended the establishment of an international criminal tribunal. Subsequently, the Government of Indonesia committed itself to prosecute the perpetrators of crimes committed in East Timor in 1999, and established an ad hoc human rights court which started its hearings in March 2002. The United Nations monitored the hearings. A total of 18 persons were indicted and tried, 17 of them have been acquitted either at trial or on appeal.

In resolution 1573 (2004), the Security Council reaffirmed the need to fight against impunity with regard to the serious human rights violations committed in 1999, and noted the Secretary-General's intention to continue to explore ways to redress the situation.

### OBJECTIVES

The Commission of Experts was mandated, during its three-month duration, to review the judicial process, including the investigation, prosecution and trial proceedings in both their procedural and substantive aspects and to determine whether they met international standards of justice. The Commission was also tasked to recommend to the Secretary-General, as necessary and appropriate, sound and practically feasible measures and/or mechanisms to ensure that those responsible for serious violations of international humanitarian law and human rights in East Timor in 1999 were held accountable and that justice was secured for the victims.

### IMPLEMENTATION

On 18 February 2005, the Secretary-General appointed a Commission of Experts to review the prosecution of serious violations of human rights in Timor-Leste (then East Timor) in 1999. The three Commissioners were assisted by a small secretariat based at OHCHR headquarters.

In April 2005, the Commission of Experts met in New York with the Secretary-General. They also held consultations with relevant United Nations departments as well as NGOs. From 5 to 8 April 2005, the Commission visited Timor-Leste and met with the President, the Prime Minister and other representatives of the Government, national commissioners of the Truth, Reception and Reconciliation Commission (CAVR), the President of the Appeal Court, the Registrar of the Dili District Court, the Special Representative of the Secretary-General and the human rights unit of UNMISSET, serious crimes unit and the special panels, victims and their families, and local NGOs. A number of Indonesian NGOs travelled to Dili to meet and share their experience with the Commission of Experts. From 18 to 29 May 2005, the Commission visited Jakarta and met with the President, Ministers for Foreign Affairs, and for Justice and Human Rights, Members of Commission A of the Parliament, the Attorney General, the Commander-in-Chief of the Indonesian National Defence Force, and the National Human Rights Commission.

In preparing its report, the Commission compiled and analysed substantial primary source materials such as legislation, indictments, judgments, written briefs and trial transcripts. It received several responses to detailed questionnaires

addressed to institutions and individuals in Indonesia and Timor-Leste and studied reports prepared by United Nations trial observers and NGOs. The report describes the terms of reference and methodology of the Commission, identifies relevant principles and international standards, and provides a historical overview of the events of 1999 and the establishment of the judicial processes in Jakarta and Dili. The report comprehensively analyses the two judicial processes, and sets out findings in relation to the Commission's terms of reference. The Commission considered available judicial initiatives and mechanisms and presented its recommendations on the most feasible mechanisms to ensure that justice and accountability are secured for the people of Timor-Leste.

The Commission of Experts submitted its report (S/2005/458) to the Secretary-General through the High Commissioner for Human Rights on 26 May 2005.

## EXPENDITURE BREAKDOWN TIMOR-LESTE (COMMISSION OF EXPERTS)

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	85,845	0
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	100,699	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	126	0
General operating expenses	1,503	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>188,173</b>	<b>0</b>
Programme support costs	24,462	0
<b>Total</b>	<b>212,635</b>	<b>0</b>

## VOLUNTARY CONTRIBUTIONS TIMOR-LESTE (COMMISSION OF EXPERTS)

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
France	Unearmarked	100,000	100,000
Netherlands	Timor-Leste (Commission of Experts)	145,000	145,000
New Zealand	Timor-Leste (Commission of Experts)	35,714	36,275
Norway	Field offices	162,006	160,000
United Kingdom	Timor-Leste (Commission of Experts)	0	40,000
<b>Total</b>		<b>442,720</b>	<b>481,275</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.



## IRAQ

### BACKGROUND

OHCHR's technical cooperation activities in Iraq were fully integrated into cluster 9 of the United Nations Strategic Plan for Iraq, which covers good governance and civil society issues, and into the United Nations Country Team human rights programme for Iraq for 2005-2006. OHCHR was instrumental in establishing this human rights programme and, in 2005, implemented activities jointly with the human rights section of the United Nations Assistance Mission for Iraq (UNAMI) and UNOPS.

The project covers the salary of the Iraq desk, namely one human rights officer and one associate human rights officer, as well as travel of OHCHR staff to Amman. In coordination with the UNAMI human rights section, these officers observed and analysed the prevailing human rights situation in the country to identify trends and to make recommendations. They facilitated coordination between different actors in the field of human rights in Iraq and maintained a calendar of activities for Iraq. In addition, OHCHR continued to assist in recruiting further staff for UNAMI's human rights section and provided support to the UNAMI constitution support office.

### OBJECTIVES

- Observe and analyse the prevailing human rights situation in the country in order to identify trends, make recommendations and allow for informed United Nations interventions.
- Promote a culture of protection of human rights by strengthening the capacities of key Government institutions, civil society organizations, law enforcement and judicial personnel.
- Improve cooperation with other actors implementing human rights activities in Iraq.

### IMPLEMENTATION

From 17 to 21 March and 9 to 24 April in Amman, OHCHR, UNAMI and UNOPS organized two training courses on monitoring and reporting on human rights violations for Iraqi NGOs and concluded, in June, a three-phased training of trainers programme on human rights for civil society representatives.

A regional consultant was hired and completed a study, including recommendations for the legal framework for NGO operations in Iraq, at the end of May. The study was discussed at a joint OHCHR, UNAMI and UNOPS workshop for human rights defenders held from 27 to 29 June in Amman.

During the summer, OHCHR assisted the UNAMI constitution support office in preparing background material pertaining to specific human rights and enforcement mechanisms for submission to the Iraqi Constitution Drafting Commission.

Throughout 2005, the UNAMI human rights section devoted specific attention to dealing with the human rights violations of the past with a view to establishing a national centre for missing and disappeared persons. Various meetings were conducted by UNAMI/UNDP in order to tackle this important aspect of the process for national reconciliation: a scientific experts meeting (28 to 31 March 2005, Amman), legal framework meetings (2 to 4 May 2005, Amman and 16 to 18 May 2005, Baghdad), a meeting on a database (23 to 25 May 2005, Kuwait), and a meeting for families of missing persons (September 2005). A decree establishing such a centre was adopted by the interim Iraqi Government in February 2005.

OHCHR assisted the chief of the UNAMI human rights section with the recruitment of staff in accordance with the Secretary-General's decision of 2005/24 regarding human rights in integrated missions. By the end of 2005, the human rights section included 10 international officers (in Baghdad, Basra and Amman) and 17 national officers. In August 2005, the UNAMI human rights section started to publish bimonthly reports on the human rights situation in Iraq, which can be accessed on the UNAMI web site (<http://www.uniraq.org/aboutus/HR.asp>) and OHCHR's web site ([www.ohchr.org](http://www.ohchr.org)).

At the end of 2005, OHCHR hired a consultant to translate the following OHCHR publications related to transitional justice into Arabic: *Legal Systems Monitoring Methodology*; *Truth Commissions*; *Mapping the Justice Sector and Some Key Related Institutions in a Post-Conflict Setting*; *Vetting: an operational framework*; and *Prosecution Initiatives*. This work will be concluded in 2006 and the publications will be used in the context of a set of consultations to identify options for transitional justice with Iraqi stakeholders.



Further to a December 2004 meeting on mapping human rights activities held in Geneva, OHCHR's web site ([www.ohchr.org/english/countries/iq](http://www.ohchr.org/english/countries/iq)) now includes sections on the present human rights situation in Iraq, on the United Nations human rights programme for Iraq, and lists of activities undertaken by governments and international NGOs.

## IMPACT AND ACHIEVEMENTS

In order to overcome the challenges to effective monitoring of the human rights situation under the prevailing circumstances, OHCHR took an active role in conducting activities with the UNAMI human rights section and UNOPS for Iraqi civil society representatives. OHCHR assisted in developing the programmes for the training of trainers and human rights monitoring trainings, designed the draft programme for the workshop on human rights defenders and assisted in selecting appropriate trainers/speakers. Some 90 civil society representatives participated in those activities. The objective of increasing the quality of human rights monitoring from Iraqi NGOs was partly achieved. This information is used in the bimonthly reports produced by UNAMI's human rights section and has led to an increased number of interventions by special procedure mandate-holders.

The main direct beneficiaries of OHCHR's work in Iraq were NGOs and civil society representatives.

## CONSTRAINTS

The volatile security conditions and the unpredictable political situation required constant re-evaluation of planned activities. The joint UNAMI/OHCHR/UNOPS human rights project was

therefore submitted to the UNDG Trust Fund with a delay and was only approved by the Iraq Strategic Review Board in 2006.

## LESSONS LEARNED

The different roles of the human rights office in a peacekeeping operation and OHCHR were not always clear, including for external partners. However, the release of the Secretary-General's decision on October 2005, which indicated that chiefs of human rights components of peacekeeping/peace-building missions represent OHCHR in their respective countries, clarified the role and reporting lines between OHCHR and the human rights section of UNAMI.

### EXPENDITURE BREAKDOWN IRAQ

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	308,728	248,604
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	64,346	82,069
Commission members	0	0
Representatives and other participants	0	0
Contractual services	1,778	0
General operating expenses	34,169	-22,773
Supplies and acquisitions	33,106	-18,245
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>442,127</b>	<b>289,655</b>
Programme support costs	61,260	37,655
<b>Total</b>	<b>503,387</b>	<b>327,310</b>

### VOLUNTARY CONTRIBUTIONS IRAQ

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge US\$	Income US\$
<i>Governments</i>			
Poland	Iraq	5,000	5,000
Spain	Iraq <sup>1</sup>	25,356	17,639
<b>Total</b>		<b>30,356</b>	<b>22,639</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

<sup>1</sup> Pledge amount consists of a 2005 contribution paid in early 2006, and income amount consists of the payment of a 2004 contribution.

## SUPPORT TO THE SIERRA LEONE TRUTH AND RECONCILIATION COMMISSION (FINALIZATION OF THE REPORT)

### BACKGROUND

After ten years of brutal conflict, the Economic Community of West African States in collaboration with the United Nations and other partners brokered a negotiated settlement between the parties to the conflict in Sierra Leone in 1999. To establish a historical record of the conflict, facilitate peace and reconciliation, and address the human rights needs of the victims, provision was made under the 1999 Lomé Peace Agreement for the establishment of a Truth and Reconciliation Commission. The provision was given statutory and legal effect when the Parliament of Sierra Leone enacted into law the Truth and Reconciliation Commission Act (2000).

The passage of the Truth and Reconciliation Commission Act coupled with the presence of the then United Nations Mission in Sierra Leone (UNAMSIL) created the enabling environment for OHCHR to make good the pledge made in the Human Rights Manifesto, in which the then High Commissioner committed herself to assist in addressing the post-conflict human rights needs of Sierra Leone. OHCHR supported the drafting of the enabling legislation for the Truth and Reconciliation Commission (TRC), designed and implemented three technical cooperation projects to support the preparatory phase of the TRC, an interim secretariat and the actual operations of the TRC.

The Truth and Reconciliation Commission Act tasked the TRC to make recommendations concerning reforms and measures needed to prevent the recurrence of the abuses suffered. It was also asked to address impunity, respond to the needs of the victims and promote healing and reconciliation. The Report of the TRC was first submitted to the President of Sierra Leone on 5 October 2004. Thereafter, the Report was prepared and produced in several copies for wider dissemination.

### OBJECTIVES AND IMPLEMENTATION

With the completion of the actual operations of the TRC during 2004, activities during 2005 consisted of the finalization and submission of the final TRC Report, the release of the Government White Paper on the TRC and the auditing, accounting and liquidation of its assets. After a further review and edit, the TRC Report was completed in July 2005 and produced in sets of four volumes (Volumes 1, 2, 3a and 3b). 1,000 hard copies were printed and 2,000 CD-ROM versions were also produced.

UNAMSIL, UNDP, the TRC and a number of civil society organizations participated in the operations of the TRC. OHCHR mobilized funds for operational and technical support, and UNDP was responsible for the administration of funds based on instructions from OHCHR and in accordance with United Nations financial regulations and rules.

In accordance with the Memorandum of Understanding signed by the Government of Sierra Leone, the TRC, OHCHR, UNDP and UNAMSIL, upon completion of the work of the TRC, an inventory of the assets was conducted by a local accounting firm. A meeting of representatives of fund-contributing countries to the TRC was subsequently held to decide how the equipment and furniture would be distributed. The UNAMSIL human rights section was charged with the responsibility of distributing the equipment among the various organizations. A considerable portion of the equipment, including vehicles, was set aside for the anticipated national human rights commission.

### CONSTRAINTS

The printing of the Report was delayed due to the difficulty in identifying an adequate printer within the country. A printer was eventually identified in Ghana with the support of UNDP.

## IMPACT AND ACHIEVEMENTS

The actual impact of the TRC lies not only in the production of the Report, but also in the extent to which the recommendations are implemented. The TRC Report is the blueprint for the journey towards sustained peace and stability in Sierra Leone. The project has had a positive impact on the consolidation of peace and stability and has facilitated the process of reconciliation.

## FUNDING

Activities were funded from extra-budgetary resources from funding provided in previous years following a special OHCHR appeal, and a small portion of unearmarked contributions. Delays in finalization of the TRC's Report resulted in continued expenditures in 2005. See page 115 for expenditures incurred.

## FOLLOW-UP TO THE SIERRA LEONE TRUTH AND RECONCILIATION COMMISSION

## BACKGROUND

The Sierra Leone Truth and Reconciliation Commission (TRC) was mandated to make recommendations concerning reforms and measures needed to prevent the recurrence of abuses that took place during the long conflict. It was also asked to address impunity, respond to the needs of the victims and promote healing and reconciliation. After the finalization and submission of the TRC Report in July 2005, the focus shifted towards facilitating the implementation of the recommendations made.

This project responds to the need to implement the recommendations of the TRC, as well as the request of the Commission on Human Rights to the High Commissioner and the international community to strengthen its involvement in programmes of technical cooperation, advisory services and human rights advocacy. In 2005, the Office planned the dissemination of and sensitization on the TRC Report, the hiring of consultants for translation of the Report, and the printing of a pictorial version and an abridged version of the Report.

After the release of the final Report in July 2005, the Government released a White Paper on the Report. OHCHR worked on the dissemination of the Report and conducted several sensitization programmes to create awareness of the findings and recommendations made. Activities were funded from extra-budgetary resources that were raised and received in 2004.

## OBJECTIVE

Follow-up activities intended to consolidate peace and stability by promoting healing and national reconciliation. By widely disseminating the TRC Report throughout the country and raising awareness among the people of Sierra Leone on its findings and recommendations, OHCHR aims to contribute to efforts to prevent the recurrence of both the events that led to the civil war and the violations of human rights that it involved. OHCHR further aims to ensure that the peace and stability that now prevail are grounded on sound democratic principles and values, with respect for human rights under the rule of law.

## IMPLEMENTATION

During 2005, several activities were carried out by the human rights section of UNAMSIL on behalf of OHCHR. In particular, the TRC Report was publicly launched on 8 August 2005 and the launch was attended by a number of Government officials, diplomats, the United Nations Country Team, civil society organizations, victims of the conflict and the general public. A sensitization workshop on the TRC Report and its recommendations was conducted on 26 November for members of the Sierra Leone Parliament. 89 parliamentarians attended.

A major training of trainers workshop on sensitization to the TRC Report was held in Freetown on 18 and 19 November. 75 participants from all 12 districts of Sierra Leone including the Western Area attended. 12 training programmes on the TRC for members of the district human rights committees were conducted in all 12 districts from 26 November to 3 December 2005. Officers of the human rights section of UNAMSIL together with 12 consultants summarized the four-volume, 2,300 page Report into a 75-page version entitled "My TRC," to be used for sensitization on the findings and recommendations of the Report.

## CONSTRAINTS

The delay in the release of the final Report, which was not received until July 2005, impeded the implementation of these activities. In addition, UNAMSIL experienced staffing constraints further to the down-sizing of the peacekeeping mission, which ultimately affected the pace at which activities were implemented.

## IMPACT AND ACHIEVEMENTS

Dissemination of the Report and sensitization has created more awareness of what went wrong in Sierra Leone and more people today than ever before are determined to prevent a recurrence of the events that led to the war.

The beneficiaries of this project are the people of Sierra Leone as a whole. Direct beneficiaries during the period included members of Parliament, district and local town councils, human rights committees throughout the country, teachers and students.

### EXPENDITURE BREAKDOWN

#### SIERRA LEONE TRUTH AND RECONCILIATION COMMISSION (FINALIZATION OF THE REPORT AND FOLLOW-UP)

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	0	0
Experts/consultants' fees and travel	11,190	455,528
Travel:		
OHCHR staff	3,178	9,456
Commission members	0	0
Representatives and other participants	0	0
Contractual services	519	218,110
General operating expenses	-10,859	60,267
Supplies and acquisitions	-2,600	8,000
Grants, contributions, fellowships and seminars	269,988	22,800
<b>Sub-total</b>	<b>271,416</b>	<b>774,161</b>
Programme support costs	35,284	100,641
<b>Total</b>	<b>306,700</b>	<b>874,802</b>

## SUPPORT TO UNITED NATIONS PEACE MISSIONS

During the last few years, OHCHR has worked closely with the Department of Political Affairs (DPA), the Department of Peacekeeping Operations (DPKO) and other United Nations departments, agencies and programmes to ensure a comprehensive approach to human rights in all peace-making, peace-building and peacekeeping operations, as well as in humanitarian assistance and during the transition to development, in accordance with international human rights standards.

OHCHR's cooperation with DPA, DPKO and other departments and programmes is guided by: the 1998 Executive Committee on Peace and Security (ECPS) Principles for the integration of human rights into United Nations activities for conflict prevention, peace-making, peacekeeping and peace-building; the revised Memorandum of Understanding between DPKO and OHCHR signed in November 2002; and the recently adopted Secretary-General's policy committee decision 2005/24 of 26 October 2005 specifically addressing human rights in integrated missions. This policy committee decision recognizes the central role of OHCHR on human rights issues through the provision of expertise, guidance and support to human rights components, which normally discharge core human rights functions and assist in the mainstreaming of human rights across all mission activities. The heads of the human rights components are also principal human rights advisers to the Special Representatives of the Secretary-General, and represent the High Commissioner for Human Rights in the country for the implementation of the High Commissioner's mandate, including in relation to the United Nations Country Teams (UNCTs).

The OHCHR Plan of Action recognizes the need to ensure adequate substantive support and backstopping of peace missions, to assist the human rights components in developing a strategic approach to their work, to facilitate expert advice and to assist in the mainstreaming of human rights into the work of the mission and the UNCT. It also acknowledges the necessity to liaise with the treaty monitoring bodies and special procedures mechanisms and to contribute to bringing human rights issues to the attention of the High Commissioner and relevant executive bodies and United Nations organs. OHCHR's capacity to effectively support the work of peace operations is to be strengthened by allocating

dedicated geographic desk officers in Geneva for every complex peace operation with a human rights component; and by strengthening the peace missions support unit in the Capacity Building and Field Operations Branch, which assists in developing policy guidance, provides substantive assistance to the geographic desks and the missions in the planning and backstopping of the human rights components. OHCHR's capacity will also be enhanced by strengthening the New York office, and by ensuring that any support necessary is provided by various OHCHR thematic teams in Geneva, including the rule of law unit and the methodology, training and education unit.

During 2005, OHCHR provided advice and substantive support to the work of 14 human rights components of peace missions in the following peace operations: Afghanistan (UNAMA); Burundi (ONUB); Central Africa (BONUCA); Cote d'Ivoire (ONUCI); Democratic Republic of the Congo (MONUC); Ethiopia/Eritrea (UNMEE); Georgia/Abkhazia (UNOMIG); Guinea Bissau (UNOGBIS); Haiti (MINUSTAH); Iraq (UNAMI); Liberia (UNMIL); Sierra Leone (UNAMSIL/UNIOSIL); Sudan (UNAMIS/UNMIS); Tajikistan (UNTOP); and Timor-Leste (UNOTIL). Where possible and relevant, OHCHR provided funding for human rights capacity-building activities.

#### ◆ ABKHAZIA, GEORGIA

In 2005, OHCHR continued to work together with the human rights section of the United Nations Observer Mission in Georgia (UNOMIG). OHCHR supported a number of small-scale capacity development projects through the Assisting Communities Together (ACT) project. The human rights section of UNOMIG provided support to the visit of the Special Rapporteur on torture to Abkhazia, Georgia, as well as the visit of the Representative of the Secretary-General on the human rights of internally displaced persons. The human rights section also provided input to the human rights treaty bodies, in particular with regard to Georgia's consideration before the Committee against Torture and the Committee on the Elimination of Racial Discrimination. In fulfilment of its mandate the human rights office also continued to monitor the human rights situation in Abkhazia, collected first-hand information from eye-witnesses and conducted capacity-building and awareness-raising measures for the protection and promotion of human rights.

#### ◆ AFGHANISTAN

OHCHR supported the work of the human rights section of the United Nations Assistance Mission in Afghanistan (UNAMA) during 2005. The chief of the human rights section represented OHCHR in Afghanistan. OHCHR provided advice on integrating human rights into UNAMA's work and helped it ensure that all United Nations activities integrated the promotion and protection of human rights. Assistance was provided to the Government and the Afghanistan Independent Human Rights Commission in promoting and protecting human rights, in particular in implementing human rights provisions under the Bonn agreement. OHCHR also supported UNAMA in its activities concerning Afghanistan's transitional justice processes. Additional information can be found on page 94.

#### ◆ BURUNDI

In 2005, OHCHR Burundi and the United Nations Operation in Burundi (ONUB) human rights section launched a process of further integration and enhanced coordination. The ONUB human rights section constituted one of the largest substantive civilian sections, and its main focus was on monitoring human rights violations throughout the country.

The ONUB human rights section and OHCHR-Burundi developed an integrated action plan focusing on four priority areas: human rights protection and promotion, capacity-building and transitional justice. Human rights protection included monitoring of the administration of justice, the situation of internally displaced persons, asylum seekers and returnees, and monitoring of sexual violence in all provinces, as well as investigations into all reported human rights violations. Promotional activities were conducted in all provinces. Capacity-building activities included training and daily accompaniment of civil society at community and provincial levels, training of military, police, judicial, corrections and civilian personnel at the provincial level, and technical assistance on national human rights institutions to the Ministries of Human Rights and Justice. Initial planning for transitional justice activities – national consultations to be conducted in all provinces, as well as a national information campaign aimed at reaching all Burundians – was ongoing. Further details on activities are described on page 56.

### ◆ CENTRAL AFRICAN REPUBLIC

At the request of the Special Representative of the Secretary-General to the Central African Republic, OHCHR participated in a joint OHCHR/United Nations Peace-building Office (BONUCA) needs assessment mission to that country from 22 to 29 May 2005. The mission made findings on the weakness of the judiciary and civil society organizations, the existence of a widespread culture of impunity, as well as the violation of economic, social and cultural rights, especially those of vulnerable groups, including children. In order to assist the Central African Republic to address this serious human rights situation, the mission recommended that BONUCA provide support to the Government and all concerned actors in developing and implementing a national human rights action plan.

### ◆ CÔTE D'IVOIRE

The human rights situation continued to deteriorate throughout Côte d'Ivoire in 2005. OHCHR assisted the human rights section of the United Nations Operation in Côte d'Ivoire (ONUCI) in the implementation of the human rights provisions of the peace agreements signed by Ivorian parties. The High Commissioner for Human Rights visited Côte d'Ivoire from 6 to 9 July 2005 and met with the President, the Prime Minister, a number of ministers and opposition leaders in Abidjan and the leadership of the *Forces nouvelles de Côte d'Ivoire* (FNCI). The High Commissioner voiced her concern over the continuation of widespread abuses and the prevailing culture of impunity throughout the country, particularly in the zone of confidence, and the erosion of the rule of law within the Government and the areas controlled by the FNCI.

ONUCI developed a plan of action to ensure proper follow-up to the issues raised by the High Commissioner. In addition, ONUCI continued to closely monitor the human rights situation throughout the country. Bimonthly reports were issued to raise awareness of human rights problems. Furthermore, in October 2005, OHCHR supported the human rights component of ONUCI to strengthen national human rights capacities and to raise awareness of human rights.

### ◆ DEMOCRATIC REPUBLIC OF THE CONGO

During 2005, OHCHR supported the human rights section of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), which was established in November 1999. Justice support activities and the protection of individuals dominated the work of the human rights section in 2005. The strategy was to monitor certain situations, follow up cases with the authorities, and make potential perpetrators aware that the security of these individuals was being monitored. OHCHR's office works closely with the human rights section of MONUC. These activities are described in further detail on page 61.

### ◆ ETHIOPIA/ERITREA

Based out of Asmara and Addis Ababa, the human rights office of the United Nations Mission in Eritrea and Ethiopia (UNMEE), provided assistance to the Governments of Ethiopia and Eritrea to foster respect for and protection of the human rights of individuals and to build trust between authorities and citizens. Priority areas included monitoring and investigation of conflict-related human rights violations, coordination of human rights activities in the Temporary Security Zone (TSZ) and adjacent areas, the provision of human rights advice to the mission's leadership, and training of UNMEE personnel. Following a needs assessment mission to Ethiopia, the human rights office embarked on the implementation of technical cooperation activities aimed at law enforcement officials, civil society organizations and national human rights institutions. Similar technical cooperation programmes are also being encouraged for Eritrea.

### ◆ GUINEA BISSAU

The United Nations Peace-building Support Office in Guinea Bissau (UNOGBIS) was established under Security Council resolution 1233 (1999) and became operational in June 1999. Its mandate was extended for one year by the Security Council in its resolution 1580 (2004). The revised mandate allowed UNOGBIS, working closely with the UNCT, to integrate development and peace and security activities with a view to defining a cohesive, long-term peace-building strategy for Guinea Bissau. The human rights mandate of the mission aimed at supporting all efforts to enhance political dialogue and to promote national reconciliation and respect for the rule of law and human rights. While the political transition was successfully concluded with the presidential



elections in June 2005, much remains to be done for the promotion and protection of human rights in relation to civil and political as well as economic, social and cultural rights. In 2005 OHCHR also supported UNOGBIS to undertake capacity-building activities including a seminar on the administration of justice in December 2005. Direct beneficiaries were judges and prosecutors from the *Cour de Cassation* as well as the *police d'ordre publique, police judiciaire*, immigration officials and border police. Representatives of local NGOs also participated in the establishment of a monitoring mechanism.

#### ◆ HAITI

OHCHR continued its support to the human rights section of *Mission des Nations Unies pour la Stabilisation en Haiti* (MINUSTAH) where the chief of the human rights section also represents OHCHR in Haiti. The section supported several missions of the Independent Expert appointed by the Secretary-General on the situation of human rights in Haiti. Due to difficulties with the transfer of financial resources from OHCHR to MINUSTAH, the implementation of a new project of technical cooperation for Haiti was delayed until 2006. This project will address the concerns and recommendations made by the Independent Expert on the situation of human rights in Haiti and will be implemented by the human rights section of MINUSTAH.

#### ◆ IRAQ

In Iraq, OHCHR and the United Nations Assistance Mission for Iraq (UNAMI) enhanced their monitoring capacities and developed a comprehensive human rights technical cooperation programme. The programme includes activities in the areas of capacity-building of Government institutions and civil society, enhanced administration of justice, the possible establishment of a national human rights institution, identifying options for transitional justice and human rights education. For further details regarding these activities, please see page 111.

#### ◆ LIBERIA

The United Nations Mission in Liberia (UNMIL), established in September 2003, is mandated to protect and promote human rights in the country, particularly those of vulnerable groups such as refugees and returnees, internally displaced persons, women, children and demobilized child soldiers. OHCHR has been working with UNMIL since its inception. In 2005 OHCHR

provided technical support to the human rights protection section of UNMIL to assist in the drafting the Act establishing the Independent National Commission on Human Rights. OHCHR also provided support towards strengthening human rights mechanisms in post-war Liberia. These activities are described in further detail on page 131.

#### ◆ SIERRA LEONE

The mandate of the United Nations Assistance Mission in Sierra Leone (UNAMSIL) came to an end in December 2005. It was established to undertake a wide range of human rights activities, including monitoring and reporting on human rights developments across the country, advocacy, and support to capacity-building activities. After a brutal and devastating ten year civil conflict, some semblance of peace and stability has returned to Sierra Leone. However, the underlying causes of conflict have not been fully addressed and thus Security Council resolution 1620 of 1 January 2006 established the United Nations Integrated Office in Sierra Leone (UNIOSIL) to assist the Government of Sierra Leone to, inter alia: build the capacity of State institutions to further address the root causes of the conflict; develop a national action plan for human rights; establish the National Human Rights Commission; and strengthen the rule of law, including by developing the independence and capacity of the justice system and the capacity of the police. OHCHR continued to support the mission with training and capacity-building for human rights monitors; training in reporting to human rights treaty bodies; and with the establishment of three human rights and law reference libraries. These activities are described in further detail on page 132.

#### ◆ TAJIKISTAN

In 2005, OHCHR continued to support the United Nations Tajikistan Office of Peace-building (UNTOP). With the support of the UNTOP human rights component and the national project officer recruited under the OHCHR regional project for Central Asia, Tajikistan prepared and submitted three reports to treaty bodies, namely its combined initial to third report to the Committee on the Elimination of Discrimination against Women in May 2005, its initial report to the Committee on Economic, Social and Civil Rights in May 2005 and its initial report to the Committee against Torture in June 2005. The Human Rights Committee considered its initial report in July 2005.



**◆ TIMOR-LESTE**

The mandate of the United Nations Mission of Support in East Timor (UNMISET), was established by the Security Council in 2002, and includes providing support to the public administration and justice systems, supporting the development of law enforcement systems, and helping to maintain security and stability in the country. This mandate came to an end on 19 May 2005 and was succeeded by the United Nations Office in Timor-Leste (UNOTIL), further to Security Council resolution 1599, with a mandate of one year to carry out peace-building activities. During 2005, OHCHR continued to support the mission to respond to evolving human rights concerns in Timor-Leste as identified by the Government, the Commission on Human Rights and the Security Council. For additional information please see page 161.

**◆ SUDAN**

The United Nations Advance Mission (UNAMIS) was deployed to Sudan in August 2004 to prepare for a United Nations peace operation following the signing of a peace treaty. The signing of the Comprehensive Peace Agreement (CPA) on 9 January 2005 between the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A) saw the end of an internal conflict that lasted more than two decades. This led to the passing of Security Council resolution 1590 of 24 March 2005, which established the United Nations Mission in the Sudan (UNMIS) to succeed UNAMIS. The mandate of UNMIS is to support the implementation of the CPA by, inter alia, monitoring its implementation, investigating violations, observing the movement of armed groups and ensuring an adequate human rights presence. OHCHR developed technical assistance activities with the human rights section of UNMIS which are described in further detail on page 102 and 134.



# TECHNICAL COOPERATION ACTIVITIES

## INTRODUCTION

The United Nations technical cooperation programme in the field of human rights aims at protection and empowerment through promoting and supporting the incorporation of international human rights standards into national laws, policies and practices and through building national human rights capacities and infrastructure. Together with human rights treaty bodies and special procedures mechanisms, it forms a single United Nations human rights programme. The programme is implemented in the context of the pursuit of national development objectives and coordinated actions by the United Nations system. It forms part of a strategy of long-term engagement agreed upon by governments and involves working with a range of national actors.

The technical cooperation programme is a source of substantive advice and assistance in the field of human rights, within the framework of one broad United Nations human rights programme. It is not, in the first instance, a funding source for projects developed outside of the United Nations system. Instead, it takes a comprehensive programmatic approach to supporting national efforts towards building a strong human rights framework. A range of interlinked areas need to be addressed to strengthen a national human rights framework. These areas include a strong legal framework, effective national human rights institutions, an independent judiciary, a vibrant civil society, and a society that is educated about its rights and responsibilities.

The technical cooperation programme strives for a combination of unparalleled human rights competence, pedagogical methodologies, cultural sensitivity and a sound strategic vision. The programme capitalizes on the Office's unique link to the human rights machinery and the wide range of human rights expertise within OHCHR, as well as its universal mandate providing authority and legitimacy, to facilitate the sharing of good practices and comparative experiences.

In terms of substantive thematic expertise, the OHCHR Plan of Action recognizes that developing and strengthening the Office's substantive human rights expertise is key to supporting effective country engagement. The Office has embarked on a process of consolidating and strengthening existing expertise and developing capacities in additional areas. The challenge for the Office is to ensure systematic links between the technical cooperation programme and the other areas of OHCHR's work,

including the various substantive areas. These links will ensure the development of sustainable capacity and translate substantive expertise into practically useful methodological tools. Such tasks require dedicated staff working on programme development. To achieve this, the Office has built up a certain expertise in human rights training methodology and the development of training material, including for various professional groups. To provide wide-ranging human rights expertise, the Office also needs to invest in the management of an effective roster of experts.

The technical cooperation programme has the potential to play a key role in bringing the components of the United Nations human rights programme together under one broad, coherent programme. It helps bring life to the recommendations made by treaty bodies and special procedures at the country level.

OHCHR through its technical cooperation programme supports the human rights-related programmes of its partners, especially UNDP and the United Nations Country Teams (UNCTs). Increasingly, OHCHR activities at the field level are undertaken in cooperation with human rights components of United Nations peacekeeping missions and other United Nations agencies. The increasing involvement of various organizations, including United Nations actors, in providing assistance for human rights reform is a welcome development. It highlights the need, however, for better coordination to ensure coherence among the various assistance efforts. In working closely with United Nations agencies and donors, OHCHR can act as a catalyst for needed reforms, including by sharing independent needs assessments. As OHCHR does not have the capacity to be present in all countries, it has developed a regional approach to encourage intergovernmental cooperation and formulate common policies and programmes. Regional representatives have been posted in Addis Ababa, Bangkok, Beirut, Pretoria, Santiago de Chile, Suva and Yaoundé.

The technical cooperation programme is primarily funded by the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights. Since 1993, a Board of Trustees has provided administrative and operational advice to the Fund, meeting biannually to review the programme by region, discuss thematic issues, methodologies and procedures, examine financial, administrative and fundraising matters and brief Member States. In 2005 the Fund met for its 23rd session in June while the 24th session was postponed until 2006.

OHCHR commenced the process of issuing an Annual Appeal and reporting on activities in an Annual Report in 2000, introducing greater coordination of activities and transparency of reporting to donors. Since this time, OHCHR's spending on technical cooperation activities from voluntary contributions has increased from US\$ 4.7 million in 2000 to US\$ 7.1 million in 2005. In addition US\$ 1.7 million was spent in 2005 under the United Nations regular budget, to support technical cooperation activities. This expenditure included staff salaries, consultants required for project implementation, support to the indigenous fellowship programme, general operating expenses, and travel costs.

In addition to the country and regional activities funded by the Voluntary Fund for Technical Cooperation, support has also been given to global projects on the World Programme for Human Rights Education, strengthening human rights in peace operations, trafficking in persons, support to UNCTs, and human rights and counter-terrorism. These activities are described in greater detail in the chapter entitled "Thematic Human Rights Challenges".

Expenditure totals may in some instances include outstanding obligations from activities implemented during the previous years due to the United Nations Secretariat working with biannual financial budgets and some delays in reporting and recording expenditures in countries where OHCHR works closely with UNDP. In these instances, explanations are provided in introductions to the relevant geographic regions.

## STATEMENT OF INCOME AND EXPENDITURE TECHNICAL COOPERATION ACTIVITIES

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary*	US\$
Opening balance	8,348,262
Adjustment <sup>1</sup>	73,840
Income from contributions	8,090,538
Other funds available <sup>2</sup>	320,073
Total funds available	16,832,713
Expenditure <sup>3</sup>	8,290,334
<b>Closing balance<sup>4</sup></b>	<b>8,542,379</b>

<sup>1</sup> Includes adjustments to prior year expenditures, savings and refunds to donors.

<sup>2</sup> Includes interest income.

<sup>3</sup> Includes disbursements & unliquidated obligations as at 31 December 2005.

<sup>4</sup> Includes all funds held as at 31 December 2005.

\* This statements indicates total funds available for all projects under the Voluntary Fund for Advisory Services and Technical Assistance in Human Rights, including projects which are described under the section "Thematic Human Rights Challenges" (i.e. World Programme for Human Rights Education, strengthening human rights in peace operations, trafficking in persons, support to United Nations Country Teams, and human rights and counter-terrorism) on pages 175 to 228.

## BUDGET AND EXPENDITURE

## VOLUNTARY FUND FOR ADVISORY SERVICES AND TECHNICAL ASSISTANCE IN HUMAN RIGHTS

This table indicates the budgeted amount for planned activities as per the Annual Appeal 2005 and mid-year revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 expenditure column corresponds to Annual Report 2004 while the 2005 column includes 2004-2005 balance of disbursements and unliquidated obligations (see page 9).

	Annual Appeal Budget US\$	Revised Budget US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
<i>Global projects<sup>1</sup></i>				
Board of Trustees	57,700	55,650	21,246	56,264
Preparation, evaluation and review of VFTC projects	165,000	120,579	32,357	108,995
<b>Sub-total</b>	<b>222,700</b>	<b>176,229</b>	<b>53,603</b>	<b>165,259</b>
<i>Africa</i>				
Regional and sub-regional activities <sup>2</sup>	1,892,900	2,072,405	1,334,720	1,618,350
Chad	0	69,608	97,858	0
Gabon*	0	0	0	45,803
Guinea-Bissau*	0	0	0	10,004
Liberia	149,700	261,898	177,866	114,902
Malawi*	0	0	0	8,449
Sierra Leone	0	0	102,830	112,429
Somalia	169,800	0	6,614	21,418
Sudan	104,200	0	360,514	324,378
<b>Sub-total</b>	<b>2,316,600</b>	<b>2,403,911</b>	<b>2,080,402</b>	<b>2,255,733</b>
<i>Latin America and the Caribbean</i>				
Regional and sub-regional activities <sup>3</sup>	1,132,300	1,081,092	730,085	575,761
El Salvador	0	0	8,251	80,772
Guatemala	0	0	129,385	507,788
Haiti	0	0	22,841	60,229
Mexico	926,600	808,352	752,484	639,863
Uruguay <sup>4</sup>	0	0	0	96,785
<b>Sub total</b>	<b>2,058,900</b>	<b>1,889,444</b>	<b>1,643,046</b>	<b>1,961,198</b>
<i>Europe, Central Asia and the Caucasus</i>				
Regional and sub-regional activities <sup>5</sup>	920,500	930,176	208,222	657,746
Azerbaijan	350,000	117,491	52,121	78,721
Croatia	100,000	114,863	75,813	195,627
Former Yugoslav Republic of Macedonia	120,000	129,096	29,898	80,086
Turkmenistan	109,500	73,563	0	0
Russian Federation	250,000	219,271	0	197,584
<b>Sub-total</b>	<b>1,850,000</b>	<b>1,584,460</b>	<b>366,054</b>	<b>1,209,764</b>

## BUDGET AND EXPENDITURE

## VOLUNTARY FUND FOR ADVISORY SERVICES AND TECHNICAL ASSISTANCE IN HUMAN RIGHTS (cont.)

This table indicates the budgeted amount for planned activities as per the Annual Appeal 2005 and mid-year revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 expenditure column corresponds to Annual Report 2004 while the 2005 column includes 2004-2005 balance of disbursements and unliquidated obligations (see page 9).

	Annual Appeal Budget US\$	Revised Budget US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
<i>Asia and the Pacific</i>				
Regional and sub-regional activities <sup>6</sup>	1,179,800	762,424	455,589	623,646
Afghanistan*	0	0	0	63,381
China	277,000	342,747	295,116	190,397
Iran	125,000	124,978	-29,435	224,268
Mongolia	125,000	127,577	133,453	57,707
Nepal	220,600	106,628	212,438	159,799
Papua New Guinea*	0	0	0	7,344
Sri Lanka	93,300	93,338	93,338	133,170
Solomon Islands	0	0	-25,708	50,334
Timor-Leste	313,600	178,881	163,099	324,937
<b>Sub-total</b>	<b>2,334,300</b>	<b>1,736,573</b>	<b>1,297,890</b>	<b>1,834,983</b>
<i>Arab region</i>				
Regional and sub-regional activities <sup>7</sup>	1,103,200	1,200,079	957,163	848,101
Morocco	80,000	80,000	0	153,564
Palestine	1,038,900	1,045,360	740,384	737,172
Yemen	80,000	80,000	0	0
<b>Sub-total</b>	<b>2,302,100</b>	<b>2,405,439</b>	<b>1,697,547</b>	<b>1,738,837</b>
<b>Total</b>	<b>11,084,600</b>	<b>10,196,056</b>	<b>7,138,542</b>	<b>9,165,774</b>

<sup>1</sup> Additional global projects that are funded under the Voluntary Fund for Technical Cooperation can be found under the section "Thematic Human Rights Challenges" on pages 175 to 228. They amount to US\$ 1,151,792 in 2005 and include the World Programme for Human Rights Education, strengthening human rights in peace operations, trafficking in persons, support to United Nations Country Teams, and human rights and counter-terrorism.

<sup>2</sup> Includes regional representation in Addis Ababa, Pretoria and Yaoundé, support for the African Union, African dialogue III, and the International Conference on the Great Lakes.

<sup>3</sup> Includes regional representation in Santiago de Chile and Suva, and sub-regional activities in support of the promotion and protection of human rights in Latin America and the Caribbean.

<sup>4</sup> Funds for this project were dispersed in 2004, but implemented in 2005. See page 143 for further details.

<sup>5</sup> Includes OHCHR's South-East Europe sub-regional strategy and regional project for Central Asia.

<sup>6</sup> Includes regional representation in Bangkok and the Asia-Pacific framework.

<sup>7</sup> Includes regional representation in Beirut, promotion of human rights in the Arab region, support to Arab Institute for Human Rights in Tunis and support to human rights in Arab States.

\* These projects were implemented in 2004.

## TECHNICAL COOPERATION ACTIVITIES

## VOLUNTARY CONTRIBUTIONS

## VOLUNTARY FUND FOR ADVISORY SERVICES AND TECHNICAL ASSISTANCE IN HUMAN RIGHTS

This table refers to the total amount of voluntary funds pledged and income received in 2005.

	Earmarking/allocation	Pledge US\$	Income US\$
<i>Unearmarked contributions</i>			
United Kingdom	VFTC	128,836	125,000
<i>Earmarked to VFTC</i>			
Austria	VFTC	47,295	47,295
Belgium	VFTC	678,426	584,791
Colombia	VFTC	23,970	23,970
Finland	VFTC	202,881	205,107
Germany	VFTC	304,878	302,663
Greece	VFTC	12,195	12,019
India	VFTC	50,000	50,000
Ireland	VFTC	439,147	439,147
Japan	VFTC	130,000	0
Korea, Rep. of	VFTC	100,000	100,000
Liechtenstein	VFTC	44,248	44,248
Norway	VFTC	798,722	788,833
Panama	VFTC	1,000	1,000
South Africa	VFTC	15,027	15,027
Sweden	VFTC	848,656	778,772
Switzerland	VFTC	1,327,434	1,327,434
UNICEF	VFTC	8,000	8,000
United Kingdom	VFTC	381,679	358,040
USA	VFTC	1,488,000	1,488,000
<i>Specific earmarking</i>			
Australia	Establishment of sub-regional office in Suva	116,279	116,867
Costa Rica	TC activities in the LAC region	1,480	1,480
Italy	Regional office in Addis Ababa	233,463	232,859
	TC activities in the Arab region	129,702	129,366
Norway	Sudan	324,254	323,415
	Mexico	79,872	78,883
Poland	Sudan	79,872	78,883
	Palestine	5,000	5,000
Portugal	Timor-Leste	60,096	60,096
Spain	Haiti	25,356	0
Switzerland	Sri Lanka <sup>1</sup>	80,541	39,370
European Commission	Mexico – impl. of the Diagnostic recommendations <sup>2</sup>	0	309,477
	Morocco – support to HR centre <sup>3</sup>	0	5,496
<b>Total</b>		<b>8,166,309</b>	<b>8,080,538</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

<sup>1</sup> Consists of two pledges amounting to CHF 50,000. One was paid in 2005 and the second one in early 2006.

<sup>2</sup> First instalment of a contribution pledged in 2004.

<sup>3</sup> Final instalment of a contribution pledged in 2001.



# AFRICA

## INTRODUCTION

In 2005, OHCHR focused on continuing activities in support of countries in crisis and post-conflict situations in Africa. The Office concentrated on further consolidating action with United Nations Country Teams (UNCTs) and national actors to strengthen national protection systems, and on continuing engagement with countries through OHCHR regional offices.

In order to support evolving post-conflict situations and the restoration of the rule of law, a fact-finding mission was undertaken to Togo to investigate alleged human rights abuses in connection with presidential elections in the country. OHCHR also fielded a human rights adviser to assist the UNCT during the crisis. The report of the fact-finding mission has been a reference tool in the ongoing political dialogue and reconciliation efforts in the country.

The High Commissioner visited Côte d'Ivoire, Liberia and Sierra Leone in July 2005 to assess the human rights situation in these countries and to offer support to the post-conflict activities being undertaken by the United Nations. In line with the United Nations policy on integration, the Office's activities in Darfur and Burundi were consolidated with those of the United Nations missions in the respective countries.

The existing regional offices in Yaoundé, Pretoria and Addis Ababa continued to play a pivotal role in the implementation of capacity-building activities and other related obligations, such as the Secretary-General's Action 2 reform programme. Further action was also taken towards the establishment of a regional office in West Africa through the deployment of a human rights adviser to the Economic Community of West African States (ECOWAS) secretariat. The adviser was able to carry out further consultations with all key stakeholders on the possible mandate and focus of the office, as well as to assist ECOWAS in developing a draft human rights policy. The West Africa regional office is expected to be opened in 2006. The crisis in Togo contributed to the delay in opening the office.

At the national level 2005 saw an increase in capacity-building activities, especially in countries with peacekeeping operations. Specific technical assistance activities were developed in

Chad, Liberia, Sierra Leone and Sudan, as per agreements with the Governments concerned. These activities are described in further detail below. The security situation caused by the political crisis in Somalia made it impossible to implement planned activities in that country. Instead support was provided to the UNCT and the Independent Expert. Support was also provided to human rights components of peacekeeping operations in Burundi, Central African Republic, Côte d'Ivoire, Democratic Republic of the Congo, Ethiopia/Eritrea and Liberia to carry out activities aimed at strengthening national human rights capacity. In addition, OHCHR continued to support the work of several special rapporteurs and independent experts for Burundi, Democratic Republic of the Congo, Liberia, Somalia and Sudan.

2005 was a year of transition and consolidation for OHCHR's activities in the Sudan. The human rights monitors who started their activities in Darfur in July 2004 were integrated in the human rights section of the United Nations Mission in Sudan (UNMIS) as of 1 April 2005; the technical cooperation activities undertaken since March 2001 were transferred to UNMIS as of 1 July 2005; the Darfur Commission of Inquiry assisted by OHCHR completed its work in January 2005. Thus, as of mid-2005, all human rights-related activities in Sudan, including monitoring, protection and promotion, as well as support to special procedures, were implemented through UNMIS.

Additional national-level activities implemented in Angola, Burundi, the Democratic Republic of the Congo, Côte d'Ivoire, Sudan and Uganda are described in further detail in the chapter entitled "Human rights support to peace-making, peacekeeping and peace-building activities".

In addition to 9 staff members in Geneva, OHCHR had international and national staff located in Angola, Burundi, Cameroon, Democratic Republic of the Congo, Ethiopia, Kenya, South Africa, Sudan and Uganda. Most of the activities were implemented in collaboration with the UNCT, civil society and national institutions.



## EXPENDITURE BREAKDOWN AFRICA

This table indicates expenditure per country. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Regional and sub-regional activities	1,334,720	1,618,350
Chad	97,858	0
Gabon	0	45,803
Guinea-Bissau	0	10,004
Liberia	177,866	114,902
Malawi	0	8,449
Sierra Leone	102,830	112,429
Somalia	6,614	21,418
Sudan	360,514	324,378
<b>Total</b>	<b>2,080,402</b>	<b>2,255,733</b>

## REGIONAL AND SUB-REGIONAL ACTIVITIES

### ◆ EAST AFRICA

During 2005, the East Africa subregional office in Addis Ababa focused on the following priorities:

- Collaboration with United Nations agencies, the African Union (AU), governments and NGOs in the region and beyond, where relevant, to strengthen the human rights dimension in their respective programmes;
- Contribution to better coordination and rationalization of OHCHR's activities with its partners; to mobilize partners within the United Nations system to support national human rights protection systems; and
- Facilitating the implementation of human rights principles by disseminating tools and guidelines on the United Nations human rights system.

The subregional office supported UNCTs in Eritrea, Ethiopia, Kenya, Rwanda, Tanzania and Uganda through various Action 2-related activities, including human rights training for staff, developing plans to integrate human rights in their programmes, and reviewing draft Common Country Assessments (CCAs) and United Nations Development Assistance Frameworks (UNDAFs) to better incorporate human rights norms and to take account of the specific human rights situation in the country. Because of a

reduction in the number of staff in the office, OHCHR did not engage in Djibouti in 2005, as it was decided that this did not represent a priority country during the period under review.

The dialogue on human rights initiated by the subregional office has influenced the content and orientation of the programming documents from almost all the countries, and in certain cases is reflected in the country programmes that were subsequently developed by members of the UNCT. In Uganda, for example, where the CCA and UNDAF were completed in 2004, the UNFPA country team invited the OHCHR subregional office to participate in a retreat to develop its sixth country strategy to ensure it would properly reflect the human rights dimension. The training workshop organized in Rwanda paved the way to the drafting of the country's economic development and poverty reduction strategy paper in 2006.

The subregional office continued its engagement with the African Union (AU) Commission by further elaborating the AU Commission's human rights agenda. It supported the AU Commission's institutional transformation exercise and provided input on how to enhance the operations of the African Commission on Human and Peoples' Rights (ACHPR) and other relevant human rights institutions of the AU, including how to increase participation of human rights NGOs in their programmes and activities. In April 2005, the subregional office organized a workshop for senior members of the AU Commission on the human rights dimension of their respective portfolios. It also initiated and participated in consultations to establish an African Human Rights Defenders' Award, a development that illustrates the AU Commission's increasing visibility in the human rights arena and its embrace of civil society. These activities have contributed towards deepening the human rights work of the AU Commission. The AU Commission also hired a human rights expert, with some support from the subregional office, and established a governance and human rights unit that should further focus its human rights programmes.

At the Economic Commission for Africa (ECA), the subregional office continued to identify areas of collaboration to further enhance ECA human rights activities. The subregional office has agreed to convene a cluster on governance and human rights and to organize a regional youth forum on human rights as a parallel event to the 5th African Development Forum, scheduled for October 2006. In collaboration with the ECA African Centre for Gender and Development, the subregional office co-sponsored

a regional workshop on promoting women's rights through education in Kigali in October 2005, bringing together 80 participants from Rwanda, Ethiopia, Eritrea, the Democratic Republic of Congo, Madagascar, the Comoros, Seychelles, Mauritius and Kenya. Several AU officials, United Nations agencies and civil society organizations were also in the attendance.

The office also organized a subregional workshop in Mombasa, Kenya from 15 to 17 December 2005 for civil society organizations in East Africa. Participants explored ways for civil society organizations and other national human rights actors to be more involved in the framework of the United Nations, to both leverage their own human rights activities and to play a more effective role in promoting human rights through United Nations channels. The newsletter in print form planned for the East Africa office was not completed in 2005 because of a delay in the arrival of funding. In 2006, the newsletter will be updated and prepared for printing.

Overall, the East Africa office played an increasingly important role in representing OHCHR in the subregion and drawing attention to the outputs of the United Nations human rights mechanisms, thereby contributing to deepening human rights awareness.

#### ◆ SOUTHERN AFRICA

The Southern Africa office in Pretoria, jointly funded by OHCHR and UNDP, provides training, technical and substantive support to governments, UNCTs, national human rights institutions and civil society organizations in the subregion. It also assists the Southern African Development Community (SADC) in integrating human rights into its programming and policies.

During 2005, the office organized a number of capacity-building workshops for UNCTs in the subregion. These included a UNCT training workshop in Mozambique from 18 to 20 May 2005; training in Madagascar that brought all UNCTs in the region together in September 2005; and training of the South African UNCT on 13 and 14 October 2005. These workshops focused on the human rights-based approach to programming, the human rights dimension of the United Nations reform reports and the mainstreaming of human rights in CCA/UNDAF processes. The subregional representative also participated in the first CCA workshop for Seychelles from 7 to 12 November 2005 with a view to ensuring that a human rights-based approach is integrated into the process.

The assistance provided to the UNCTs has enhanced the capacity of United Nations programme staff in the subregion and has generated further requests for assistance. The office is currently assisting the South African UNCT to mainstream human rights in its 2006-2010 UNDAF.

The subregional representative participated in and facilitated two local UNFPA technical services team regional training workshops, one for Anglophone countries of East and Southern Africa in March 2005 and another for francophone countries of West and Central Africa in May 2005. The contribution of the office focused on operationalizing the human rights-based approach to programming, Action 2 and the United Nations reform.

The office undertook successful activities with civil society organizations and governments in the subregion, including the provision of technical support to strengthening national institutions and preparing reports to the treaty bodies in Botswana, Mauritius, Zambia and South Africa. The subregional representative provided technical support to launch and implement the governance and human rights project in Seychelles developed by the Centre for Rights and Developments and funded by UNDP. In collaboration with UNDP, institutional strengthening and capacity-building was undertaken with State institutions in Mauritius such as the police, prison officials, the judiciary and parliament. With the subregional office's increased involvement, the Government of Mauritius has committed to double its efforts to promote and protect human rights in the country. It intends to prepare a national human rights strategy with OHCHR as one of its main partners.

The office continued to focus on encouraging the establishment of national human rights institutions in the subregion and strengthening existing ones. Particular support was given to the establishment of a national human rights commission in Comoros and to the revision of the mandate of the national human rights commission in Madagascar. The office's engagement in the area of supporting national human rights institutions has led to an increased request for assistance by governments willing to establish similar institutions.

The office continued to support regional institutions such as the New Partnership for Africa's Development (NEPAD), the African Peer Review Mechanism, the Pan-African Parliament and the Southern African Development Community (SADC). The subregional representative provided regular technical advice to the

NEPAD gender cluster of which she is a member. As a result of continuous engagements with SADC, the office has scheduled a workshop for the judiciary in the subregion as a follow-up to a recommendation from the SADC Chief Justices Conference held in June 2004.

The office provided technical and logistical support to the Special Rapporteur on human rights and fundamental freedoms of indigenous peoples, the Special Rapporteur on disability of the United Nations Commission for Social Development and to the Working Group on Arbitrary Detention in the context of their visits to South Africa. Follow-up activities based on the recommendations of these special procedures will form part of future activities in Southern Africa.

#### ◆ WEST AFRICA

West Africa is currently the most volatile subregion of the continent, with most constituent states immersed in various degrees of political, economic and humanitarian crises. The subregion is host to some 25,000 troops as a result of the simultaneous presence of United Nations peacekeeping missions in Côte d'Ivoire, Liberia and Sierra Leone. Violations and abuses of human rights are the root causes of the various crises in the region. Such crises, especially armed conflict in one country, have repercussions in other countries because of factors such as cross-border ethnic relations, the involvement of mercenaries from other countries in conflicts, the high level of migration in the subregion, interrelated economies and the flow of refugees and internally displaced persons. These diverse experiences underline the need for a long-term strategy aimed at addressing the human rights violations that are the root causes of crises, while also dealing in the short and medium term with their consequences. In 2006, OHCHR will open a subregional office in West Africa to provide assistance to States, the Economic Community of West African States (ECOWAS), United Nations partners and civil society in the West Africa subregion.

The work of the office is based on the agreement between OHCHR and ECOWAS, and on Action 2 which aims to assist UNCTs to strengthen human rights-related capacities. In response to a request for technical assistance from ECOWAS in 2002, as well as from States of the subregion, a project formulation mission took place from 20 to 29 February 2005 in Dakar and from 1 to 4 March 2005 in Abuja. The mission identified areas of cooperation with ECOWAS, United Nations agencies and programmes

in the subregion. It also examined ways to ensure coordination and optimal utilization of resources, assessed human rights assistance needs within the ECOWAS Secretariat, Parliament and the Court of Justice, and prepared a draft project proposal for activities to be carried out by the subregional office.

The outcome of the project formulation mission and requests received for technical assistance from the different actors in the subregion have formed the basis of the design and implementation of activities for the West Africa office. Key activity areas include:

*Support to human rights units of peacekeeping operations in the subregion to fight impunity.* In this area, OHCHR will work closely with human rights sections of peacekeeping operations in the subregion on the establishment of a database of past crimes and their perpetrators. In collaboration with the Human Rights Information and Documentation Systems International (HURIDOCs), OHCHR organized a training workshop in Accra in December 2005 for field staff involved in handling information related to human rights violations. The training focused on ensuring that the information recorded is credible and can be used for accountability and reporting mechanisms such as the African Commission on Human and Peoples' Rights and the United Nations treaty bodies and special procedures.

*Providing the ECOWAS Secretariat and its relevant institutions with greater awareness and understanding of human rights standards.* This work includes an overview of how to integrate a human rights-based approach to programming and policies. In this context, a training programme on human rights mainstreaming and a rights-based approach took place in Mina, Nigeria, in September 2005 for staff from various departments of ECOWAS and relevant institutions such as the Parliament and the Community Court.

*Support and assistance to ECOWAS in the development of a human rights programme.* OHCHR deployed a human rights officer to Abuja from October to December 2005 to support and assist the ECOWAS Secretariat in its development of a human rights policy and comprehensive human rights programme and its subregional strategy on human trafficking, human rights and migration.

*Support to activities of national institutions for the promotion and protection of human rights.* OHCHR, in cooperation with UNESCO, organized the 5th Conference of African National Human Rights Institutions, hosted by the National Human Rights Commission of Nigeria from 8 to 10 November 2005 in Abuja. At

the conclusion of the conference, national human rights institutions, NGOs, governmental and intergovernmental organizations from 25 African countries, and representatives of the ICC, the Commonwealth Secretariat, the Economic Community of West African States, UNCTs, the International Council on Human Rights Policy and the Open Society Institute adopted the final Abuja Declaration.

#### ◆ CENTRAL AFRICA

The activities of the United Nations Centre for Human Rights and Democracy in Central Africa (the Yaoundé Centre) continued to focus on capacity-building and the promotion of human rights and democracy. The work aimed at strengthening the capacity of governments, parliamentarians, armed forces, police, students and civil society organizations.

In 2005, OHCHR organized several workshops, seminars and symposiums, including a subregional workshop on the role of civil society in the fight against discrimination suffered by people living with HIV/AIDS (Kigali, June 2005), a subregional seminar on follow-up to the Durban Declaration (Libreville, July 2005), a subregional workshop on human rights in prisons (Douala, November 2005), a subregional workshop on civil society and the protection of the rights of indigenous peoples (Kinshasa November 2005) and a symposium on mechanisms to combat torture (Yaoundé, December 2005). Training activities carried out by OHCHR in the subregion during the year contributed to local and national initiatives by government authorities, such as legislative reform and requests for technical support. Activities also contributed to achievements by national institutions and civil society organizations, which created subregional networks and adopted plans of action in the areas of protection of vulnerable groups, including persons living with HIV/AIDS, and indigenous people.

During the coordination meeting of the heads of the UNCT in September 2005, OHCHR advocated for the implementation of the Secretary-General's Action 2 programme by the Cameroon team. OHCHR initiated a consultation within the UNCT to boost the implementation of phase V of the Assisting Communities Together (ACT) project. The Governance Thematic Group, created in the framework of the CCA/UNDAF, is acting as the ACT task force to widely disseminate application forms and to establish selection procedures for grantees. UNCTs also committed to engage in the implementation of Action 2.

OHCHR continued to provide support to the Secretariat General of the Economic Community of Central African States (ECCAS) for the design of a legal framework of information management. The design concerned freedom of movement in the subregion, predominately for confidential information and data protection for ECCAS travel documents to be issued in the future. OHCHR also hosted three groups of interns, each for a three month period, during 2005. Interns included lawyers, human rights activists and journalists from the African region. Also, within the framework of the project titled *Renforcement des capacités des organisations de la société civile en Afrique centrale*, OHCHR granted assistance to three NGO projects and three platform organizations and academic research projects.

Ongoing activities by the documentation and information unit of the Yaoundé Centre led to several achievements. In particular, informative materials were made more accessible and research and reference services for users were improved. Several OHCHR publications were disseminated to Government authorities and civil society organizations in the subregion. Overall, the Yaoundé Centre experienced a significant rise in the number of visitors, with the annual total being well over 2000, including students, researchers, human rights activists and members of the armed forces.

In addition to funding support from voluntary contributions, US\$ 474,147 was spent in 2005 from the United Nations regular budget in support of the Centre for Human Rights and Democracy in Central Africa.

#### ◆ INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION

The International Conference on the Great Lakes Region, elaborated in General Assembly resolutions 1291 and 1304, is an important initiative to work towards a peaceful and lasting resolution of the protracted conflict in the region, together with the international community. The Conference, which deals with four thematic areas (peace and security, good governance and democracy, regional integration and development, humanitarian and social affairs), addresses the structural and proximate causes of conflicts in the region, taking a participatory approach that includes women, youth and civil society organizations and integrates cross-cutting issues, including human rights and gender.

OHCHR seconded a human rights adviser to the office of the Special Representative of the Secretary-General for the Great Lakes Region in Nairobi from January to December 2005. The human rights adviser assisted the participants and the joint United Nations/African Union Secretariat in implementing the following activities:

- Mainstreaming human rights into the draft protocols, programmes of action and projects to be adopted in the framework of the proposed Pact on Security, Stability and Development in the Great Lakes Region;
- Establishment of an active human rights caucus among delegates to the Conference;
- Organization of a workshop to review draft projects and protocols from a human rights perspective (Nairobi, 1 to 2 September 2005);
- Coordination with other partners, including the Yaoundé Centre, the Special Adviser of the Secretary-General on the Prevention of Genocide, as well as the Raoul Wallenberg Institute; and
- Steady inter-agency collaboration with UNDP, OCHA, UNIFEM, DPA, UNHCR and UNEP as active partners in the process of the Conference, to ensure the integration of human rights.

OHCHR's support to the International Conference has resulted not only in the successful mainstreaming of human rights in all draft protocols, programmes of action and projects, but also in establishing a legal regional framework. This framework includes draft protocols on: the prevention and elimination of genocide; protection and assistance to internally displaced persons; the rights to property of returnees; and the media. It also established a network of human rights experts that will be vital to the protection of human rights in the region. The support of the human rights adviser to the Conference has also proved the need for continued involvement on the part of OHCHR. Planned follow-up activities by OHCHR include the Action 2 programme for the Great Lakes region, which will result in the publication of a regional human development report and a regional consultation to be organized by the Yaoundé Centre. Another activity will be to develop a comprehensive plan of action in support of the implementation phase of the proposed Pact on Security, Stability and Development in the Great Lakes Region.

## COUNTRY PROJECTS

### CHAD

#### ◆ BACKGROUND

OHCHR/UNDP carried out a needs assessment mission in March 2004, which recommended the formulation and implementation of an 18-month joint technical cooperation project to strengthen national capacities in Chad. This project provides for the deployment of a human rights adviser to assist with implementation while acting as adviser to the UNCT in human rights mainstreaming activities. The human rights adviser was deployed in early December 2005 for an initial period of six months.

#### ◆ OBJECTIVES

The long-term objective is to improve the human rights situation in Chad. Immediate objectives include capacity-building of the Government, the judiciary, the National Commission on Human Rights, civil society organizations, the academic sector and the UNCT in Chad in the field of human rights.

#### ◆ IMPLEMENTATION

After commencing activities in December 2005, the human rights adviser organized meetings with relevant officials to discuss the modalities of implementation, including the establishment of a national body for reporting under international human rights treaties, initiation of penal reform, the development of a national human rights education plan, a needs assessment for the National Commission on Human Rights and inclusion of human rights training in the curricula of the University of N'Djamena and the *École Nationale d'Administration et de Magistrature*. Meetings included discussions with the Ministry of Justice and with the Ministry of National Education. The late deployment of the human rights adviser meant that other planned activities for Chad had to be postponed to 2006.

#### ◆ CONSTRAINTS

Delays in agreement on OHCHR's mandate in Chad led to the postponement in the implementation of activities. Furthermore,



the absence of a Resident Coordinator in Chad for more than six months caused delays in the recruitment of the human rights adviser.

#### ◆ IMPACT AND ACHIEVEMENTS

The deployment of a human rights adviser has proved critical, especially in light of the conflict in Darfur and its regional implications.

## LIBERIA

#### ◆ BACKGROUND

A project on assistance to Liberia in the area of human rights was designed in 2004 as a joint OHCHR/UNDP initiative to support post-conflict reconstruction. The project aimed to address impunity through building a database of the conflict to assist the international response to the grave violations of international humanitarian law that characterized the conflict in Liberia. In doing so, through this project OHCHR aimed to assist the reconciliation process. Additionally it sought to provide relevant human rights training and develop training materials on human rights for humanitarian workers.

#### ◆ OBJECTIVES

The objectives for this project were to:

- Support the implementation of the Comprehensive Peace Agreement (CPA) and the priorities set out in the Results Focused Transitional Framework.
- Provide comprehensive information on war-related abuses and violations in order to streamline the activities of the Truth and Reconciliation Commission (TRC) and support the reconciliatory process;
- Establish and nurture a collaborative relationship between the human rights community and humanitarian actors with a view to ensuring that humanitarian operations are designed to advance human rights; and
- Provide backstopping to the United Nations Mission in Liberia (UNMIL) and support the Independent Expert on Liberia as well as the human rights activities of OHCHR and UNDP.

#### ◆ IMPLEMENTATION

During 2005, OHCHR assisted the human rights and protection section of UNMIL, including in the provision of support to the Government to begin working with civil society and other stakeholders to draft and adopt a national human rights action plan. In addition, OHCHR hosted a three-day workshop on transitional justice and rule of law tools for post-conflict states in Africa. The workshop, attended by officials from OHCHR, DPKO, United Nations field presences and civil society, aimed at taking stock of transitional justice-related activities in Africa. OHCHR also provided support to the United Nations Independent Expert on Liberia.

The conflict in Liberia was characterized by gross violations of human rights and international humanitarian laws. The project to map war-related human rights violations began on 6 October 2004 and ended in September 2005, after a number of extensions due to security issues and logistical difficulties. From December to March 2005, over 40 statement-takers gathered 13,593 statements from all 15 counties in Liberia. In addition to the statements, the mapping project included:

- An analytical report detailing the human rights violations in the country, including comments sent in by UNDP and the UNMIL human rights and protection section.
- A timeline/geographic mapping of the conflict and a chronology of the events in the war on a county-by-county basis.
- Detailing of illustrative cases of human rights violations in the war with a listing of 120 major human rights violations accompanied by descriptions.
- Transcripts of the 52 interviews that were conducted with a cross-section of Liberian society including human rights activists, serving and former Government officials, civil society members, child rights activists, pathologists, ex-combatants and others relevant to the project.
- An annotated catalogue of human rights documents generated in the country by other United Nations agencies, human rights organizations, diplomatic missions and others.
- A report based on collated data and a video documentary to complement the findings of the project.

A number of training activities were also conducted in 2005. Training for humanitarian NGOs and senior managers of humanitarian organizations commenced in December 2005 and will continue into 2006. In addition, the first draft of a training

manual for humanitarian workers was produced in 2005, including material and methodology, posters, a facilitator’s guide, handouts and related materials. The substantive content of the manual includes:

- Defining human rights and humanitarian protection, including an introduction to the main concepts and their fit into a humanitarian mandate, as well as core competencies;
- Programming for protection, covering tools and frameworks to assess and analyse protection risks, define a strategy, and design and monitor interventions to enhance protection of civilians;
- Common issues and programming options, which explores the specific human rights and protection concerns commonly encountered in conflict situations and the means of addressing them; and
- Field craft, covering a range of skills and working methods for successful implementation of a protection approach to programming in conflict-related crises.

#### ◆ CONSTRAINTS

The cost of the mapping project exceeded the budgeted amount, which led UNDP to cover part of the costs to ensure the completion of the activity. The delay in the project due to security concerns and the lack of resources in the country meant that the time allocated for the project had to be extended. The budget for the development of the training materials also had to be expanded. This need was met through co-funding with UNDP on this project.

#### ◆ IMPACT AND ACHIEVEMENTS

Despite the challenges, OHCHR’s work in 2005 led to significant achievements. A comprehensive database on past abuses throughout the prolonged conflict, in support of the TRC, was completed. An analytical report on the violations throughout the fourteen year conflict was also completed, along with the compilation of photographic and video evidence for use by the TRC. A core team of individuals was trained in a number of human rights techniques including interviewing techniques, data entry and coding skills. Statistical and other supporting materials on the violations committed were also produced.

#### ◆ EVALUATION AND LESSONS LEARNED

The report on the mapping of war-related human rights violations was handed over to the TRC at the end of 2005. An evaluation of its impact will be conducted when it has been used by the TRC. The training programme for humanitarian workers continues to show progress

## SIERRA LEONE

#### ◆ BACKGROUND

After a brutal and devastating ten-year civil conflict, some semblance of peace and stability has returned to Sierra Leone, thanks to the efforts of the United Nations and its partners. The establishment of the United Nations Mission in Sierra Leone (UNAMSIL) facilitated the consolidation of state authority throughout the country, strengthened national security, and created the enabling environment for OHCHR initiatives in Sierra Leone. These activities have ranged from initiatives in addressing war-related human rights violations, to leading international advocacy and action in responding to human rights violations, and to assistance in establishing transitional justice mechanisms, all of which have contributed immensely to the consolidation of peace.

Despite these achievements, the underlying causes of the civil war have not been fully addressed and a number of human rights challenges remain. To support the rebuilding process, the United Nations Integrated Office in Sierra Leone (UNIOSIL) was established to assist the Government of Sierra Leone, among others, to: build the capacity of state institutions to further address the root causes of the conflict; develop a national action plan for human rights; establish the national human rights commission; and strengthen the rule of law, including by developing the independence and capacity of the justice system and the capacity of the police.

Activities planned for 2005 were a continuation of the work by OHCHR that began in 2002: training and capacity-building for human rights monitors; training in reporting to human rights treaty bodies; and establishment of three human rights and law reference libraries. Overall, the year 2005 was characterized by a continuous trend towards respect for human rights and



fundamental freedoms. The mandate of UNAMSIL ended and the process of establishing a human rights commission began.

#### ◆ OBJECTIVE

The project objectives are to strengthen national capacity for the promotion and protection of human rights, foster national reconciliation, and ensure the continuity of OHCHR's activities in Sierra Leone. Through its assistance in establishing national institutions, and providing training and capacity-building to key Government institutions and civil society, OHCHR aims to facilitate the consolidation of peace and stability, and to support the creation of a culture of respect for human rights and democratic values in Sierra Leone, under the rule of law.

#### ◆ IMPLEMENTATION

OHCHR's activities in Sierra Leone are coordinated by OHCHR, UNDP and the UNAMSIL human rights section. OHCHR provides funding and technical support, which is disbursed through UNDP. Activities are planned, implemented and supervised by human rights officers within UNAMSIL in collaboration with key partners, notably the District Human Rights Committees and specific civil society organizations.

Five training programmes for human rights monitors and activists, including staff from the family support unit of the Sierra Leone Police, were carried out by the human rights section of UNAMSIL in 2005. These were held as follows: for the Kenema District Human Rights Committee, in Kenema from 18 to 22 April, with 55 participants; for the Kono District Human Rights Committee in Koidu from 4 to 7 May, with 60 participants; for the Bombali Human Rights Committee in Makeni from 27 to 30 April, with 55 participants; for the Freetown and Western Area Human Rights Committee in Freetown, from 11 to 14 May, with 75 participants; and for the Moyamba Human Rights Committee in Moyamba Town from 8 to 10 June with 60 participants.

In June 2005, additional training was conducted on treaty body reporting for 25 senior officials from the Ministries for Foreign Affairs, Justice, Labour, Education and Social Welfare, Gender and Children's Affairs, and the Sierra Leone Police.

OHCHR supported the creation of two human rights and law reference libraries during 2005. Construction of a new annex to the Kenema Town Library in the Eastern Province commenced and the renovation of a portion of the Bo Town Library dedicated to human rights and law was completed. Construction of an annex to this library was also in progress during the year.

In collaboration with UNAMSIL, the Government of Sierra Leone and the UNCT held 13 civil society consultations in all 12 districts and in the Western Area during November, followed by a stakeholders' conference in December. Approximately 800 persons attended both the consultations and the conference, which assessed the successes, challenges and constraints of activities in Sierra Leone, identified the remaining human rights challenges and acted as a major push toward the establishment of the human rights commission of Sierra Leone. The results of the stakeholders' conference will form an important guide for future work in Sierra Leone.

#### ◆ CONSTRAINTS

Staffing shortages at UNAMSIL remained the major obstacle to the implementation of the project. From March to December 2005, the human rights section had only one international human rights officer even though five officers had been approved, which slowed the pace of implementation. Further, delays in the disbursement of funds by UNDP slowed the progress of work on the human rights libraries.

#### ◆ IMPACT AND ACHIEVEMENTS

While the impact and achievements derived from human rights programmes are difficult to measure, changes in the attitude of key institutions and organizations have been and continue to be noticed. More civil society organizations are today involved in monitoring, investigating and reporting on issues of human rights in their communities. More organizations are advocating for the protection of rights, are seeking remedies to violations of human rights and are involved in training and capacity-building for their staff and their communities. Several civil society organizations have attributed this renewed dynamism to the sustained training and capacity-building programmes provided by OHCHR.

Government is also responding to issues of human rights, albeit slowly. The human rights commission is now in the process of being established. A human rights committee now exists in the Parliament and is taking initiatives to further the promotion and protection of human rights, including efforts towards domestic implementation of international human rights instruments. There is now an increasing trend towards respect for human rights in the operations of the police and in prisons.

#### ◆ EVALUATION AND LESSONS LEARNED

The activities and training programmes have been characterized by all sectors as timely, appropriate and necessary for the consolidation of peace in Sierra Leone. OHCHR has been asked to extend the programmes to traditional leaders such as the paramount chiefs. Human rights training has not only changed the attitudes of the people, it has also motivated them and enhanced their capacity to promote and protect human rights.

## SOMALIA

Between 2003 and 2005, OHCHR had planned to establish an office in Hargeisa, "Somaliland", focusing on integrating the rule of law and human rights into the peace process and promoting a culture of human rights. However, in each of these years, the implementation of this project was not possible due to the volatile security situation. Instead, during 2005 OHCHR provided advice to the UNCT and the Special Representative of the Secretary-General for Somalia, as well as support to the mandate of the Independent Expert on the situation of human rights in Somalia.

With the establishment of the Transitional Federal Government and Parliament for Somalia as well as current reconstruction efforts by the international community, OHCHR also re-initiated its plans to provide human rights assistance to Somalia. In 2006, the Office will be providing increased human rights advice and support to the UNCT, the Special Representative of the Secretary-General, as well as to the fledgling Somali transitional institutions. As a first step, a human rights adviser will be deployed to advise UNOPS and the UNCT, and a human rights adviser will join the joint needs assessment exercise of the World Bank and United Nations. The Office is also considering the establishment of a stand-alone presence for Somalia by the end of 2006.

## SUDAN

#### ◆ BACKGROUND

OHCHR first provided human rights advisory services and technical assistance for the Sudan in March 2001. In cooperation with Sudan's Advisory Council for Human Rights of the Ministry of Justice, OHCHR-Khartoum formulated a project to support national capacity-building in the field of human rights for Governmental institutions and NGOs. This project contained activities on the administration of justice, legislative reform, human rights education and capacity-building in formal and informal sectors.

In March 2005, the Security Council passed resolution 1590 establishing the United Nations Mission in the Sudan (UNMIS) to replace the United Nations Advance Mission in the Sudan (UNAMIS) that had been operational since June 2004. The resolution tasked UNMIS to support implementation of the Comprehensive Peace Agreement, signed by the Government and rebel forces in January ending their 21-year civil war, and to carry out human rights promotion, civilian protection and monitoring activities. In response to this resolution, OHCHR ended its direct implementation of activities in the Sudan and handed over the technical cooperation programme to the human rights component of UNMIS in June 2005. Additional information on OHCHR's work in relation to human rights monitoring in the Darfur region can be found on page 102.

#### ◆ OBJECTIVES

The objectives of the technical assistance programme were as follows:

- Establishing respect for human rights and the rule of law and ending the culture of impunity;
- Strengthening Governmental mechanisms for the protection of human rights, including minority rights;
- Increasing the awareness of authorities at state and federal levels regarding respect for human dignity and fundamental rights;
- Promotion of the development of strategies, policies and practices within Governmental institutions in accordance with international human rights standards;
- Promotion of the independence, efficiency and impartiality of the justice system;
- Strengthening the media in accordance with international standards;

- Contributing to the development and implementation of policies and legislation, ensuring equal opportunities and rights for all Sudanese women; and
- Ensuring that human rights are incorporated into country level analysis, planning, and programme implementation by the UNCT.

#### ◆ IMPLEMENTATION

The focus of the OHCHR Sudan technical cooperation programme during 2005 was the achievement of a successful handover of the programme to UNMIS. During 2005, OHCHR-Khartoum ensured the integration of human rights elements into the induction training programmes of UNAMIS/UNMIS. On a weekly basis, lectures on human rights for UNAMIS/UNMIS personnel were delivered upon their arrival in the Sudan.

Throughout its four years of operation, the OHCHR technical cooperation programme in the Sudan carried out numerous human rights training programmes, distributed human rights publications, provided advisory services on human rights mainstreaming into humanitarian and development programming, carried out advocacy, awareness-raising activities and human rights campaigns. OHCHR provided support for treaty body reporting and undertook assessments of the human rights situation in the Sudan People's Liberation Movement/Army controlled areas. The handover of this work to the newly-formed UNMIS will ensure the continued impact of these activities over the next period.

#### ◆ CONSTRAINTS

Despite some achievements, structures for human rights protection have yet to be established in the Sudan. There is no concrete plan of action to build up structures for the promotion and protection of human rights within governmental institutions. There is still a need for capacity-building for Governmental and non-governmental institutions to strengthen a culture of respect for human rights throughout the country. The handover of the human rights technical assistance programme to the UNMIS human rights component will help to ensure a consistent follow-up of the recommendations made by the participants to the various human rights workshops conducted by OHCHR over the last four years.

#### ◆ IMPACT AND ACHIEVEMENTS

Since 2001, OHCHR's presence in the Sudan has built up and strengthened the channels of communication between civil society, Government officials and OHCHR Khartoum, which was widely recognized as an impartial, integrative, efficient and reliable partner. OHCHR assisted with the establishment of reporting structures for various Governmental institutions that have a reporting obligation under international human rights treaty bodies. OHCHR also increased the dialogue on and awareness of human rights within Sudanese civil society and developed cooperation between the National Security Bureau and other international organizations such as the ICRC and other United Nations agencies.

Seminars organized by OHCHR over the years provided a better understanding of the work of the United Nations, international NGOs and the ICRC, and resulted in concrete proposals and recommendations. As a result of the activities of OHCHR-Khartoum since 2001, the number of activities carried out by Sudanese NGOs working on human rights, peace-building, reconciliation and humanitarian relief increased significantly. For instance, a total of 17 national NGOs carried out 76 human rights training workshops in 2003. The high number of participants in workshops organized by Sudanese NGOs (8,646) marked a significant increase in target groups compared with previous years.

Cooperation and coordination between OHCHR Khartoum, donors and international organizations in Khartoum was also strengthened through the project. Comprehensive human rights training programmes were integrated into the induction programmes of the UNAMIS/UNMIS. OHCHR-Khartoum also assisted in implementing the Assisting Communities Together (ACT) project by establishing a joint OHCHR/UNDP Task Force and by distributing application forms and background information. A total of 54 national NGOs participated in the ACT project.

#### ◆ EVALUATION AND LESSONS LEARNED

Regular pre-evaluations and impact assessments were conducted over the years to verify the impact of all seminars implemented by OHCHR-Khartoum. A Donor Human Rights Group was established not only to strengthen the cooperation between OHCHR-Khartoum and donors but also to coordinate funding activities of various embassies. A project screening process was

created to avoid duplicated funding of project proposals that were submitted to the donor community in Khartoum. Monthly meetings of the Donor Human Rights Group were set up and the membership was extended to UNICEF, ICRC, the Civilian Protection Monitoring Team and the Joint Military Commission in the Nuba Mountains. These meetings ensured a regular exchange of information on human rights issues and found ways to provide more effective technical assistance and to create structures for the promotion and protection of human rights throughout the country.

Continued technical cooperation should be seen as a key strategy for implementing the Sudan Comprehensive Peace Agreement provisions on human rights issues, including the establishment of a national human rights institution for Sudan. The continued cooperation of the Government of National Unity with UNMIS will ensure stronger structures for the promotion and protection of human rights, which are crucial for the maintenance of peace and stability in a post-conflict Sudan. Ongoing technical assistance should also help to build an effective protection mechanism to prevent human rights violations and abuses from recurring. It is essential that all Governmental and non-governmental institutions integrate human rights promotion and protection principles into their country policies and programmes with a view to strengthening human rights protection at the national, local and federal levels. In this regard, it is important to ensure that human rights activities in a post-conflict Sudan are properly coordinated and that responsibilities are clearly determined so as to avoid both overlaps and gaps.



# LATIN AMERICA AND THE CARIBBEAN

## INTRODUCTION

The Latin America and the Caribbean (LAC) region has several assets that enhance its efforts towards human rights implementation, including: (a) mechanisms for civil society to participate and express its views and opinions, born out of democratic systems of government; (b) a comprehensive and effective regional human rights protection system; (c) subregional arrangements, some of which have clear human rights mandates, and mechanisms for cooperation in the process of economic integration; and (d) the absence of prolonged armed internal conflicts, with the exception of Colombia.

As a result, the LAC region is characterized by the highest rate of ratification of international human rights treaties in the developing world. It has several national institutions for the promotion and protection of human rights with a strong constitutional or legislative basis in almost every country. This is reinforced by a large base of organized, experienced and effective civil society organizations willing to cooperate with governments in tackling the causes of human rights violations in the region. In addition, there is willingness on the part of governments in the region to cooperate with human rights mechanisms and to receive advisory and technical assistance to improve their human rights records.

Unfortunately, the region also has several obstacles to overcome in its efforts to promote human rights. The LAC region has the biggest gap in income distribution and the highest external debt among developing regions. It is characterized by weak systems of administration of justice which in some cases lead to corruption, impunity, and public insecurity. There is exclusion and discrimination in access to economic, social and cultural rights by large sectors of the population, leading to political tensions and internal conflicts. The legacy of serious human rights abuses committed under dictatorial regimes of the past frequently remains unresolved and responsibility has not yet been apportioned. In addition, some countries have a low rate of ratification of international human rights treaties, especially in the subregion of the English-speaking Caribbean.

OHCHR's strategy in the LAC region is to mainstream human rights within the United Nations Country Teams (UNCTs) and to prioritize activities at the national level through the joint implementation of activities with UNCTs. The Office also prioritizes the design of national, regional and subregional strategies to

deal with common concerns mainly relating to the administration of justice and the protection of vulnerable groups. During the reporting period, OHCHR continued to implement the Quito Framework in its technical cooperation programmes in the region and continuously worked towards strengthening national capacities for the promotion and protection of human rights.

The regional representative for the LAC region continued to facilitate the mainstreaming of human rights within the Economic Commission for Latin America & the Caribbean (ECLAC), the UNCT in Chile and other countries in the region. Work was also undertaken to strengthen cooperation with regional institutions including the Inter-American Commission on Human Rights, the Inter-American Institute of Human Rights (IIHR) and the Latin American Institute for Crime Prevention and the Treatment of Offenders (ILANUD). The regional office in Santiago, Chile published two new compilations of concluding observations made by treaty bodies for the LAC countries. The planned new subregional office for the Caribbean, intended to address specific human rights needs of the English-speaking Caribbean, but was postponed following internal OHCHR consultations.

During 2005, OHCHR carried out its activities in the LAC region through national projects in Colombia, Guatemala, Mexico and Uruguay. In addition, through a region-wide project several other national, subregional and regional activities were carried out during the course of the year.

OHCHR continued to have a presence in Colombia and, on the basis of the agreement signed with the Government of President Alvaro Uribe, the mandate of the OHCHR office was extended until 2006 to coincide with his mandate. National-level activities carried out in Colombia are described in further detail in the chapter entitled "Human rights support to peace-making, peace-keeping and peace-building activities".

OHCHR has continued to strengthen national capacities for the promotion and protection of human rights of key government and non-governmental organizations in Guatemala. On 10 January 2005, OHCHR signed an agreement with the Government of Guatemala for the establishment of an OHCHR office with a combined mandate from 2005 to 2008, as a follow-up to the departure of the United Nations Verification Mission

in Guatemala (MINUGUA). The new office was established in September, and some expenses were incurred under the Voluntary Fund for Technical Cooperation in support of technical assistance activities in Guatemala. Other activities are described in further detail in the chapter entitled “Human rights support to peace-making, peacekeeping and peace-building activities”. Support also continued to UNDP-Guyana under the Social Cohesion Program (SCP) through a human rights adviser, who coordinated, monitored and implemented all human rights activities within the SCP. OHCHR will continue its presence in Guyana in 2006 through a human rights adviser, who will work with the UNCT under the Action 2 project.

In Haiti, OHCHR continued to support the human rights section of the United Nations Stabilisation Mission in Haiti (MINUSTAH). Due to difficulties in transferring the financial resources from OHCHR to MINUSTAH through UNDP/Haiti, the new project for Haiti, to be implemented with the human rights section of MINUSTAH, was postponed until 2006.

OHCHR continued to provide assistance to the Government of Mexico to implement the national human rights programme. Support was also provided to the work of several NGOs, and several activities were undertaken on indigenous people and the fight against torture. In Uruguay, OHCHR continued to support the Parliament, with a view to enhancing its capacity to respond to the challenges facing modern parliaments and to strengthening its role among national protection systems for the promotion and protection of human rights. Funding for activities in Uruguay was disbursed in 2004 as part of a joint project with UNDP; however, activities were implemented in 2005. In El Salvador, outstanding expenses were incurred for capacity-building activities in 2004.

OHCHR continues to support the mandates of the Independent Expert on the situation of human rights in Haiti and the mandate of the Personal Representative of the High Commissioner for Cuba. In 2005, seven thematic mandates of the Commission on Human Rights visited five countries of the LAC region. In addition, 13 countries of the region reported to treaty bodies. Eight members of the LAC unit supported the implementation of activities in the region, from Geneva. During 2005, there were 31 staff (12 international and 19 national) located in Guatemala, Mexico and Chile. The office in Colombia had a total of 70 staff (27 international, 42 national, and 1 junior professional officer), located in Bogotá and with the sub-offices of Cali, Medellín and Bucaramanga.

## EXPENDITURE BREAKDOWN LATIN AMERICA AND THE CARIBBEAN

This table indicates expenditure per country. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Regional and sub-regional activities	730,085	575,761
El Salvador <sup>1</sup>	8,251	80,772
Guatemala <sup>2</sup>	129,385	507,788
Haiti <sup>3</sup>	22,841	60,229
Mexico	752,484	639,863
Uruguay <sup>4</sup>	0	96,785
<b>Total</b>	<b>1,643,046</b>	<b>1,961,198</b>

<sup>1</sup> Expenses from activities implemented in 2004.

<sup>2</sup> Corresponding narrative can be found on page 74. Expenses incurred under the Voluntary Fund for Technical Cooperation correspond to technical assistance activities.

<sup>3</sup> Implementation was delayed until 2006. Funds disbursed in 2005 were given to UNDP as implementing partner.

<sup>4</sup> Funds for this project were dispersed in 2004, but activities were implemented in 2005. See page 143 for further details.

## REGIONAL AND SUB-REGIONAL ACTIVITIES

### ◆ SUPPORT TO THE REGIONAL REPRESENTATIVE

The office of the regional representative was established in November 2001, following the signature of a Memorandum of Intent between OHCHR and ECLAC. The representative seeks to promote a human rights culture; develop and enhance the OHCHR network of regional partners; provide advice and assistance as requested by governments; interact with the inter-American system for the protection of human rights; disseminate human rights information by participating in seminars and workshops, and; support mainstreaming activities with ECLAC and the UNCTs in the region.

During 2005, the office participated in over 20 workshops, seminars and lectures organized by governments, national and international NGOs, and academic institutions. This included a conference on impunity in Peru in February, a workshop on judges, public attorneys and lawyers in the prevention of torture in Argentina in April, the first meeting of high authorities on human rights in the Mercosur in Paraguay in May, a seminar on the Optional Protocol to the Convention against Torture in Brazil in June, a regional workshop on human rights, democracy and the rule of law for Latin America, in Costa Rica in September, and the 10th congress of the Ibero-American Federation of Ombudsmen (FIO) in Paraguay in November. The office also



conducted field missions to Peru to assess the implementation of projects funded by the United Nations Voluntary Fund for Victims of Torture (6 to 10 March), and to Haiti to support the human rights section of MINUSTAH (12 to 16 June). In June 2005, the regional office supported the UNHCR Sergio Vieira de Mello Human Rights Curricula in Montevideo, Uruguay.

The office collaborated with the United Nations system in the region on activities relating to mainstreaming activities (Action 2), participating in inter-agency thematic groups and providing technical expertise to UNCTs, including in the context of Common Country Assessments and United Nations Development Assistance Frameworks (UNDAFs). The office participated in the inter-agency meetings coordinated by ECLAC for all the regional offices of the United Nations agencies to discuss the preparation of the regional report on the Millennium Development Goals in Santiago in January. With regard to the Organisation of American States (OAS) and the inter-American human rights system, the office attended the 35th regular session of the OAS General Assembly in Fort Lauderdale, USA and lectured at the High Commissioner's Chair on Human Rights during the 23rd interdisciplinary course on human rights, organized by the Inter-American Institute of Human Rights (IIHR) in Costa Rica in July.

Two inter-agency subregional workshops were held on the implementation of treaty body recommendations and human rights-based programming, jointly organized with the UNDP-LAC Subregional Resource Facility (SURF), and attended by United Nations agencies in Latin America. A subregional seminar on the implementation of concluding observations of the Committee on the Rights of the Child was organized jointly with UNICEF, the Committee on the Rights on the Child, Plan International and the Government of Argentina in Buenos Aires in November. The seminar was attended by some 150 participants from ten South American countries, including government representatives, members of parliament, national human rights institutions, international and national NGOs, journalists, United Nations agencies and United Nations experts.

In 2005, two compilations of concluding observations by the treaty bodies on LAC countries were published and distributed regionally. The first was a compilation of concluding observations of the Committee on the Elimination of Discrimination against Women, in collaboration with the Division for the Advancement of Women and ECLAC, which was launched by

the High Commissioner during the 38th meeting of the presiding officers of the Regional Conference on Women in Mar del Plata in September. The second publication was a compilation of concluding observations of the Committee against Torture, in collaboration with the IIHR and the Swedish Agency for International Development Cooperation.

The office provided support to the Secretary-General's Study on Violence against Children by participating in the regional consultation for Latin America held in Buenos Aires from 30 May to 1 June 2005. In partnership with ECLAC, the office set up a virtual forum to get the general public's opinion on violence against children and ideas about how to prevent it ([www.risalc.org](http://www.risalc.org)). In addition, the office worked to follow up recommendations made by the Special Rapporteur on indigenous people after his mission to Chile in July 2003. In this context, the office participated in several follow-up meetings with Chilean authorities, NGOs and indigenous organizations.

Overall, activities undertaken during 2005 increased the visibility and knowledge of the mandate and activities of OHCHR in the region. OHCHR disseminated a human rights message with a gender perspective to a broad range of actors, including to United Nations agencies, governments, national human rights institutions, judges, members of parliament, members of armed forces, journalists, academics, students, human rights defenders, NGOs, and the public in general. The office continued to expand and strengthen its network of relevant partners in the region through, for example, issuing joint publications on the concluding comments of treaty bodies. The office also consolidated its collaboration with regional institutions and the United Nations system in the region, in particular with ECLAC and regional offices of UNICEF and UNDP, as reflected by joint activities including the organization of human rights trainings for United Nations staff. The presence of the High Commissioner for Human Rights at the 38th meeting of the presiding officers of the Regional Conference on Women contributed to strengthening cooperation between OHCHR and ECLAC.

United Nations agencies, civil society organizations and national institutions had an increased presence in the treaty body process during 2005 and in the follow-up on recommendations made by treaty bodies and special rapporteurs. In addition, the Office received an increased number of requests to participate in training sessions and human rights-related events, to provide technical assistance to civil society organizations, governments,



national human rights institutions and UNCTs, and to continue to organize similar training workshops at the national and subregional levels.

#### ◆ SUPPORT TO THE UNITED NATIONS COUNTRY TEAMS

In keeping with Action 2 of the Secretary-General's reform programme, OHCHR is deepening its collaboration with UNCTs so that they can build their capacities in the field of human rights. During 2005, OHCHR and UNDP-Argentina provided technical and financial support for the elaboration of a participatory national plan against discrimination in Argentina. Together, they also supported the National Memory Archive, an institution that keeps documentary and audiovisual records of human rights violations during the military dictatorship, and the implementation of a national human rights education programme.

Jointly with UNDP-Ecuador, OHCHR supported the United Nations observation and monitoring process (*veeduría*) which led to the appointment and instalment of the new Supreme Court of Justice in Ecuador in 2005. In this regard, OHCHR deployed a specialized international consultant to that country, who led a United Nations observation mission from October-November 2005. The United Nations observation mission also coordinated the work undertaken by other international actors such as the OAS and the Andean Community of Nations (CAN), and gave concrete follow-up to the recommendations made by the Special Rapporteur on the independence of judges and lawyers.

Through a contribution agreement and together with UNDP, OHCHR also supported the Government of Peru in financing the recruitment of a consultant to assist the steering committee responsible for the elaboration of the national human rights plan of action.

As planned, several country profiles were prepared but were pending internal approval by the end of 2005 and were therefore not completed. In coordination with OHCHR's indigenous peoples and minorities unit, a project to address human rights issues of these groups in Bolivia, Ecuador and Peru was undertaken. Further details of this activity are described in the chapter entitled "Thematic Human Rights Challenges – Groups in Focus".

#### ◆ COOPERATION WITH REGIONAL AND SUB-REGIONAL PARTNERS

The subregional workshop on Economic, Social and Cultural Rights planned to be held in 2005 was postponed to 2006, after the planned host country was unable to hold the workshop. The planned subregional workshop on national human rights action plans was also cancelled due to the withdrawal of the host country as organizer.

In the framework of the regional project for the LAC region, the following activities were implemented during the reporting period:

- From 5 to 7 September, jointly with the Government of Costa Rica, DPA, UNDP and the IIHR, OHCHR organized a regional seminar on democracy, human rights and the rule of law for all Spanish-speaking countries of Latin America and for Brazil, in an effort to promote human rights in the region. Three priority issues faced by the Latin American countries in their efforts to consolidate democracy were identified prior to the seminar. These were: access to justice; corruption and social justice; and conflict situations and security policies. These themes were analysed in depth during the seminar, which resulted in the adoption of concrete recommendations directed at various actors including States, national institutions, civil society organizations, the Inter-American Court and Commission for Human Rights, as well as at OHCHR.
- OHCHR provided a grant to the IIHR to support the existence of an OHCHR human rights chair in its annual training course. The objective of the grant was to facilitate the dissemination of information on international human rights instruments, the mechanisms of the Commission on Human Rights and the work of the Office of the High Commissioner for Human Rights. The grant financed the participation of five persons representing governments, NGOs and national institutions in the course.

## COUNTRY PROJECTS

### MEXICO

#### ◆ BACKGROUND

OHCHR has been involved in activities in Mexico since 1999. In April 2002, the Mexican Government agreed to the second phase of a three-year technical cooperation programme on human rights issues. After the establishment of a representative of the High Commissioner for Human Rights in Mexico in July 2002, the office produced the Diagnosis of the Human Rights Situation in Mexico (the Diagnosis) and presented it to President Fox in December 2003. The aim of the Diagnosis was to identify the structural causes of human rights violations in Mexico and to formulate concrete recommendations that could then be translated into practical proposals for action. During 2004, the office worked closely with the Ministry of the Interior in the design of the national human rights programme, which was presented by President Fox on 10 December 2004, and included a range of actions to be taken by the Federal Administration to achieve respect for and guarantees of human rights.

#### ◆ OBJECTIVES

The general objective of the office is to strengthen national and local government institutions, autonomous state bodies, national and state human rights institutions, civil society organizations and the academic sector in order to improve the protection of human rights.

The office focused its efforts on the implementation of the recommendations and proposals included in the Diagnosis, specifically those related to the prevention and investigation of torture, the promotion of the rights of indigenous peoples and the strengthening of capacities of civil society organizations. The office also aimed at assisting the implementation and evaluation of the national human rights programme, and has defined, in coordination with governmental authorities, institutions and civil society, a country-specific biannual plan of action aimed at implementing the High Commissioner's Plan of Action.

#### ◆ IMPLEMENTATION

OHCHR reformulated its objectives and strategies by the end of 2005 in accordance with the Plan of Action of the High Commissioner for Human Rights. It anchored them in the mandate given to the High Commissioner to promote and protect the effective enjoyment of all human rights by all, seeking in particular remedies for longstanding wrongs.

#### The Diagnosis on the human rights situation

In 2005, OHCHR continued the implementation of recommendations contained in the Diagnosis, focusing on those concerning the prevention and investigation of torture, indigenous rights, women's rights, strengthening of civil society organizations and elaboration of human rights indicators. The office worked closely with the National Commission for the Development of Indigenous People (CDI), the Federal Public Defenders office in Oaxaca and with the state authorities in Oaxaca.

A key activity was the preparation of a Diagnosis on access to justice for indigenous peoples in Oaxaca, which was officially presented to the Governor of the State of Oaxaca in March 2005. Since then, the representative has travelled to Oaxaca several times, first to prepare the initiation of the project and then to follow up on these activities. OHCHR opened a small office in Oaxaca and hired a project coordinator with a team of 17 lawyers to prepare this Diagnosis. This team started work in June, after having received an intensive training course, and began gathering information through questionnaires and interviews with a wide range of individuals and organizations. The next phase of the project will focus on systematizing and analysing the information gathered, for compilation of the final Diagnosis, which will include proposals and recommendations for Government action and will set the framework for subsequent activities under the project.

In relation to the recommendations on the rights of indigenous peoples, the office began working on follow-up and implementation of the recommendations made by the Special Rapporteur on human rights and fundamental freedoms of indigenous peoples. It organized various meetings in order to promote understanding of its work on these matters by officials from the Ministry of Foreign Affairs and the CDI and by state authorities and civil society organizations. In addition, the office provided technical assistance and financial support as well as an expert paper to a training workshop on indigenous peoples' rights for

civil servants from different governmental institutions, a civil society organization and CDI.

Concerning the investigation and documentation of cases of torture, the office worked on the strategy for various workshops on the Istanbul Protocol on effective investigation and documentation of torture, which were organized in coordination with the Attorney-General's Office. These trainings provided public institutions responsible for investigating, documenting and prosecuting cases of torture, with information about the application of the Istanbul Protocol as a model for investigating torture at the national and local levels. The beneficiaries of these workshops were doctors and psychologists from local prosecutors' offices, civil society organizations that document cases of torture and mistreatment, and forensic personnel from state human rights commissions.

Throughout 2005 the office worked on a strategy to organize the workshops on the Istanbul Protocol in coordination with the Attorney-General's Office. The first workshop took place in Monterrey, Nuevo León in September, in coordination with Physicians for Human Rights and the International Rehabilitation Council for Torture Victims. Two seminars were organized to generate discussion on the creation of a national mechanism for prevention, which is envisaged in the Optional Protocol to the Convention against Torture. These seminars were organized in coordination with the Ministry for Foreign Affairs, one in July in Mexico City, and the second in December in León Guanajuato. 100 participants attended each seminar, including public officials, human rights institutions and civil society organizations. The objective was to learn about the different national and international experiences with the creation and/or implementation of these mechanisms under the Optional Protocol and to engage in torture prevention through visits to detention centres.

OHCHR organized two seminars to strengthen the capacity of civil society organizations to promote and protect human rights. The first seminar addressed the need for litigation strategies at the national level and took place in Acapulco, Guerrero in September. More than 30 participants from different organizations in Oaxaca and Guerrero attended the seminar. The second seminar addressed the need to develop strategies for civil society to participate in the elaboration and promotion of an integral reform of the judicial system and took place in Mexico City in November, attracting 57 participants.

In addition, a number of workshops and seminars to promote women's rights were organized throughout 2005. Four thematic workshops focused on violence against women, trafficking and smuggling of women, human rights mechanisms and sexual and reproductive rights. 35 lawyers currently teaching at different law schools attended a seminar organized by the office in May to provide them with proposals on how to incorporate a human rights and gender perspective into their teachings. The office also organized a meeting of experts on women's human rights in November to identify the challenges that still exist regarding the protection of women's rights in the country and to examine possible strategies to address them. 40 members of civil society organizations attended.

A seminar was held in March to start the office's work on general recommendation No. 31 of the Diagnosis, which in broad terms addresses the need to measure human rights by defining quantitative and qualitative indicators. The objective was to share national and international experiences with qualitative and quantitative measurement of compliance with human rights.

### **The national human rights programme**

During 2005 the office played an important role in assisting public officials to implement activities defined in the national human rights programme, including strategies for human rights promotion and the introduction of a human rights perspective in public policy. The office actively participated in designing the certification programme in human rights, due to commence in March 2006 under the leadership of the Ministry of the Civil Service and the Ministry of Home Affairs, a compulsory programme for all public officials in the federal Government aimed at bringing a human rights-based approach to their day-to-day work.

The office has also been involved in the follow-up to the National Human Rights Agreement, which was signed with the objective of encouraging different states in the country to design local human rights plans of action. The evaluation and follow-up committee to the national human rights programme was created in December 2005; it includes Government Ministries, the National Human Rights Commission, a representative of the states' human rights commissions, representatives of the judicial and legislative branches and civil society organizations. OHCHR participated as an observer.

### ◆ CONSTRAINTS

General elections will be held in 2006 and the issue of respect for and promotion and protection of human rights is not prominent in the political debate. This lack of visibility is compounded by the continued debate on how to preserve and expand the achievements of the present administration in the field of human rights. This has reduced the general impact on public opinion of activities of the office in the field of human rights. In addition, due to the limited resources available since the office opened in 2002, activities have mainly taken place in Mexico City, with the exception of the State of Oaxaca.

### ◆ IMPACT AND ACHIEVEMENTS

- The Diagnosis prepared by OHCHR continues to be an important reference document for the Government and civil society organizations.
- Government institutions, autonomous state bodies, national human rights institutions, civil society organizations and the academic sector have engaged in a permanent dialogue regarding different human rights issues within the different events organized by the office.
- The work carried out by the office in the State of Oaxaca was seen as positive and local authorities have shown interest in collaborating with OHCHR. This allows OHCHR to have a permanent presence in that State.
- The office carried out intensive work to strengthen the capacity of civil society organizations and academia to respond to challenges regarding human rights.
- Local actors are more committed to work on the national mechanism for the prevention of torture that Mexico should adopt in order to comply with the Optional Protocol to the Convention against Torture.
- The work done jointly with the Ministry of the Interior under one continuous framework, with a focus on implementing the national human rights programme, constitutes an important achievement.
- Several local governments have expressed their interest in elaborating a state-level Diagnosis and adopting local human rights plans of action.
- The establishment of the evaluation and follow-up committee of the national human rights programme represents another important step towards human rights implementation.

- The Government has expressed its interest in continued collaboration with the office in light of the positive results obtained.
- The office continued a programmatic relationship with civil society organizations in order to improve understanding of the presence of OHCHR and its mandate.

### ◆ EVALUATION AND LESSONS LEARNED

Following OHCHR's work, the Government expressed its strong political will to implement the national human rights programme. The office also identified the need to strengthen communications with the legislative and judicial branches to provide follow-up and advice on the harmonization of national legislation with international obligations and in relation to the application of international human rights standards.

## URUGUAY

### ◆ BACKGROUND

Since entering into a Memorandum of Intent for greater cooperation with the Government in October 2001, OHCHR has been implementing technical cooperation programmes in Uruguay, emphasizing the importance of strengthening institutions and the role of parliaments in promoting and protecting human rights. Following a UNDP/Inter-Parliamentary Union (IPU) evaluation mission to integrate human rights into a broader UNDP/IPU project of assistance to the Parliament, OHCHR recommended collaborating with UNDP-Uruguay to include the OHCHR project as a component. OHCHR and UNDP-Uruguay signed a Contribution Agreement in November 2004 which set out the activities funded by OHCHR from January 2005 until February 2006, within the first phase of the project. No expenditures were recorded for Uruguay in 2005 as funds were disbursed to UNDP in 2004 for activities which were implemented in 2005. OHCHR undertook a monitoring mission in November 2005 to review the implementation of the project with partners and beneficiaries.

Capacity-building work is still important in Uruguay. There is a need to support the creation of a national human rights institution (Ombudsman or National Commission), in accordance with international standards, to provide training for judges on inter-

national human rights instruments and mechanisms for applying principles in the domestic judicial process, and to improve national policies on prison conditions. Concerns about social, economic and cultural rights were highlighted in the UNDP *Human Development Report 2005*. It noted that the Uruguayan society suffered a fragmentation process which raised the level of poverty and increased inequalities in income distribution and education. Certain human rights treaty bodies have expressed their concern at the situation in the areas of gender equality, minority rights and health programmes.

#### ◆ OBJECTIVES

OHCHR's main objective under the project was to assist the Parliament of Uruguay with a view to enhance its capacity to respond to the challenges facing a modern parliament and to strengthen its role among the national systems for the promotion and protection of human rights. For this purpose, the following three immediate objectives were defined:

- Strengthening the constitutional role of both chambers of the Parliament;
- Strengthening the administrative management and the technical capacities of its human resources; and
- Strengthening the oversight functions of the Parliament and improving its relationship with the Uruguayan society.

#### ◆ IMPLEMENTATION

Project implementation started at the beginning of December 2004 and continued throughout 2005. As part of the training cycle for parliamentarians, the Office organized three workshops on parliamentary dialogue, including the human rights role of Parliament. The first one, which took place in February 2005, was on instruments and inputs to strengthen legislative work; the second, in May 2005, was on the same theme but with a special focus on the role of advisers; and the third workshop took place in July 2005, and focused on the national budget. The parliamentarians were very appreciative of this training cycle, and expressed significant interest in its continuation.

A legislative study was undertaken on law harmonization according to the human rights international standards focusing primarily on those priority areas in need of harmonization. Among the most relevant areas identified, there was a consensus on the need to focus on administration of justice and those

areas affecting the most vulnerable groups, including children, women, migrants and refugees, as well as specific areas identified by the treaty bodies. An evaluation committee selected a human rights organization with over 20 years of broad experience in international human rights law to be in charge of the legislative study. The final report was submitted in December 2005 and disseminated in the first quarter of 2006. The legislative study provides a human rights reference point for the legislative power to employ human rights standards within its internal legislation.

A working group composed of representative stakeholders from different spheres of Uruguayan society was created to reach an agreement on the most appropriate form for a national human rights institution in the country. OHCHR is actively supporting the establishment of a national institution in accordance with the Paris Principles.

OHCHR worked with relevant institutions from the academic sector to increase the sustainability of its project in Uruguay. The Human Rights Institute and the Institute of Political Studies of the University of the Republic provided technical assistance to the parliamentarians and to the selected legislative commissions. In this regard, 12 graduates in law and political and social sciences provided technical and substantive support on human rights issues to the different legislative commissions and parliamentarians and followed up on the debate on human rights in the plenary of the Chamber. The graduate students followed an induction course of three days a week for three months on the human rights approach within the Parliament and its legislative role. The parliamentarians were very appreciative of the support provided by the project's grant holders.

Overall, beneficiaries of the activities included Governmental institutions (mainly the Parliament), national and local commissions for human rights, civil society, leading human rights NGOs, and academic institutions. OHCHR's contribution benefited society in general. The UNCT also benefited from the advice and support on human rights issues provided by OHCHR.

#### ◆ CONSTRAINTS

Within the training cycle for parliamentarians, some important publications used in the framework of this project were only in English and French and therefore not fully accessible to Spanish

speakers. However, the publication *Human Rights Handbook for Parliamentarians* will be translated into Spanish in autumn 2006.

#### ◆ IMPACT AND ACHIEVEMENTS

OHCHR established a positive interaction with parliamentary authorities and other Government representatives, with the United Nations system and civil society organizations, in particular the academic sector and national human rights NGOs. This contributed to enhancing the inclusion of human rights standards within the political debate. The activities strengthened and improved coordination among national partners for human rights protection, including support for a working group in charge of supervising the establishment of a national human rights institution in accordance with the Paris Principles. Members of the Parliament and Commissions acknowledged the fact that the project had a clear impact on the enactment of new draft laws, and that they appreciated the support provided by OHCHR, expressing their desire for the continuation of OHCHR's contribution in the second phase of the project (2006-2008).

#### ◆ EVALUATION AND LESSONS LEARNED

OHCHR conducted a monitoring mission in November 2005 to review the project with the main actors. It covered the implementation of the project from December 2004 and assessed whether the partners integrated related activities into the project, notably those involving the seminars, the technical support by the academic sector and the legislative study on law harmonization. OHCHR revitalized discussions on strengthening the national human rights protection system through the integration of international standards into the Uruguayan domestic system.

The success of the project was reiterated by all beneficiaries, who requested the continuation of OHCHR's contribution during the second phase of the project in 2006-2007. This experience could be a model for similar activities in other countries.





# EUROPE, CENTRAL ASIA AND THE CAUCASUS

## INTRODUCTION

Since mid-2004, OHCHR has followed a new overall strategy for the Europe, North America and Central Asia region. This has led to an increased focus on providing technical cooperation activities to the Southern Caucasus and Central Asian subregions and the Russian Federation, while activities demanding fewer resources have been developed in Southeast Europe, including the transfer of responsibilities to local partners in Croatia. For many of the States that emerged from the former Soviet Union and those of Southeast Europe, economic and social rights within the context of economic reform processes remain a major concern. The rule of law, the prevention of organized crime and corruption, the participation of civil society within the wider context of good governance, impunity for past human rights violations, trafficking in human beings and discrimination and intolerance amongst different ethnic groups are some of the most salient human rights challenges the Office aims to address in the region.

During 2005, the following four interlinked components formed the basis for country engagement and national technical cooperation activities in this region:

- Building strategic partnerships with United Nations Country Teams (UNCTs) and the Resident Coordinators, regional offices of United Nations agencies and regional organizations such as the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe;
- Further developing the expert advocacy and advisory role of the Office at the country level;
- Strengthening the linkages between the work of country offices and technical cooperation projects on one hand and the treaty bodies and special procedures on the other; and
- Continuing support to peace missions in the region.

With regard to the first component, the Office continued its close working relationship with the UNDP Regional Centre for Europe and the Commonwealth of Independent States in Bratislava on joint initiatives and activities in the countries of Eastern Europe, the Caucasus and Central Asia. In the Russian Federation, OHCHR reached an agreement with the Government and the Resident Coordinator on an enlarged programme of cooperation between the Russian Federation and the Office, following the mission of the High Commissioner to Moscow in February 2005. The focus of future activities will be on

strengthening the capacity of the Government and civil society to promote and protect human rights in a sustainable manner, in particular with regard to the areas of rule of law and civil society engagement, including in the Northern Caucasus. In Azerbaijan, a technical cooperation project on the administration of justice is being implemented in close cooperation with the UNCT. Throughout the year, OHCHR cooperated with the UNCT in Kyrgyzstan in order to establish the post of human rights adviser to the Country Team. In Central Asia, OHCHR cooperated with OSCE and its Office for Democratic Institutions and Human Rights (ODIHR). Furthermore, in response to the events in Andijan, Uzbekistan on 13 May 2005, OHCHR published a report on the massacre based on extensive interviews with Uzbek refugees in Kyrgyzstan.

In the area of advocacy and advisory services, the work of the OHCHR field offices in Bosnia and Herzegovina and Serbia and Montenegro was especially noteworthy. The field office in Bosnia and Herzegovina provided expert and advisory services on rule of law issues, while the office in Serbia and Montenegro focused its attention on institutional and legislative reforms. Activities in these countries are described in further detail in the chapter entitled "Human rights support to peace-making, peacekeeping and peace-building activities".

Where possible, the work of the Office was linked to the work of treaty bodies and special procedures. Country offices and desks provided crucial expertise to the treaty bodies in the form of briefings and inputs at different stages of the procedure for the consideration of State reports. Substantive and logistical support to visits of special procedures was also provided, including during the visits of the Representative of the Secretary-General on the human rights of internally displaced persons to Croatia, Bosnia and Herzegovina, and Serbia and Montenegro, including Kosovo; the Special Rapporteur on trafficking in human beings to Bosnia and Herzegovina; and the Special Rapporteur on the independence of judges and lawyers to Tajikistan and Kyrgyzstan. In addition, the Special Rapporteur on torture and the Representative of the Secretary-General on the human rights of internally displaced persons visited Georgia, and the Special Rapporteur on the sale of children, child prostitution and child pornography visited Albania and Greece. During 2005, it was noted that recommendations by treaty bodies and special



procedures were increasingly included in country strategies. In Central Asia, the regional project was adapted to closely follow up on the recommendations of the Special Rapporteur on the independence of judges and lawyers.

OHCHR continued to support the Special Rapporteur on the situation of human rights in Belarus. As access to the country continued to be denied to the Special Rapporteur during 2005, the Office supported a roundtable on the situation of human rights in Belarus held in Latvia, and visits to Estonia, Lithuania and Poland to gather information.

Finally, OHCHR continued to support the human rights components of two peace missions in the region, the United Nations Observer Mission in Georgia/Abkhazia (UNOMIG) and the United Nations Tajikistan Office of Peace-building (UNTOP). Some activities implemented by the human rights components of these missions were co-financed by the Office.

By the end of 2005, OHCHR had international staff in Bosnia and Herzegovina and in Serbia and Montenegro, and national staff in the Former Yugoslav Republic of Macedonia, Kazakhstan, Tajikistan, Uzbekistan and Azerbaijan.

## EXPENDITURE BREAKDOWN

### EUROPE, CENTRAL ASIA AND THE CAUCASUS

This table indicates expenditure per country. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Regional and sub-regional activities	208,222	657,746
Azerbaijan	52,121	78,721
Croatia	75,813	195,627
Former Yugoslav Republic of Macedonia	29,898	80,086
Russian Federation*	0	197,584
Turkmenistan*	0	0
<b>Total</b>	<b>366,054</b>	<b>1,209,764</b>

\* Projects foreseen in the Annual Appeal 2005, but not implemented in 2005.

## REGIONAL AND SUB-REGIONAL ACTIVITIES

### ◆ REGIONAL PROJECT FOR EUROPE, CENTRAL ASIA AND THE CAUCASUS

A series of joint meetings with regional organizations, in particular the Council of Europe and OSCE, was held during 2005. The meetings focused on coordinating technical cooperation work and monitoring activities at the regional level as well as coordinating engagement strategies and monitoring processes for individual country situations. The meetings also provided training for staff on particular country and thematic situations and strengthened professional networks with regional organizations and other parts of the United Nations system. In 2005, particular emphasis was given to the coordination of meetings to follow up the events in Andijan, Uzbekistan.

### ◆ CENTRAL ASIA

A project review mission to Central Asia in November 2004 led OHCHR to redesign its Central Asia regional project to take into account the important human rights developments that had occurred since the initial formulation of the regional project in 2001-2002, as well as the Secretary-General's Action 2 initiative. In late 2005, the project was also aligned with the overall vision for the future direction of OHCHR as set out in the High Commissioner's Plan of Action. The Central Asia regional project is being implemented in agreement with the Governments of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, and in close cooperation with UNCTs and civil society. In 2005, activities were implemented in Kazakhstan, Kyrgyzstan and Tajikistan only.

The long-term objectives of the regional project are: to enhance the awareness of relevant government authorities, professional groups such as judges, lawyers and prosecutors, national human rights institutions, NGOs and the public at large on specific human rights issues and; to build and enhance the capacity of the four relevant Governments to strengthen national mechanisms and bodies for the protection and promotion of human rights. For the initial period of the Central Asia regional project, the administration of justice sector was selected as the focus area for these two objectives. OHCHR is expected to continue its engagement in the Central Asia region, in accordance with

evolving national needs for capacity-building and strengthening of protection capacities.

In addition to the Central Asia regional project, OHCHR and UNDP developed a joint project in Turkmenistan based on an assessment mission to the country in March 2004 and pursuant to resolutions adopted by the Commission on Human Rights calling upon the Government of Turkmenistan to “develop further a constructive dialogue with the United Nations High Commissioner for Human Rights and her Office and to cooperate fully with all mechanisms of the Office”. In the first phase of this project, for which Government approval was still outstanding in 2005, OHCHR will focus on the enhancement of general human rights knowledge and awareness, and on capacity-building in the area of human rights treaty reporting. Building on the information and data gathered during this first phase, the second phase will further strengthen the capacities already created in this area.

As a result of the roundtable conducted in Tajikistan in late 2004, a series of activities was developed and implemented in 2005. OHCHR continued to support the Information and Documentation Centre on Human Rights established by the United Nations Tajikistan Office for Peace-building (UNTOP). The Centre offers access to more than 1,000 publications on human rights in Russian, Tajik and English, electronic versions of the main international documents on human rights and educational materials including manuals, handbooks, curricula, CDs and audiovisual tools. OHCHR also undertook other activities in Tajikistan to sensitize stakeholders to the importance of human rights education. Teachers and the public at large demonstrated an increased awareness of human rights issues, and human rights education now forms part of the educational curriculum. A project to develop a textbook and a teachers' manual on human rights education for pupils of tenth and eleventh grades was elaborated jointly with the OSCE. In 2006, a draft textbook will be distributed on a pilot basis in several schools with a view to its finalization during 2006.

A contest was organized to select and award prizes to the authors of the three best human rights essays devoted to Human Rights Day. OHCHR continued to support a UNESCO radio programme that reaches out to rural areas and touches upon human rights issues related to people's daily lives. Jointly with OSCE, the Swedish International Development Cooperation Agency (SIDA), the Swiss Agency for Development and Cooperation (SDC)

and the Danish Institute for Human Rights, OHCHR organized a conference on the possibility of establishing a national human rights institution in Tajikistan, to be held in February 2006.

In 2005, Tajikistan submitted three reports to the treaty bodies: the combined initial to third periodic report to the Committee on the Elimination of Discrimination against Women in May, its initial report to the Committee on Economic, Social and Cultural Rights in May and its initial report to the Committee against Torture in June 2005. The Human Rights Committee considered the initial report of Tajikistan in July 2005.

In Kyrgyzstan, OHCHR supported a local NGO to provide advanced training for 30 lawyers on the application of the International Covenant on Civil and Political Rights and the Optional Protocol in Kyrgyzstan. OHCHR also worked with the UNCT on establishing the post of human rights adviser to the Country Team and her/his deployment to the country in 2006. The adviser will help the Country Team to integrate human rights into its programming and to strengthen the national human rights protection system.

In Kazakhstan, OHCHR supported the publication of a collection of international human rights treaties for national and regional distribution, and a set of electronic mini-libraries, which were widely distributed in CD-ROM format.

Several constraints impeded the complete implementation of the activities and goals of the project. In 2005, the absence of international OHCHR staff in the region was the major impediment to the implementation of a number of activities. The post of regional adviser remained vacant throughout the year. Furthermore, the implementation of the technical cooperation project in Turkmenistan will only start in 2006, following its approval by the Government of Turkmenistan in March 2006.

#### ◆ SOUTHEAST EUROPE

During 2005, OHCHR continued to advise the Governments, United Nations agencies, civil society, the OSCE, the Council of Europe, the European Union and other international actors on mainstreaming human rights obligations into their activities as well as on ensuring civil society participation in all phases of the implementation of national legal frameworks. OHCHR focused in particular on the following five areas:

- Impunity and the rule of law;
- Human rights frameworks for development;
- Human trafficking, gender and gender-based violence, exploitation and discrimination;
- Human rights frameworks for the movement of people, including durable solutions for refugees and internally displaced persons; and
- Human rights education and promotion.

Country-level activities were carried out in Bosnia and Herzegovina, Serbia and Montenegro and the Former Yugoslav Republic of Macedonia. They are described in detail under the particular country projects as well as in the chapter entitled "Human rights support for peace-making, peacekeeping and peace-building activities".

#### ◆ SOUTHERN CAUCASUS

The countries in the Southern Caucasus subregion are still experiencing the effects of the economic, legal and political upheaval of the early 1990s. In 2004, human rights assessment missions were carried out, in consultation with Governments, that identified systemic weaknesses in the rule of law, governance, equality and non-discrimination, and in the protection and promotion of economic, social and cultural rights, as the main human rights concerns in the subregion. Activities undertaken by OHCHR in 2005 aimed at addressing these concerns. Due to constraints in staffing capacities it was decided to concentrate on support and training for reporting to treaty bodies, as well as strengthening the capacity of the UNCTs to advocate for human rights and to implement a rights-based approach to development programming.

The planned training programmes for members of the judiciary and the police on the justiciability of economic, social and cultural rights and on the prevention of torture were not carried out in 2005 but will be conducted in 2006. Activities in 2005 concentrated mainly on Azerbaijan but will be extended to other countries in the subregion, especially Georgia, in 2006.

## COUNTRY PROJECTS

### AZERBAIJAN

#### ◆ BACKGROUND

Under the umbrella of the OHCHR Southern Caucasus regional project, in 2004 the Government of Azerbaijan approved a one-year project to assist the Government in ensuring that national laws comply with international human rights standards and in strengthening the ability of Government and civil society to report to the human rights treaty bodies. With this aim, the project focused on training Government officials, staff of the Ombudsman's office and civil society organizations on treaty body reporting and follow-up to recommendations, as well as on training judges, prosecutors and lawyers on United Nations human rights instruments and mechanisms pertaining to the administration of justice. The project also included the translation of relevant OHCHR manuals into Azeri and training for officials working in the penitentiary system.

#### ◆ OBJECTIVES

The long-term objective of OHCHR's work in Azerbaijan is to strengthen the national capacity to close gaps in the protection and promotion of human rights, in particular with regard to the rule of law, adequate protection for vulnerable groups, and poverty reduction. On this basis, immediate objectives include: increasing knowledge of the international human rights system, including treaty body reporting and follow-up to treaty body recommendations; and heightening knowledge and understanding of international human rights law through training of judges, lawyers, prosecutors and staff of the penitentiary system, and through the provision of comprehensive training material.

#### ◆ IMPLEMENTATION

In 2005, OHCHR reached an agreement with the Government to facilitate the implementation of the technical cooperation project by deploying a national project coordinator within the UNCT in Baku. The national project coordinator assumed his functions at the end of 2005 and in December the first workshop under the project, on treaty body reporting and follow-up, was organized for a wide range of Government officials. Participants included, among others, staff from the Ministry for Foreign

Affairs, the Ministry of Education, the Ministry of Economic Development, the Committee for Women's Issues, the Ministry of Justice, and the Ministry for Internal Affairs, as well as the Office of the Ombudsman. Additionally, in preparation for training on the administration of justice to be organized in 2006, the relevant OHCHR training material was distributed and the OHCHR professional training manual on human rights and pre-trial detention was translated into Azeri.

#### ◆ CONSTRAINTS

Initially, planned activities in Azerbaijan suffered from delays due to difficulties in reaching agreement on project modalities. As a result, the planned assistance to the officials in the penitentiary system and the planned technical assistance to the legal education centre of the Ministry of Justice could not be implemented. These activities will be further discussed with the Government and regional partners and will be adjusted to maximize on potential benefits of cooperation with regional organizations.

#### ◆ IMPACT AND ACHIEVEMENTS

The workshop in December on treaty body reporting and follow-up was characterized by a very open atmosphere and vivid discussions. Participants, many of whom had joined the Government recently, had for the most part not been exposed to human rights or treaty body training before; the workshop thus was seen as a valuable introduction to international human rights standards. Through the activities implemented so far, Azerbaijan has been able to fulfil its regular reporting obligations to the international human rights treaty bodies.

#### ◆ EVALUATION AND LESSONS LEARNED

In organizing the training activities, lessons learned and evaluations of previous trainings conducted in Azerbaijan were taken into account, in particular with regard to recommendations relating to the design of training workshops, the active involvement of participants and the adaptation of the training content to the local situation. As Azerbaijan has made significant progress in meeting reporting obligations, the emphasis of treaty body-related training should in future be shifted away from reporting and towards follow-up processes and recommendations.

## CROATIA

Although OHCHR closed its office in Croatia in 2002, its work continues through the Zagreb Human Rights Documentation and Training Centre. The Centre started as a technical cooperation project of OHCHR in 2003 and 2004. In December 2004 the Prime Minister of the Republic of Croatia wrote to the High Commissioner, committing to transform the Centre into a Croatian institution under relevant national laws and to provide for half of its funding in 2005.

In her response in January 2005, the High Commissioner stated the intention to further support the Centre through a grant agreement, conditioned upon the passage of a Government decree establishing the transformation. The Decree on the Establishment of the Human Rights Centre was passed on 20 May 2005, and the Centre was registered as a Croatian institution on 1 August 2005. However, the significant delay in establishing the Centre postponed implementation of planned activities until late in the year.

Despite these constraints the Human Rights Centre was able to continue the development of its library, including its digital component. It organized several workshops, roundtables and public discussions on human rights topics including treaty body recommendations, and served as a meeting place for the Government, NGOs, academia and civil society at large to discuss current human rights issues. Representatives of the Human Rights Centre made a number of presentations and statements on a variety of human rights issues and participated in expert meetings leading to the drafting of a curriculum for the first human rights studies programme in Croatia. One major research output was a study on the position and rights of national minorities in Croatia.

## FORMER YUGOSLAV REPUBLIC OF MACEDONIA

### ◆ BACKGROUND

Since 2002 OHCHR has been working in the Former Yugoslav Republic of Macedonia based on a five-year comprehensive technical cooperation programme developed after a request from the Government in 2001. The programme aims to address the weaknesses of national human rights protection institutions and challenges in the areas of good governance, administration of justice and the rule of law. The key elements of the programme include human rights education in schools; development of civil society capacity for the promotion and protection of human rights; strengthening the Government's capacity for human rights treaty reporting; and strengthening the role and capacities of the Office of the Ombudsman.

The programme was designed for a five-year period, and is expected to end in its current form in late 2006, having fulfilled its term and mandate. The objectives, outcomes, activities and work plans are reviewed annually in line with the evolving capacities and needs of project partners, and to ensure the effectiveness and sustainability of the project outcomes. In the context of the overall review of OHCHR's engagement in South-east Europe, OHCHR will make arrangements to transfer the responsibilities and activities of its office in Skopje to appropriate partners in the country.

### ◆ OBJECTIVES

The objective of the programme is to support capacity development of national human rights protection institutions, and to strengthen a human rights culture in the country. The immediate objectives are to:

- Strengthen the capacities of the education system to develop and implement human rights education programmes in primary and secondary schools;
- Strengthen capacities of human rights civil society organizations to work effectively with national and international human rights protection institutions and organizations;
- Contribute to strengthening the capacities of the human rights unit of the Ministry for Foreign Affairs to mainstream international human rights standards into national programmes, to prepare treaty body reports and to facilitate

the implementation of recommendations made by the human rights treaty bodies and special procedures mechanisms of the Commission on Human Rights; and

- Contribute to the development of a national human rights action plan.

### ◆ IMPLEMENTATION

During 2005, OHCHR continued to play an important advisory role on human rights issues. The office provided advisory support for Government officials on treaty body reporting and follow-up to treaty body recommendations, as well as to representatives of the Office of the Ombudsman working on various human rights protection issues. Continuing advisory and information support was provided to the group of thirty NGO activists who completed the two-year OHCHR human rights training course. In addition, the office facilitated the planning process for the establishment of a postgraduate course for human rights practitioners at the University of Skopje.

The OHCHR and OSCE offices in Skopje continued to co-chair regular coordination meetings on the human rights capacity-building initiatives supported by international actors working in the country. OHCHR coordinated its own activities through the UNCT's human rights theme group, which is also chaired by the OHCHR project officer. As part of this group, OHCHR conducted a mapping exercise of the UNCT's human rights activities to identify and propose further action to support national authorities in the promotion and protection of human rights. The fifth phase of the Assisting Communities Together (ACT) project, which offers small grants to support grass-roots civil society initiatives on human rights education in the school system, was implemented jointly with UNDP.

In the aftermath of the Macedonian civil conflict in 2001, OHCHR established an advisory group (MINOP) comprising senior representatives of the Ministry of Interior, the Ombudsman's Office and several leading civil society associations, aiming to promote dialogue and trust between them, which was broken during the conflict. The group has been functioning for four years, and has moved increasingly from confidence-building activities to facilitating civil society's contribution to police reforms, including in areas such as legislation and internal controls procedures. The key success of this group was in establishing an ongoing dialogue between the police force, which was heavily criticized by civil society for

its actions during the civil conflict, and a wide range of NGOs representing different parts of the population, including marginalized groups such as the Roma. OHCHR also chaired the regular meetings of the advisory group to foster cooperation between the Ministry of Interior, the Ombudsman and civil society, focusing on the joint analysis of individual cases, draft legislation, police conduct guidelines and police reform initiatives, resulting in a common understanding and strengthened cooperation between the three interest groups.

#### ◆ CONSTRAINTS

The projects covering the national plan of action on human rights education, the human rights training for 25 selected human rights activists as well as the placing of selected graduates of the civil society human rights training programme into international NGOs, were not implemented due to serious delays in the funding allocation for this project.

#### ◆ IMPACT AND ACHIEVEMENTS

The positive impact of the advisory group (MINOP) to promote dialogue and trust, while difficult to measure, has been clearly acknowledged by the Government, the participating NGOs and the Ombudsman. They have used it to clarify and, where possible, to resolve protection cases, to address administrative misunderstandings, and to improve internal regulations as well as national legislation. In a country undergoing difficult and profound reforms and social upheavals, a group such as this has had a small but noticeable impact on lowering tensions and promoting peace and understanding.

In general OHCHR's technical cooperation programme contributed to raised awareness of international human rights standards and mechanisms, in particular among NGOs that have been engaged in the long-term human rights training programme, which has lasted over a period of two years. Another noted aspect of the impact of the office's work is the more effective use of a human rights-based approach to development in public discourse and organizational planning in the public sphere. As a result, the importance of elements of the human rights-based approach such as participation and empowerment, access, and attention to vulnerable groups has been increasingly recognized.

#### ◆ EVALUATION AND LESSONS LEARNED

The recommendations of the external evaluation from December 2004 were taken into account and implemented to the extent possible in work plans for the years 2005 and 2006. The recommendations dealt with a range of issues, including those regarding strengthening human rights education capacity-building, introducing public campaigning, and initiating a phase-out plan. In response to these recommendations, the office has developed further human rights education capacity-building activities and introduced a phase-out plan as of early 2006. It was not possible to directly implement the recommendation to introduce a public human rights campaign component due to financial constraints, and that was brought to the attention of the UNCT through the human rights theme group.





# ASIA AND THE PACIFIC

## INTRODUCTION

OHCHR's work in the Asia-Pacific region, which aims to strengthen the human rights promotion and protection systems at the regional and country level, has been instrumental in fostering cooperation in the region. This work is all the more important given the fact that the Asia-Pacific still lacks a comprehensive regional human rights treaty and institution.

During the year under review, OHCHR continued to support the regional framework for the promotion and protection of human rights in the Asia-Pacific region. Under Action 2 of the Secretary-General's second reform programme, OHCHR's work also focused on strengthening cooperation with United Nations Country Teams (UNCTs) to strengthen national human rights protection systems. In this context, OHCHR continued to support two human rights advisers in the Country Teams of Mongolia and Sri Lanka.

The OHCHR regional office for Asia and the Pacific in Bangkok opened up new opportunities to encourage United Nations agencies and governments to integrate human rights-based approaches into their work. Strategic relationships of trust and cooperation were established with key stakeholders in the United Nations, with governments and with civil society. With a view to implementing the 2006-2007 High Commissioner's Strategic Management Plan, the Bangkok regional office will become the OHCHR regional office for Southeast Asia in 2006.

OHCHR established a regional office for the Pacific in Suva, Fiji in early September 2005. During the initial phase the newly posted regional representative undertook all necessary administrative arrangements for the functioning of the new office, established networks with governments, United Nations agencies and programmes, regional organizations and non-State actors of the Pacific region, and designed a work plan for the next two years. Steps were also taken to establish a sub-office in Honiara, the Solomon Islands. In Fiji and the Solomon Islands, OHCHR is provided with administrative support by UNDP.

In 2005, technical cooperation projects were implemented in China, Mongolia, Nepal and Timor-Leste. To support the work of the UNCT, human rights advisors were deployed in Mongolia and Sri Lanka. In addition, in late 2005, a human rights adviser

was deployed to Pakistan in support of the Humanitarian Coordinator/Resident Coordinator and the UNCT to address the human rights aspects of the United Nations response to the 8 October earthquake. The Asia-Pacific unit continued to back-stop two stand-alone offices in Nepal and in Cambodia, and supported the work of UNAMA in Afghanistan. In the case of Nepal, prior to the establishment of a country office in mid-2005, OHCHR supported a human rights adviser tasked with the responsibility for working with the UNCT on protection and human rights promotion initiatives. Funds for this, and for the needs assessment conducted before the establishment of the expanded office, were drawn from the Voluntary Fund for Technical Cooperation, with relevant expenditures noted in this chapter. Activities undertaken in Afghanistan, Cambodia and Nepal are described in further detail in the chapter entitled "Human rights support to peace-making, peacekeeping and peace-building activities".

OHCHR supported the Commission of Experts to Review the Prosecution of Serious Violations of Human Rights in Timor-Leste (then East Timor) in 1999, which was established by the Secretary-General on 18 February 2005. During its three-month duration, the Commission of Experts was mandated to review the judicial process, determine whether it met international standards of justice, and make recommendations to the Secretary-General to ensure that those responsible for serious violations of international humanitarian law and human rights in East Timor in 1999 are held accountable and that justice is secured for the victims. It submitted its report (S/2005/458) to the Secretary-General through the High Commissioner for Human Rights on 26 May 2005. These activities are also described in the chapter entitled "Human rights support to peace-making, peacekeeping and peace-building activities" on page 109.

OHCHR continues to cooperate with DPA and DPKO through joint projects, as well as with the United Nations Office in Timor-Leste (UNOTIL) and the United Nations Assistance Mission in Afghanistan (UNAMA). The Office provides assistance and support to the thematic mechanisms of the Commission on Human Rights and to the country-specific mandates of the Special Representative of the Secretary-General for human



rights in Cambodia, the Special Rapporteur on the situation of human rights in Myanmar and the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea.

In addition to twelve staff members in the Asia-Pacific team in Geneva, OHCHR's work in Asia and the Pacific is supported by international and national staff in Afghanistan, Cambodia, Fiji, Mongolia, Nepal, Pakistan, Sri Lanka, Thailand and Timor-Leste.

## EXPENDITURE BREAKDOWN ASIA AND THE PACIFIC

This table indicates expenditure per country. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Regional and sub-regional activities	455,589	623,646
Afghanistan	0	63,381
China	295,116	190,397
Iran*	-29,435	224,268
Mongolia	133,453	57,707
Nepal <sup>1</sup>	212,438	159,799
Papua New Guinea	0	7,344
Sri Lanka	93,338	133,170
Solomon Islands*	-25,708	50,334
Timor-Leste	163,099	324,937
<b>Total</b>	<b>1,297,890</b>	<b>1,834,983</b>

\* The negative balance in 2005 represents the liquidation of previous year obligations.

<sup>1</sup> Additional expenses and the corresponding narrative can be found on page 82. Expenses incurred under the Voluntary Fund for Technical Cooperation corresponds to OHCHR's technical assistance through a senior human rights adviser and the needs assessment conducted prior to the establishment of an expanded OHCHR office.

## REGIONAL AND SUB-REGIONAL ACTIVITIES

### ◆ THE ASIA-PACIFIC FRAMEWORK

The 13th annual workshop of the Asia-Pacific framework for regional cooperation in human rights was held from 30 August to 2 September 2005 in Beijing. The workshop, which was initially scheduled to take place in early February 2005, was postponed due to the fact that many countries in the region, particularly those that had been affected by the tsunami of 26 December 2004, had given priority to relief efforts. As a result, official confirmations from participants in the workshop were significantly fewer in number than in previous years.

The postponement of the workshop enabled the secretariat to seek the assistance of an external expert to assess developments in regional arrangements on human rights for the Asia-Pacific supported by OHCHR, especially from 2000 to 2004, with a view to proposing future directions for engagement including annual workshops of the Asia-Pacific regional framework. The resulting discussion paper was shared with States in June 2005 in preparation for the workshop in Beijing. Following the expert's evaluation, it was decided to postpone some activities planned under the Doha Action Plan until further discussions had been held with States at the Beijing workshop.

Under the regional framework project, OHCHR nonetheless continued to support its partners in the region, which were instrumental in fostering regional cooperation. OHCHR supported the Asia-Pacific Forum of National Human Rights Institutions through the provision of grants for its 10th annual meeting, held in Ulaanbaatar from 24 to 26 August 2004, and for a training on techniques for human rights investigations, held in Tagatay, Philippines from 18 to 22 April 2005. In support of the pillar on human rights education under the Tehran Framework, OHCHR also provided a grant to HURIGHTS Osaka to support a human rights information centre.

### ◆ OHCHR REGIONAL REPRESENTATIVE

The OHCHR regional office for Asia and the Pacific in Bangkok was established in 2002, and is hosted by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP). A key focus in 2005 was to encourage United Nations agencies and governments to integrate human rights-based approaches into their work. Strategic relationships were established with UNCTs, regional United Nations offices, development cooperation agencies and governments, as well as national human rights institutions, NGOs and other human rights advocates in civil society.

During 2005, the Bangkok office focused on mainstreaming human rights and gender into United Nations programmes; the establishment or strengthening of national human rights protection systems, with more effective protective interventions by OHCHR on selected individual cases and patterns of human rights violations; and strengthening cooperative relationships with Asia-Pacific governments to increase their willingness to act on human rights issues.

OHCHR undertook an exercise, which began in 2004, to compile lessons learned from programmes, projects and experiences in the region using a rights-based approach to development. Lessons learned were drawn from United Nations bodies, NGOs, development cooperation agencies, governments and civil society. Phase two of the project, from October 2004 to September 2005 included the compilation of lessons learned with both positive experiences and challenges involved, the creation of an internet database of human rights projects with good practice models, and assisting UNDP and other United Nations agencies to integrate human rights into their programmes and projects. In September 2005, during the regional consultation, OHCHR presented lessons learned on incorporating human rights-based approaches in Bangladesh, Cambodia, Fiji, India, Indonesia, Lao People's Democratic Republic, Nepal, Philippines and Viet Nam. The regional consultation was also able to identify capacity and knowledge gaps within the United Nations and other development cooperation agencies preventing the integration of the human rights approach into development work, identify practical steps to address some of these gaps and identify entry points through which to take the lessons learned forward. The project will continue in 2006 and conclude at the end of 2007.

Through its work on mainstreaming human rights in the United Nations system, the regional office actively participated in consultations throughout the year between the UNCT and the Royal Government of Thailand regarding preparation of the United Nations Partnership Framework (UNPAF) of the UNCT in Thailand. The UNPAF guides UNCT programming in identified sectors for the years 2007-2011, building on the Common Country Assessment (CCA) drafted by the UNCT in consultation with the Government and other development partners. OHCHR, as a member of the Thailand UNCT, participated in the consultations and ensured that a human rights-based approach to programming was incorporated across all sectors identified for partnership. As a result, focused interventions will be undertaken in the following areas of cooperation: access to quality social services and protection; decentralization and provincial/local governance; access to comprehensive prevention, care, support and treatment for HIV/AIDS; environment and natural resources management; and global partnership for development.

The regional office continued to support other UNCTs in the region in their efforts to develop sound human rights-based

CCAs and United Nations Development Assistance Frameworks (UNDAFs). This included training for heads of agencies and programming officers of United Nations agencies in Thailand, Bhutan and the Lao People's Democratic Republic, using practical examples from the lessons learned exercise. These experiences will feed into initiatives by headquarters to systematize the content of such training at the global level. The regional office also promoted understanding of the rights-based approach to development among regional bodies, completed a training series for the staff of the project management division of ESCAP and provided guidance for ESCAP officials to promote their rights-based projects before the ESCAP intergovernmental and expert bodies. Furthermore, the regional office closely followed ESCAP events on business and trade development, particularly the Asia-Pacific Business Forum, in preparation for future collaboration to help incorporate human rights into the regional efforts of ESCAP in this field.

Throughout 2005, the regional office helped to strengthen national human rights protection systems by raising awareness in Thailand of human rights treaties and their reporting obligations. In collaboration with the Treaties and Commission Branch of OHCHR, a number of events were organized to help members of civil society, the media, Government and the National Human Rights Commission to maximize their ability to use the treaty monitoring bodies. A workshop on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was organized in support of the commitment made by the Government of Thailand last year to ratify the Convention. In addition, two workshops were held for national human rights actors on all seven core human rights treaties, with a particular focus on the International Covenant on Civil and Political Rights, in preparation for examination of Thailand's report by the Human Rights Committee.

The acting regional representative went to Thimphu to meet with representatives of the Government and the United Nations on the major human rights issues in Bhutan. Among the issues discussed were Bhutan's ratification and reporting record with respect to the international human rights treaties, the refugees in Nepal claiming a right to return to Bhutan, the human rights section of a draft constitution which had just been publicly released, and the strengthening of the recently established National Commission on Women and Children. Similarly, while in Islamabad, the acting regional representative met with a wide

range of Government, civil society, United Nations and other multilateral partners on the major issues facing Pakistan. Many areas of potential collaboration were discussed, including the four pillars of the Asia-Pacific framework for regional cooperation for the promotion and protection of human rights, with particular focus on human rights education and movement toward the establishment of a national human rights commission. The regional office also provided assistance to the country-specific mandate of the Special Rapporteur on the situation of human rights in Myanmar.

The conclusions of the June 2004 civil society consultation for the Pacific subregion, organized jointly by the regional office with a number of partner organizations, were presented to a meeting of the intergovernmental Pacific Islands Forum. Discussions focused on the establishment of national human rights institutions and the ratification of international human rights treaties, as well as ways in which United Nations agencies could assist governments in this regard. The office also contributed to the regional consultations organized to help the Independent Expert responsible for the Secretary-General's Study on Violence against Children.

Throughout 2005, the regional office was greatly occupied with issues related to the devastating tsunami which struck South and Southeast Asia on 26 December 2004. In January and February 2005, the regional office visited affected areas in Thailand and Indonesia and met with national and international agencies active in the delivery of humanitarian aid. The regional office was able to highlight the human rights aspects of the crisis and contributed to efforts at addressing them. The regional office also initiated a research project on the subject of statelessness and trafficking in Southeast Asia, with two short-term consultants brought on board for this purpose. The project explored possible OHCHR actions to help countries in the subregion combat statelessness and to diminish the possibilities for it to contribute to human trafficking.

The office prepared a number of presentations and workshops aimed at advancing action for the promotion and protection of human rights including presentations on the core international human rights treaties, the rights of children, the rights of older persons and human rights mechanisms. The regional office also helped to organize the 75th session of the Working Group on Enforced or Involuntary Disappearances, and provided assistance to the thematic mechanisms of the Commission on

Human Rights and to the mandate of the Special Representative of the Secretary-General on the human rights of internally displaced persons.

While much was achieved in 2005, some planned activities could not be implemented due to staff shortages. The regional office had to function throughout the year without a permanent programme officer, regional representative, or any permanent human rights officers, and for much of the year without temporary appointments to fill these posts. Staff from headquarters were deployed on a temporary basis to implement the above activities. It is expected that the regional representative will assume his/her functions in 2006.

#### ◆ OHCHR PRESENCE IN THE PACIFIC

OHCHR established a regional office for the Pacific in Suva, Fiji, in early September 2005. The office in Suva contributes to increasing the knowledge and use of international human rights norms, standards and mechanisms. Through a cooperative and consultative approach, OHCHR supports national and regional initiatives aimed at establishing and/or strengthening national protection systems. Such cooperation involves, among others, the Pacific Islands Forum (PIF) – the regional intergovernmental forum – and the Asia-Pacific Forum of National Human Rights Institutions (APF), and initiatives such as assisting the establishment of new national human rights institutions and reinforcing the existing ones.

On 26 October 2005, at the PIF annual meeting in Kalibobo Village, Madang, Papua New Guinea, the 16 leaders of the Pacific region adopted the Pacific Plan for Strengthening Regional Cooperation and Integration, a regional policy paper. For the first time, such a regional strategy paper explicitly addressed human rights issues and related recommendations.

During its first months of existence, the regional office for the Pacific focused on becoming rapidly operational and reaching out to Governments of the Pacific, regional and intergovernmental organizations, NGOs and other stakeholders. In this initial period, time was invested in confidence-building and information sharing. The following substantive activities were undertaken during the second part of 2005:

- Training on the United Nations human rights treaty body system for lawyers (organized by the UNDP Regional Rights

Resource Team on 10 November 2005, Nadi) and on the reporting process under the Convention on the Rights of the Child (Tarawa, Kiribati, November 2005).

- A series of advocacy activities on Human Rights Day (10 December) to encourage the ratification of the Convention against Torture by Fiji and Vanuatu
- In collaboration with PIF, follow-up was undertaken on the Pacific Plan recommendation to ratify international human rights treaties and on related reporting obligations.
- Participation in national or regional events including consultations on the United Nations Study on Violence against Children (September), the child and youth justice and protection workshop (October), consultations with NGOs in Vanuatu to encourage greater engagement in human rights activities (November) and participation in the 13th meeting of the Asia-Pacific framework for regional cooperation for the promotion and protection of human rights (Beijing, 30 August to 2 September).
- In December 2005, OHCHR established and convened the human rights theme group of the UNCT.

## COUNTRY PROJECTS

### CHINA

#### ◆ BACKGROUND

The technical cooperation programme between OHCHR and China was launched with a Memorandum of Understanding (MOU) in 2000, which formed the basis of the first two phases of the technical cooperation programme undertaken from 2001 to 2004. This programme included a number of human rights workshops for prison officials, judges and lawyers, support for human rights activities in academic institutions, human rights fellowships for key officials and support for economic, social and cultural rights activities in the provinces. An independent evaluation of the project commenced in December 2004 and was completed in May 2005. A key priority during 2005 was the signing of a new MOU to launch the third phase of the project. This occurred from 29 August to 2 September 2005 when the High Commissioner visited China, at which time she signed a new three-year MOU with the Government that set the agenda for the new technical cooperation programme.

#### ◆ OBJECTIVES

The objectives of OHCHR's technical cooperation project with China under the first MOU, and applicable for most of 2005, was to: support the process of ratification and implementation of international human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; facilitate the sharing of experiences between China and other states regarding advancing the rule of law; and promote mutual understanding of human rights issues.

The second MOU signed in 2005 aims at removing the obstacles to ratifying the International Covenant on Civil and Political Rights and implementing the International Covenant on Economic, Social and Cultural Rights. In addition to providing technical assistance on the ratification and implementation of the two international human rights covenants, the MOU aims to facilitate strengthening national human rights capacities and learning from experience with the rule of law, as well as to promote better mutual understanding of human rights issues.

#### ◆ IMPLEMENTATION

An important focus of OHCHR's work in China was the design and establishment of the third phase of the technical cooperation project which included consideration of the independent evaluation conducted in late 2004. As a follow-up to the evaluation mission, the Deputy High Commissioner travelled to China from 4 to 8 July to discuss the results of the evaluation, to explore future programming directions, to prepare for MOU negotiations and for the first visit of the High Commissioner to China. The new MOU was signed during the visit of the High Commissioner in August/September 2005 and stipulates that priority issues cut across both Covenants.

During 2005, OHCHR also supported the UNCT in its work to mainstream human rights into its programming, including the CCA/UNDAF process, pursuant to Action 2 of the Secretary-General's reform programme. Support was provided to the Chair of the Committee on the Rights of the Child and a member of the Committee during their visit from 11 to 18 April 2005 to China, Hong Kong and Macau. OHCHR participated in the national consultation on violence against children held in Beijing on 16 and 17 May 2005 and accompanied the Special

Rapporteur on torture during his visit from 21 November to 2 December 2005. In addition, support was provided to the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child in their considerations of China's periodic reports in March and May 2005, respectively.

OHCHR also provided support to the publication of the *Chinese Yearbook of Human Rights*, to be elaborated under the auspices of the Institute of Law, the Centre for Human Rights and the Centre for International Law Studies of the Chinese Academy of Social Sciences (CASS). The aim of the *Yearbook* is to create a forum for further exchange, both academic and professional, between China and the international community in the field of human rights.

#### ◆ CONSTRAINTS

The evaluation begun in December 2004 turned out to be a much more substantial exercise than originally planned, and was therefore terminated in mid-2005 rather than the end of 2004.

#### ◆ IMPACT AND ACHIEVEMENTS

The commitment of OHCHR's Chinese counterparts to a new phase of the technical cooperation programme indicates the positive reception of the first two phases of the programme.

#### ◆ EVALUATION AND LESSONS LEARNED

An independent evaluation of the China programme began in December 2004 and was completed in May 2005. The evaluation included a consideration of the relevance, approach, achievements and efficiency of the programme, including in the context of other United Nations and bilateral activities in China. Lessons learned were identified and recommendations were made for the next phase of cooperation. In its conclusions, the evaluation team recognized the value of OHCHR's technical cooperation with China in terms of the goals of ratification and implementation of human rights conventions. The team recommended continued high-level political engagement between OHCHR and Chinese leaders as an essential element of the continued success of the technical cooperation programme. The team also recommended that in the next stage of programming the activities have a narrower focus and a deeper engagement by both sides.

## MONGOLIA

#### ◆ BACKGROUND

In partnership with the UNDP country office, OHCHR implemented two technical cooperation projects in Mongolia from 2001 to 2004. The first focused on capacity-building for the National Human Rights Commission of Mongolia (NHRCM) established in 2001. The second project was a joint UNDP/OHCHR human rights strengthening project (HURISTMON) to assist the Government in developing the National Human Rights Action Programme of Mongolia (NHRAP). In October 2003 the NHRAP was approved by the Parliament and in April 2004 the Government expressed its interest in developing a new technical cooperation programme for 2005-2007 as a follow-up to the previous projects. An OHCHR human rights adviser has been posted in Mongolia since 2001 to support OHCHR's technical cooperation work.

#### ◆ OBJECTIVES

A human rights adviser was placed in Mongolia with the aim of contributing to an accelerated pace of development and to further the promotion and protection of human rights by enhancing national capacities. Objectives include: providing assistance in mainstreaming human rights through the provision of expertise and support to the UNCT; ensuring that development and democracy-building efforts adopt a rights-based approach; and strengthening the capacity of law enforcement institutions, civil society and the private sector; particularly with regard to the police reform linked to the NHRAP; human rights education and access to justice for the most vulnerable.

#### ◆ IMPLEMENTATION

Following the departure of the first human rights adviser in March 2004 a successor was deployed to Mongolia in March 2005. During 2005 the human rights adviser, working under the United Nations Resident Coordinator: advised United Nations agencies, programmes and offices in Mongolia on methods for mainstreaming human rights throughout their operations; and coordinated United Nations system support towards the implementation of the NHRAP as it pertains to the protection and promotion of human rights and fundamental freedoms by law enforcement agencies.



OHCHR co-facilitated the CCA governance working group, and ensured that human rights were mainstreamed into the CCA and the UNDAF processes. The UNCT human rights theme group was coordinated by OHCHR and compiled a list of national human rights NGOs active in Mongolia to assist the group. OHCHR also assisted the outcome evaluation team for the HURISTMON and NHRCM projects through meetings and the provision of follow-up information.

Substantive input was provided on a draft case study concerning the practice of informal mining in Mongolia, called “ninja mining” because most miners are illegal and thus suffer from a wide range of human rights abuses. Through the human rights theme group, the adviser discussed the impact of mining activities on the promotion and protection of human rights in Mongolia and prepared for a dialogue on mining and human rights in Mongolia to be held in 2006.

The office prepared and facilitated the visit of the Special Rapporteur on torture to Mongolia from 4 to 10 June 2005 and engaged in follow-up activities. OHCHR also prepared a report profiling the human rights defenders community in Mongolia for the Special Representative of the Secretary-General for human rights defenders. Assistance was provided to the work of the NHRCM, upon its request, on various activities including strategic planning, economic, social and cultural rights training and the organization of the 10th Annual Asia-Pacific Forum of National Human Rights Institutions which was convened in Ulaanbaatar. OHCHR's support for the NHRCM has proven instrumental in ensuring the continued viability and impact of its national inquiry on torture. The national public inquiry began on 17 January and concluded in December 2005 with a report and recommendations for parliamentary action to follow. While specifically targeting the violation of this human right, the inquiry also served to raise awareness on human rights more broadly. This initiative was strengthened by a NGO campaign against torture and the visit of the Special Rapporteur on torture.

During 2005, OHCHR supported improved access to information and publications on human rights. The publication of the Mongolian edition of the OHCHR Manual *Human Rights in the Administration of Justice for Judges, Prosecutors and Lawyers* has, for the first time, given the Mongolian legal community a comprehensive reference tool for the practical application of human rights within the judicial arena. The database project

to systematize and harmonize all Mongolian legislation will contribute to improved public access to information. The Mongolian edition of the manual on human rights and pre-trial detention will open specific police procedures and regulations to scrutiny by civil society and is expected to have a direct impact on police conduct. Finally, the Mongolian edition of the teachers' handbook *Human Rights Lessons* will assist in raising awareness of human rights principles among the youth of Mongolia.

In providing support to the human rights work of the Government of Mongolia, the office produced a human rights-based commentary on each aspect of the draft National Development Strategy Programme of Mongolia 2005-2021. It also provided advice on strategies and activities to strengthen national capacities to improve the promotion and protection of human rights, and in particular inputs for the health sector; the human rights education project proposal and the implementation of the concluding observations of the Committee on the Rights of the Child on Mongolia. OHCHR participated in and supported various human rights trainings for Mongolian Government representatives, United Nations agencies resident in Mongolia and civil society organizations. In addition, the office prepared comprehensive guidelines, questionnaires and an overall methodology assessing progress in the areas of human rights education and access to justice.

#### ◆ CONSTRAINTS

The year 2005 saw a high turnover of both national and international staff within the UNCT. Furthermore, the political context in Mongolia in 2005 was challenging, culminating in the fall of the Government in January 2006. This has affected the implementation of activities with the Government and further progress in the promotion and protection of human rights remains to be seen.

#### ◆ IMPACT AND ACHIEVEMENTS

The work of OHCHR in Mongolia in 2005 contributed to the further realization of human rights and the development of democratic institutions by strengthening Mongolian institutions, United Nations agencies and the capacity of civil society to protect, promote and mainstream human rights. In particular, several activities either laid the foundation for or supported work on specific issues that will impact directly on the ability of

individuals and groups to enjoy human rights in Mongolia in the future. This included OHCHR's support for the NHRCM's national inquiry on torture and its work in bringing public attention to human rights abuses in the context of mining. At the dialogue convened on mining and human rights in Mongolia, OHCHR assisted in promoting dialogue between prominent mining representatives, national and local governments, the NHRCM, the judiciary, civil society organizations, environmentalists, herders, informal miners, academics and representatives from the United Nations in Mongolia.

OHCHR's assistance in the development of the national high-level conference on the implementation of the recommendations of the Committee on the Rights of the Child ensured that for the first time, the Government of Mongolia, civil society organizations, children and other important stakeholders met to discuss the implementation of the concluding observations of a human rights treaty body.

#### ◆ EVALUATION AND LESSONS LEARNED

The existence of a strong national human rights institution is a key component in ensuring that international human rights standards are progressively realized at the country level. Mongolia is fortunate to have such an institution in the form of the NHRCM. However, despite the effectiveness of this institution, its existence remains fragile and merits further support by OHCHR.

## SRI LANKA

#### ◆ BACKGROUND

A senior human rights adviser has been deployed in support of the Humanitarian Coordinator/Resident Coordinator and the UNCT in Sri Lanka since June 2004. The senior adviser provides advice and support to United Nations agencies and national partners, such as the Human Rights Commission of Sri Lanka, on human rights initiatives in the context of the peace process. Following the tsunami disaster in December 2004, the adviser assisted in mainstreaming human rights into the United Nations' relief and recovery efforts. In addition, advice and support was provided to the Government, the Human Rights Commission and the UNCT in the Maldives.

Although the ceasefire between the Government and the Liberation Tigers of Tamil Eelam (LTTE) continued to hold, violence in the country escalated during 2005 with reports of over 300 killings by the different factions. The Foreign Minister, Lakshman Kadirgamar, was assassinated in August 2005, allegedly by the LTTE, and the year saw reports of a high rate of child recruitment by the LTTE. The year was also shadowed by the aftermath of the tsunami disaster in December 2004 where more than 36,000 people were killed or remain unaccounted for, and an estimated one million people were affected. The total estimated cost of rebuilding social and economic infrastructure is in the range of US\$ 2 billion. The tsunami posed immediate protection issues, particularly for women and children, but also longer-term challenges for shelter and livelihood, and in ensuring equity and non-discrimination in assistance.

#### ◆ OBJECTIVES

During 2005, OHCHR aimed to promote rights-based approaches and mainstream human rights into the work of the UNCT in support of the peace process and in tsunami recovery. It sought to strengthen the capacity of Sri Lanka's Human Rights Commission and other local bodies to promote and protect human rights, particularly in the conflict-affected areas of the north-east. It aimed to engage the LTTE in dialogue and to promote sensitization on outstanding human rights concerns, such as child protection and political killings.

#### ◆ IMPLEMENTATION

- Training and support was provided to United Nations agencies and national partners on the United Nations human rights system, protection activities and rights-based approaches to development.
- Regular meetings held between the United Nations agencies, the Human Rights Commission of Sri Lanka and other agencies greatly strengthened information sharing and coordination among protection actors.
- Significant support was provided to the Human Rights Commission of Sri Lanka, particularly with its tsunami response initiative and its regional offices in the north and east.
- Human rights training activities with the LTTE continued, although these were constrained by the political and security situation.



- OHCHR facilitated official visits by the Special Rapporteur on freedom of religion and the Special Rapporteur on extrajudicial, summary and arbitrary killings, as well as the Secretary-General and Special Envoy for Tsunami Recovery, former U.S. President Bill Clinton.
- A new mechanism was developed bringing together United Nations and child protection agencies to monitor child rights violations under Security Council resolution 1612/2005.
- The OHCHR Treaties and Commissions Branch provided support in hosting a workshop to review treaty body findings on Sri Lanka and create an effective national mechanism for follow-up. This was particularly valuable in the lead up to Sri Lanka's presentation of its periodic report to the Committee against Torture in November 2005.
- Following a meeting between the High Commissioner and President Gayoom, the senior human rights adviser visited the Maldives to provide advice on legislation establishing the Maldives Human Rights Commission and to explore future cooperation.

#### ◆ CONSTRAINTS

The political situation and outlook for the peace process remained uncertain with the continued suspension of peace negotiations, presidential elections and an ongoing split within the LTTE. The tsunami response also required considerable attention from the United Nations and the humanitarian community and placed additional demands on the senior human rights adviser.

#### ◆ IMPACT AND ACHIEVEMENTS

- In the first two weeks after the tsunami, the senior human rights adviser assisted the Human Rights Commission of Sri Lanka in establishing a special disaster relief monitoring unit. The unit handled some 19,000 complaints from beneficiaries and also undertook people's consultations in more than 800 affected communities.
- Following an informal visit by the Special Representative of the Secretary-General on the human rights of internally displaced persons, the senior human rights adviser assisted with the preparation of inter-agency guidelines on addressing human rights in situations of natural disaster. He worked closely with UNHCR to focus attention on equity issues among persons internally displaced by the tsunami and the conflict.

- OHCHR initiated a new forum bringing together the Government, the Sri Lanka Human Rights Commission and civil society to monitor follow-up to concluding observations and recommendations made by treaty bodies and special procedures.
- OHCHR continued to support human rights training sessions for Government officials, police and army personnel and LTTE structures. 17 training workshops have been held since the program was initiated at the Hakone peace talks in 2003.

#### ◆ EVALUATION AND LESSONS LEARNED

OHCHR's work has continued to have significant positive impacts, despite continuing uncertainties in the peace process. The special procedures have been able to make particularly strategic interventions, addressing important causes of insecurity and conflict. New coordination arrangements have been put in place between the UNCT, the Human Rights Commission of Sri Lanka and Government authorities. Through the project OHCHR was able to rapidly and flexibly respond to new challenges arising from the tsunami and to help position the Human Rights Commission of Sri Lanka squarely in the relief and reconstruction process. Critical factors for the success of the project were the positive support offered by other United Nations agencies in Sri Lanka, constructive relations with the Government, substantive dialogue with the LTTE, and the strength of the national Human Rights Commission and local civil society. The major constraints derive from political uncertainties, the short-term basis of funding for the project, and the limited capacity of staff on the ground to service needs.

## TIMOR-LESTE

#### ◆ BACKGROUND

A technical cooperation project, developed in 2002 in consultation with the Government, was implemented by OHCHR and the human rights unit of the United Nations Mission of Support in East Timor (UNMISSET). The two-year project began in June 2003 with activities designed to respond to evolving human rights concerns in Timor-Leste as identified by the Government, the Commission on Human Rights, the Security Council and OHCHR. The project was extended until the end of 2005 to allow time for the completion of all activities pending the preparation

of a new two-year project. As of 21 May 2005, the project was implemented in coordination with the human rights unit of the United Nations Office in Timor-Leste.

#### ◆ OBJECTIVES

The objectives include the provision of technical assistance in six areas:

- The process of ratification and implementation of the principle human rights instruments, and assistance in developing a national human rights action plan;
- The functioning of the Commission on Truth and Reconciliation;
- Strengthening capacity to preserve human rights in the administration of justice;
- Strengthening the human rights capacity of civil society; and
- Provision of legal advice and assistance on proposed legislation, to ensure conformity with international human rights standards.

#### ◆ IMPLEMENTATION

##### Police

With funding support from OHCHR, the first ever human rights training manual for police in Tetun was produced, targeting police trainers of the Government of Timor-Leste's police development program.

Specialized training sessions for the National Police Force (PNTL) were conducted in 6 districts as part of the United Nations Skills Development Program, focusing on human rights, as well as criminal, arrest, and detention procedures. Training on the use of force and standard operational procedures was conducted for PNTL instructors in two districts. Border Patrol officers of one district attended an advanced training course on human rights, human trafficking and migration issues. In one district, officers of the vulnerable persons unit of the PNTL conducted a socialization program for the community on the prevention of domestic violence. As part of the Government of Timor-Leste's police development programme, officers from the Rapid Intervention Unit and the Professional Ethics Office and police human rights trainers attended regular training courses on basic human rights, standard operational procedures on arrest, detention and the use of force, and community policing throughout the year.

##### Support to the Government

OHCHR continued to support the Government in meeting its obligations under key human rights treaties. The technical adviser on treaty reporting continued to work with the Government, United Nations agencies and NGOs to establish a framework for treaty reporting. During 2005, focal points from each ministry and the districts, as well as NGOs, were invited to participate in a series of focus groups to collect data on specific human rights issues for the purpose of treaty reporting. This work contributed to the drafting, editing and review of the common core document and the specific reports under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. By the end of 2005, a draft common core document and a treaty-specific report on the Convention on the Rights of the Child were completed and sent for translation into Portuguese. The document specific to the Convention on the Elimination of All Forms of Discrimination against Women was still in progress.

The treaty reporting process focused specific attention on capacity-building and training of national staff in the techniques and process of data collation, rights analysis and report drafting, in order to ensure continued human rights reporting.

##### Support to Parliament

Activities aimed at strengthening the capacity of parliamentarians in human rights analysis continued during 2005. A specialized training for 18 members of Parliament was carried out in March. The subject of the training was rights, liberties and fundamental guarantees, and it covered institutional responses to protect and promote human rights, including the role of the Parliament. The training included a session on analyzing the National Development Plan from a gender perspective, focusing on the right to health, education and employment. Following this training, participants decided to establish a sub-commission on human rights, mandated to review legislation from a human rights angle and to receive complaints.

##### Justice

In March and April three training sessions on international human rights law, the Constitution of Timor-Leste and the implementation of human rights in courts were delivered at the Judicial Training Centre to 38 ex-probationary judges, public prosecutors and public defenders. Private lawyers attended training sessions on interviewing skills, ethical responsibilities

of lawyers, psychology and human rights, as well as the impact of international human rights instruments ratified by Timor-Leste.

### Office of the Provedor for Human Rights and Justice

On 29 March 2005 the Provedor (Ombudsman) was elected by the Parliament, and he was sworn in the following June with two deputies, one to deal with human rights issues and the other on good governance and anti-corruption. In September, a Commissioner and senior manager of the Malaysian Human Rights Commission travelled to Dili to conduct an induction course for the Office of the *Provedor*. A start-up plan on the *Provedor's* human rights mandate was also developed and resulted in the recruitment of fifteen staff. Work began on developing a complaints-handling system. Budget submissions for the following year (2006/2007) were also developed with a significant increase in staff sought, reflecting the range of tasks required of the *Provedor*.

### Civil society

Some 21 micro-grants for human rights were disbursed to civil society organizations across the country for human rights socialization activities on, for example, gender issues, women's rights and human rights training for teachers, as well as for the celebration of International Human Rights Day, International Women's Day and the 16-day campaign on combating violence against women. Teachers from secondary and high schools of two districts received training on child's rights and eliminating physical abuse as a form of discipline in schools. 26 university students attended a two-day training of trainers on participatory methods of human rights education, gender and domestic violence. The main objective of the training was to enable the participants to effectively disseminate key human rights messages to communities at the village level. Funds were provided to a local NGO for the organization of a workshop attended by 45 junior high school students from Ainaro. Students' questions included, inter alia, whether the use of corporal punishment by teachers was consistent with human rights standards. 60 human rights radio programmes were broadcasted on the national radio station and district community radio stations. The main themes discussed in these programmes were rights and responsibilities of citizens with a focus on women's rights, rights of the child, domestic violence, economic, social and cultural rights as well as police misconduct.

Two thousand Tetun copies of the comic on the International Convention on Civil and Political Rights were distributed to a wide audience, including women and students.

Young Timorese artists were supported to produce paintings about human rights, which were exhibited for 10 days in Dili, and later shown at the Palais des Nations and in Zurich. During the Dili exhibition the human rights unit gave a quiz on human rights, in which about 600 students took part. The human rights unit collaborated with the mental health network and conducted a number of sessions addressing human rights and mental health. It also provided training for private lawyers on the rights of persons in detention.

In the area of human rights monitoring, support was provided to five national human rights NGOs during the year to establish a human rights violations database. A six-day capacity-building programme on human rights monitoring was conducted for Forum Tau Matan, a recently established NGO, and monitoring visits were conducted to police cells in Dili. Joint monitoring visits on the human rights situation in the districts were also carried out by the human rights unit and an NGO.

### Commission for Reception, Truth and Reconciliation

OHCHR supported the establishment of the Commission for Reception, Truth and Reconciliation (CAVR) through the United Nations Transitional Administration in East Timor (UNTAET) and later UNMISSET and UNOTIL. During 2005, OHCHR provided financial support, technical advice and assistance to CAVR in matters concerning transitional justice, and in processing, storing and analysing information through support to its database development project. On 31 October, the President of CAVR presented the Commission's report to the President of Timor-Leste, who presented it to Parliament in November.

## ◆ IMPACT AND ACHIEVEMENTS

The impact of institutional work in Timor-Leste, although part of a longer term human rights awareness-raising process, was at times immediately apparent. For instance, after the training for parliamentarians, a sub-commission on human rights mandated to review legislation from a human rights angle and to receive complaints was established. Similarly, in the area of treaty reporting, more requests were received for human rights training and for identification of human rights issues.

The micro-grants program for civil society was well received both by the implementing civil society organizations and the beneficiary communities, with more requests made for human rights education programs at the grass-roots level by way of workshops, seminars and socializations.

Improving the knowledge and skills of the national human rights officers has led to the creation of a group of human rights advocates who are able to carry out human rights protection and promotion activities, under challenging conditions, in any part of Timor-Leste.

#### ◆ EVALUATION

In May, an evaluation mission to assess the impact of the project was conducted by an external consultant. The consultant met with representatives of all beneficiaries, as well as United Nations agencies and the diplomatic community, and concluded that the technical cooperation project was appreciated by both the Government and civil society, and as such it recommended that a new project be initiated.



# ARAB REGION

## INTRODUCTION

Though the Arab region remains affected by continuous instability, positive developments have taken place towards political, legal, economic and social reforms, which are harmonizing national legislation with international human rights standards. Parliamentary elections were held in Palestine, Iraq, Lebanon and Egypt while Saudi Arabia held its first municipal elections. Most elections were marked by a high voter turnout, but acts of violence were committed and in some cases allegations of fraud were made. The Kuwaiti Parliament decided to give full political rights to women and, for the first time in the country's history, women can vote and stand in elections. Other positive measures included establishing national human rights institutions, facilitating the work of NGOs, respecting the right to freedom of expression, and improving the status of women.

Despite these improvements, obstacles to the full realization of human rights remain, including armed conflict, impunity, limits on women's and migrant rights, limits on freedom of expression and association, a lack of protection for human rights defenders, and the imposition of emergency laws. Developments in Iraq, Lebanon and Palestine merited specific attention in 2005.

In Iraq, long negotiations regarding the drafting of the new Constitution led to its approval in a public referendum in October 2005. Further to elections in December, a new Government will be formed in 2006. The country witnessed an increased insurgency, violent crimes, large-scale arbitrary arrests, military raids, and prisoner abuse in detention centres throughout the year. After the discovery of over 170 detainees in an Interior Ministry building in Al-Jadriyah, many of whom appeared to have been tortured, the High Commissioner issued a public statement in November 2005 urging the authorities to consider calling for an international inquiry. She added that the large number of detainees in the country was a matter of concern. While progress in reviewing cases had led to the release of hundreds of detainees, the overall number continued to increase due to mass arrests carried out during security and military operations. The High Commissioner highlighted that there was an urgent need to provide a remedy for lengthy internment for security reasons without adequate judicial oversight. Investigation committees established to look into the abuses of the Al-Jadiryia detention facility and at the overall issue of the legality and the conditions of detention in Iraq did not result

in public reports by the end of 2005. Activities undertaken in Iraq are described in further detail in the chapter entitled "Human rights support for peace-making, peacekeeping and peace-building activities".

Lebanon witnessed internal political instability culminating in the assassination of a former Prime Minister and the subsequent withdrawal of Syrian forces from Lebanese territory. The assassination resulted in an unprecedented public uprising and mass demonstrations were held during the spring. The subsequent legislative elections took place with the assistance of the United Nations, and opposition groups took the majority of the seats in the Parliament. While a new Government was elected, political and security unrest continued as Lebanon witnessed both random and politically-targeted explosions, killing several prominent opposition figures as well as journalists. Several United Nations resolutions were adopted on Lebanon and Syria and a United Nations International Independent Investigation Commission (UNIIC) was created to investigate the assassination of the former Prime Minister.

The human rights situation in Palestine remained of serious concern. Israeli security forces killed 197 Palestinians, including 54 children. Fifty Israelis, most of them civilians, lost their lives inside Israel and in the Occupied Territories, including six children, as a result of Palestinian attacks. The construction of the wall continued, in spite of the International Court of Justice Advisory Opinion to the contrary in 2004. The construction of the wall impacted on rights to freedom of movement, education, medical care, and work. It resulted in the confiscation of Palestinian land and negative impacts on the livelihood of many Palestinians, particularly where farmers lost access to their agricultural land and produce. Around 275 kilometres of the wall were completed out of the total 670 kilometres planned. Freedom of movement for Palestinians was also curtailed through checkpoints, curfews and closures, and the ban on travel on certain roads. By the end of the year, 741 Palestinians were reportedly held in administrative detention.

Israel's disengagement from settlements in the Gaza Strip and northern West Bank proceeded peacefully and resulted in the restoration of freedom of movement within the Gaza Strip. However, the breakdown in law and order and increasing

violence was not conducive to respect for human rights. The Sharm el-Sheikh Summit in February was notable for the cease-fire understanding and resulted in the release of around 900 prisoners. The Palestinian Authority carried out the death penalty on five men in June and July. These were the first executions to take place since August 2002.

The OHCHR strategy to promote human rights in the Arab region is to work with governments, regional organizations, national institutions for human rights, civil society and United Nations Country Teams (UNCTs) to build strong national systems promoting and protecting human rights. Among the objectives for 2005 were to improve partnerships with UNCTs and the United Nations Economic and Social Commission for Western Asia (ESCWA); establish a framework for the development of a regional strategy; establish a United Nations Human Rights Training and Documentation Centre for Southwest Asia and the Arab region; and strengthen capacities of the Organization of Islamic Conference (OIC) and the Islamic Educational Scientific and Cultural Organization (ISESCO).

In 2005, OHCHR focused its activities on improved partnerships with regional organizations such as the League of Arab States, the OIC and ISESCO and with UNCTs (particularly in Egypt, Lebanon, Syria and Yemen); on supporting the work of the treaty bodies and special procedures; and on the establishment of national institutions and bringing them into conformity with the Paris Principles. In accordance with Action 2 of the Secretary-General's second reform programme and the High Commissioner's Plan of Action, OHCHR further developed its human rights strategy for 2006-2007 for engagement at the country level.

Regarding specific national cooperation projects, OHCHR activities in Palestine centred on the following themes: enhanced administration of justice, support to the national human rights institution, human rights education and mainstreaming human rights. In cooperation with UNDP and the Ministry of Human Rights of Yemen, OHCHR formulated a technical cooperation project in the field of human rights for Yemen. This project, which will be implemented with UNDP in 2006, includes supporting the establishment of a national human rights institution, harmonizing legislation in light of human rights treaties, and providing training in reporting to treaty bodies.

The Human Rights Documentation, Information and Training Centre in Morocco received support from OHCHR, UNDP and

the Government from 2000 until 2004. In 2005, the Centre made no further requests for support from OHCHR. In Iraq, OHCHR and UNAMI enhanced their monitoring capacities and developed a comprehensive human rights technical cooperation programme. It includes activities in the areas of capacity-building for government institutions and civil society, enhanced administration of justice, the possible establishment of a national human rights institution, identifying options for transitional justice, and human rights education. These activities are described in further detail in the chapter entitled "Human rights support for peace-making, peacekeeping and peace-building activities".

OHCHR continued to provide support to the mandate of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of Palestinian People and Other Arabs in the Occupied Territories. The Committee conducted a mission to the Middle East from 25 June to 9 July 2005 in order to gather direct knowledge from around 45 witnesses representing Palestinian NGOs from the occupied territories and Israeli NGOs, as well as individuals from the Syrian Arab Republic (A/60/380). The Special Rapporteur on trafficking in persons, especially women and children, conducted a visit to Lebanon in September 2005 (E/CN4/2006/62/Add.3).

Most countries in the Arab region are parties to the major international human rights instruments. However, despite progress in recent years, a number of countries have not yet ratified or acceded to some of the core human rights treaties, including the individual complaints mechanisms. In addition, reporting on how the treaties are implemented and follow-up on recommendations made by the treaty bodies remains insufficient.

The treaty bodies examined the following Arab States in 2005:

- Committee on the Elimination of Discrimination against Women at its 32nd session (January): Algeria
- Committee on the Elimination of Racial Discrimination at its 66th session (March): Bahrain
- Committee against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment at its 34th session (April/May): Bahrain
- Committee on the Rights of the Child at its 39th session (May): Yemen
- Committee on the Elimination of Discrimination against Women at its 33rd session (July): Lebanon
- Human Rights Committee at its 84th session (July): Syrian Arab Republic, Yemen



- Committee on the Rights of the Child at its 40th session (September): Algeria, Saudi Arabia
- Committee on Economic, Social and Cultural Rights at its 35th session (November): Libyan Arab Jamahiriya

## EXPENDITURE BREAKDOWN ARAB REGION

This table indicates expenditure per country. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Regional and sub-regional activities	957,163	848,101
Morocco*	0	153,564
Palestine	740,384	737,172
Yemen*	0	0
<b>Total</b>	<b>1,697,547</b>	<b>1,738,837</b>

\* Project foreseen in the Annual Appeal 2005, but not implemented in 2005.

## REGIONAL AND SUB-REGIONAL ACTIVITIES

### ◆ REGIONAL REPRESENTATIVE

Since its inauguration in 2002, the regional office has been called upon by governments and civil society organizations to assist and cooperate in the formulation of institutional developments, programmes and activities. In addition, the regional office has been instrumental in building close partnerships with UNCTs in a number of countries. During 2005, the acting regional representative as well as three professional and two national staff have been working in Beirut.

As a member of the UNCT in Lebanon, the regional office is part of the steering committee for the Common Country Assessment (CCA)/ United Nations Development Assistance Framework (UNDAF) process and participates in related meetings and activities. The committee was established by the UNCT to prepare, implement and monitor the commonly agreed CCA/UNDAF work plan, for review and endorsement by the UNCT. The regional office also established a Human Rights Task Force within the Lebanon UNCT in January 2005. Its main objectives are to integrate human rights as a cross-cutting issue into the work of the UNCT, to develop joint actions among the UNCT members that would contribute to the strengthening of national human rights

protection systems and to promote dialogue and cooperation on general or specific human rights issues. OHCHR also proposed to the Lebanese Parliamentary Human Rights Commission the idea of initiating a national plan of action for human rights, which was well received and proposed to the Government and the Parliament. The process was launched through a workshop held on 10 December (Human Rights Day) to elaborate a plan of action for 2006. United Nations agencies and the Human Rights Task Force will also be involved as observers and supporters of this national initiative.

The acting regional representative undertook a mission to the Syrian Arab Republic from 9 to 13 May 2005, during which a meeting with the Syrian UNCT was held, the establishment of a human rights task force was suggested and proposed terms of reference were drafted. Furthermore, the regional office collaborated in the assessment of the draft CCA for Syria to ensure that the document reflects a human rights-based approach to development. In Egypt, OHCHR contributed to the development of a human rights project by UNDP and in 2005 the acting regional representative participated in police training as part of the project. Further to an OHCHR project formulation mission to Yemen, OHCHR assisted in the formulation of a UNDP human rights project on mainstreaming human rights within the work of the UNCT.

The regional office also contributed to the legal framework for HIV/AIDS and human rights in the Arab States, which is a common project of the ILO regional office for Arab States, in collaboration with UNICEF, UNDP, UNAIDS and the Arab Institute for Human Rights. The project aims at reviewing international instruments and national legislation (statutory and customary law, jurisprudence and policies) and proposing model legislation related to the human rights of children, their families and other vulnerable groups, infected with/affected by HIV/AIDS in 15 Arab States.

In May 2005, the regional office attended the 23rd session of ESCWA in Damascus. Meetings were also held with the United Nations Resident Coordinator, Government officials, a delegation from the European Union as well as several representatives from United Nations agencies and NGOs. Several meetings took place between the ESCWA Centre for Women and the regional office, with a mutual agreement on future cooperation in relation to women rights, gender mainstreaming and the Convention on the Elimination of Discrimination against Women. The acting



regional representative also attended the Arab Ministerial Meeting, organized in preparation for the WTO sixth Ministerial Conference (Hong Kong, December 2005) by ESCWA, the League of Arab States, the World Bank, International Development and Research Centre and Arab NGOs, in order to discuss priority issues for Arab countries and expected outcomes of the Conference, as well as to prepare a framework for a coordinated Arab position. Lastly, in November 2005 in Beirut, the regional office provided training sessions on human rights during a three-day management training workshop organized by ESCWA in partnership with UNDP Iraq, which was attended by 20 senior civil servants from the Iraqi Ministry of Human Rights.

In May 2005, the acting regional representative participated in the 10th United Nations regional coordination group meeting held at the United Nations House in Beirut. The meeting included a review and discussion of the Secretary-General's report *In Larger Freedom: Towards Development, Security and Human Rights for All* from a regional perspective. Other items on the agenda included a presentation of the Millennium Development Goals (MDGs) in the region in order to review where the region stands and what strategic initiatives are required at the regional level to achieve the MDGs. OHCHR played an active role in the discussions, including providing information about the High Commissioner's Plan of Action.

The regional office actively participated in several regional and national human rights activities, including conferences and workshops in Lebanon, Egypt, Bahrain, Morocco, Qatar, Jordan, Algeria, the Syrian Arab Republic, Tunisia and the United Arab Emirates. Topics covered various human rights issues including trainings on human rights protection mechanisms, especially reporting to treaty bodies and the functioning of special procedures, the role of human rights defenders, the International Criminal Court, HIV/AIDS, and domestic migrant workers and trafficking.

In addition, the regional office organized the following trainings:

- In cooperation with the American University College of Technology, Amnesty International and the Arab Institute for Human Rights, the first regional human rights summer camp was held in August 2005. The summer camp took place over a period of 14 days and the 45 participants included university students, NGO representatives, and Government officials. It is envisaged that this activity will continue over

the coming five years, and participants from the first summer camp will be selected to participate in a training of trainers course in next year's camp in order to guarantee the sustainability of the project.

- OHCHR together with the ILO, the Lebanese Ministry of Labour, and the CARITAS Liban-Migrant Centre conducted an awareness-raising workshop on the situation of women migrant domestic workers in Lebanon, which took place from 28 to 30 November 2005 in Beirut. It was attended by over 60 representatives from a range of institutions including Parliament, the Ministries of Labour, Social Affairs, and the Interior, NGOs and embassies, as well as domestic workers and independent researchers/activists working on these issues. The workshop resulted in the development of recommendations for the future drafting of guidelines on the protection of women migrant domestic workers in Lebanon.

#### ◆ LEAGUE OF ARAB STATES

After jointly convening the first conference on national human rights institutions in the Arab region in March 2005, OHCHR participated in events hosted by the League of Arab States. This included the annual meetings in Cairo of the Arab Commission for Human Rights in February 2005, and the United Nations-League of Arab States sectoral meeting in November 2005, which focused on implementing and financing the Millennium Development Goals and substantial development in the Arab Region. The planned establishment of the expert committee to monitor the implementation of the Arab Charter for Human Rights still depends on its entry into force.

#### ◆ SUPPORT TO THE ORGANIZATION OF THE ISLAMIC CONFERENCE AND THE ISLAMIC EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

In late 2005, OHCHR signed a Memorandum of Understanding (MOU) with ISESCO on technical cooperation in the field of human rights. OHCHR and the OIC also agreed to sign a similar MOU in the near future. Originally scheduled for 2005, the training seminar on the international and regional systems for human rights for 14 staff members of the OIC and ISESCO was postponed to January 2006 in Geneva.

### ◆ ASIA-PACIFIC FRAMEWORK FOR REGIONAL COOPERATION

At the Doha 12th annual workshop of the Asia-Pacific framework for the promotion and protection of human rights, the Governments of the region adopted a two-year programme of action including a recommendation to support regional initiatives to strengthen the role of national human rights institutions. From 6 to 8 March 2005, OHCHR, in cooperation with UNDP, the League of Arab States and the National Council for Human Rights of Egypt, held its first conference on national human rights institutions in the Arab region in Cairo. This conference aimed at encouraging states to establish independent national human rights institutions or to improve the status of existing institutions to comply with the Paris Principles. The conference was attended by delegations from 17 Arab States, representing national institutions, parliamentary committees that deal with human rights questions and the ministries of justice of States which have yet to establish national human rights institutions. Other participants included representatives of Arab NGOs active in this domain (attending as observers), delegations from regional organizations representing different geographical groups (Africa, Asia and Europe) and representatives from a number of international human rights NGOs and specialized agencies of the United Nations (See E/CN4/2004/G/34).

On 2 November 2005, the General Assembly recommended the establishment of a United Nations Human Rights Training and Documentation Centre for Southwest Asia and the Arab region, hosted by the Government of Qatar. The mandate of the Centre is to undertake training and documentation activities according to international standards and to support such efforts within the region by Governments, United Nations agencies and programmes, national human rights institutions and NGOs. OHCHR is developing a plan to set up the Centre in 2006.

### ◆ HUMAN DEVELOPMENT AND HUMAN RIGHTS

In 2005 UNDP conducted an evaluation of the UNDP/OHCHR project on human rights and development, jointly implemented with the Arab Organization for Human Rights, indicating that the project had been successfully carried out in 2003-2004. In accordance with the result of the evaluation, a decision was made to close the project and incorporate any further undertakings with a human rights component within the global UNDP governance programme for the Arab region.

### ◆ ARAB INSTITUTE FOR HUMAN RIGHTS

As local NGOs remain hampered by a lack of capacity and financial and technical support, OHCHR continued to build their capacities and provide them grants in order to create a more active civil society that can play its proper role in the protection and promotion of human rights in the region. Since its creation in 1989, the Arab Institute for Human Rights (AIHR) has been supported by the then Centre for Human Rights, and subsequently by OHCHR. In 2005, OHCHR focused its technical and financial support on the AIHR for the organization of the "Anabtawi 15" training session in Tunisia in 2005, attended by 29 participants from Arab NGOs and national institutions. In addition, OHCHR, as a member of the board of the AIHR, participated in the annual administrative board meeting and provided substantive inputs to various seminars and activities conducted.

### ◆ OTHER ACTIVITIES

From 30 April to 5 May 2005, OHCHR, in cooperation with the general commander of the Dubai Police, Ministry of Interior of the United Arab Emirates, organized a second regional training course on human rights in Dubai. 43 police officers from various Arab countries participated in the training. The first training course for the Arab police was organized in Dubai in April 2004 and it has been recommended that this training be conducted in Dubai annually.

From 19 to 21 June 2005, OHCHR with the support of UNICEF organized a subregional workshop on the implementation of the concluding observations of the Committee on the Rights of the Child in Doha. The workshop was hosted by the Supreme Council for Family Affairs of Qatar and attended by participants from Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates and Yemen. Representatives of United Nations entities as well as three current members of the Committee on the Rights of the Child and previous committee members participated as resource persons. The event addressed government officials and representatives of the civil society, including national experts. Also in Doha, OHCHR supported two training courses for Qatari officials dealing with children, in April 2005.

Together with the United Nations Division for the Advancement of Women, the United Nations Department of Economic and Social Affairs and the National Council for Women in Egypt, OHCHR organized a subregional workshop on the implementation of

concluding comments and observations of the Committee on the Elimination of Discrimination Against Women and the Committee on the Elimination of Racial Discrimination. The meeting was held in December 2005 in Cairo and was attended by some 60 representatives from Algeria, Egypt, the Libyan Arab Jamahiriya, Mauritania, Morocco, and Tunisia, as well as by representatives of United Nations agencies and the League of Arab States. The meeting was facilitated by four members of the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination respectively.

#### ◆ CHALLENGES AND CONSTRAINTS

Political instability and a general lack of security in all duty stations in the region where human rights officers are based, namely the OHCHR regional office in Beirut, the OHCHR Palestine office and UNAMI (Iraq), made the work of staff difficult and led to a regular re-evaluation of programmes. The proposed subregional workshop on human rights education to be held in cooperation with UNESCO in February 2005 could not take place due to lack of funds.

Within the framework of the concept of country engagement elaborated in the Plan of Action, OHCHR will endeavour to make concerted efforts to encourage States to ratify all core treaties, withdraw reservations, comply with their reporting obligations and strengthen support to implement recommendations of treaty bodies. In addition, more efforts will be made to work with governments on establishing a national human rights protection system. This includes work in the areas of administration of justice, continued support towards the possible establishment or strengthening of national human rights institutions as well as extended support to the work of human rights defenders in the region.

## COUNTRY PROJECTS

### PALESTINE

#### ◆ BACKGROUND

OHCHR began implementing a technical cooperation project on support for the rule of law in Palestine at the invitation of the Palestinian Authority in 1996, when its first office was set up in Gaza. The OHCHR Ramallah office was opened in 2000. In the first two years, in order to assist the new-formed Palestinian Authority established pursuant to the Oslo Accords, the project focused on the institutional legal framework, administration of justice and strengthening the national human rights institution. The second project continued to build on these areas, and added human rights education, and human rights mainstreaming in accordance with Action 2. A one-year transitional project on partnerships for human rights promotion in Palestine was undertaken during the period 1 January to 31 December 2005.

#### ◆ OBJECTIVES

Five objectives were defined under the broad goal of supporting the development of a modern system of governance based on the rule of law, separation of powers and administration of justice, operating in line with international human rights standards:

- Support for the administration of justice and the rule of law;
- Strengthen the national human rights institution;
- Human rights education; and
- Mainstreaming human rights.

#### ◆ IMPLEMENTATION

OHCHR Palestine is composed of the head of office, currently deployed in Ramallah, and a second office in Gaza. While OHCHR led some activities, most involved partnerships, for example with the Ministries of Education, Women's Affairs, and the Interior. Many initiatives were implemented with the Palestinian Independent Commission for Citizens' Rights (PICCR), the national human rights institution and NGOs. OHCHR Palestine continued to enjoy the administrative and logistical support of UNDP. Its programme of support to Palestinian people relates principally to infrastructure development projects and work related to the administration of justice.

### Support for the administration of justice and rule of law

This programme was located within the reform priorities of the Palestinian Authority on the rule of law, with cooperation agreed at the senior policy level, and training programmes designed and implemented in partnership with Palestinian institutions. In order to ensure their sustainability, OHCHR focused on integrating plans for human rights capacity-building into the training programmes of the appropriate institutions.

- **Police:** With the Minister of Interior's agreement, a programme of cooperation began with the police academies. In Jericho, OHCHR Palestine gave an introduction to human rights to 550 new recruits, followed by intensive training of trainers' courses for 18 officers in July and 19 officers in November. In Gaza, an intensive training of trainers' course was conducted with the PICCR in June, with further sessions in September.
- **Prisons:** Following agreement with the general director of Palestinian Reform and Rehabilitation Centres and senior officials in Gaza and the West Bank, the first training of trainers' courses took place in Gaza in June and August for 40 officers and in Ramallah in September for 22 officers.
- **Judiciary:** Following consultations with the head of the Judicial Education Committee of the Supreme Judicial Council (SJC), proposals were submitted to contribute to the judicial training, which was unfortunately delayed. At a seminar organized by the SJC in December to discuss future judicial education, the deputy head of the OHCHR Ramallah Office advised on integrating human rights into the training curriculum. OHCHR Palestine contributed regularly to meetings of Palestinian officials and donors who support work on judicial reform, including a presentation on the role of the judiciary in protection against gender-related offences such as "honour crimes". OHCHR Palestine participated in workshops organized by the PICCR in Gaza and Ramallah on the new draft law for the judiciary, adopted in September.

### Strengthen the national human rights institution

OHCHR Palestine and PICCR agreed on a programme of activities for the year, and worked together to finalize the draft legislation relating to the PICCR to bring it into line with the Paris Principles. OHCHR Palestine was invited to the Palestinian Legislative Council session to discuss the draft law and explain the role of national human rights institutions. In September,

OHCHR Palestine led two training sessions for PICCR staff and advised on internal regulations. Numerous joint training activities were organized during the year.

### Human rights education

Work undertaken in this area aimed to develop cooperation with the Ministry of Education to strengthen human rights in the curriculum and in training and to enhance interaction between NGOs and international human rights mechanisms.

In the formal sector, OHCHR Palestine raised the issue of the World Programme for Human Rights Education (Phase One, 2005-2007), with the Ministry of Education and held consultations with senior Ministry officials, leading to an agreement between the Minister and the head of the OHCHR Palestine office towards the implementation of the programme, beginning with the assessment of human rights initiatives today. Initial steps on implementation were agreed, and a steering committee was formed in December. UNESCO, among other United Nations agencies, agreed to support the Programme's implementation.

Four major human rights promotion events were organized to raise human rights awareness on International Women's Day, the Day of the Palestinian Child, the International Day in Support of Victims of Torture and International Human Rights Day. Together with the Yabus Association, OHCHR Palestine held a seminar in Rafah on human rights challenges for Palestinian children, with the participation of experts, representatives of the Ministries of Health and Education, and the UNRWA Education Department. The resulting recommendations prioritized children with special needs and providing libraries in Rafah. Seminars also took place in Gaza and Ramallah on a draft law on torture. In addition, OHCHR Palestine and Ministry of Education officials visited two school events, and attended a seminar organized by the NGO Sawa on violence against women.

OHCHR Palestine strengthened its partnership with the NGO community through consultations on United Nations human rights reforms, briefings with visiting experts, workshops on treaty bodies and special procedures, and a unified alternative report by Israeli and Palestinian civil society to the Committee for the Elimination of Racial Discrimination, and many joint activities.

### OHCHR grants

Two grants awarded in 2004 were successfully concluded in 2005. The first project, carried out by Tamer in Gaza, involved training in children's and women's rights for young people, children and women, and NGOs. The second, carried out by the Palestinian Society for Regional Studies in Nablus, aimed to increase awareness among young people of human and children's rights, targeting university and school students.

Palestine was among those selected for the new round of the Assisting Communities Together (ACT) project, which aims to provide small grants to grass-roots organizations. It was agreed with UNDP that the number of projects eligible for support would be increased in the next phase. The selection of projects will take place in early 2006.

### Mainstreaming human rights

With full cooperation of the United Nations agencies in Palestine, an Inter-Agency Human Rights Working Group was established. Meetings were regularly attended by eight United Nations agencies: UNRWA, OCHA, WHO, UNESCO, UNICEF, the Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO), UNFPA and UNIFEM. Discussions included the rights-based approach and human rights and the Millennium Development Goals. Briefings were held with visiting experts, and reports of all visits were disseminated to participants. In 2005, UNSCO initiated a process to develop a simplified Common Country Assessment (CCA) to lead to the future introduction of the United Nations Development Assistance Framework (UNDAF). OHCHR Palestine contributed to the CCA and initiated a joint UNSCO/OHCHR Palestine presentation to the Human Rights Working Group.

### Support for visiting experts

OHCHR Palestine supported three visits by the Special Rapporteur on the situation of human rights in Palestinian territories occupied since 1967, and hosted briefings with the UNCT and the Human Rights Working Group, and NGOs. OHCHR assisted Palestinian witnesses invited to appear before the Special Committee mandated by the General Assembly to investigate Israeli practices affecting the human rights of the Palestinian people and other Arabs of the Occupied Territories, including briefings on the Committee's work, and contributed additional support during the experts' visits to Egypt and Jordan. UNICEF, WHO and OHCHR Palestine also supported

the visit of the Secretary-General's Independent Expert for the Study on Violence against Children, in June and October. In addition, OHCHR Palestine hosted NGO and Human Rights Working Group meetings for the Special Representative of the Secretary-General on human rights defenders.

### ◆ CONSTRAINTS

The operating environment continued to impose restrictions on project implementation. The use of checkpoints and closures, in addition to construction of the wall, restricted the movement of staff and workshop participants. Even though movement between the Gaza Strip and the West Bank remained problematic for all Palestinians, the first ever meeting of all OHCHR Palestine's programme staff in Gaza and Ramallah took place.

The following activities were not implemented as planned:

- Under the first objective, support for the administration of justice and rule of law, OHCHR Palestine's contribution to the training curriculum was agreed in principle but the development of the judicial training programme was delayed. OHCHR Palestine worked instead with the police academies and prisons administration to provide training for trainers on international human rights standards
- In relation to the third objective on human rights education, OHCHR Palestine's original project supported the formulation of a national plan of action for human rights. Considerable efforts by OHCHR Palestine, with PICCR, ministries and civil society had been invested in drafting the plan over the years. It was never approved by President Arafat, although some elements were implemented. In 2005, following further study, OHCHR Palestine concluded that the plan needed extensive revision, given the changed circumstances. It was therefore decided not to proceed with the plan, and to prioritize in its place the adoption and implementation of the World Programme for Human Rights Education.
- In addition, OHCHR Palestine had planned to produce two analytical reports tracing human rights trends, but this was not undertaken due to staffing shortages and the need to provide in-house training to build the necessary skills.

**◆ IMPACT AND ACHIEVEMENTS**

Each activity was evaluated by participants who on the whole gave positive feedback, as well as advice for improvement. The institutions appreciated the new approach towards greater sustainability through training of trainers, and follow-up sessions will address issues identified by trainees and implementing partners. An assessment of the work of the Human Rights Working Group is scheduled to take place in early 2006.







# THEMATIC HUMAN RIGHTS CHALLENGES

## INTRODUCTION

Work on thematic human rights issues is an important part of OHCHR's efforts to support and complement its human rights activities in the field and those of the human rights mechanisms. During 2005, work on thematic issues was multidimensional, with particular emphasis placed on the development of practical tools and methodologies to disseminate knowledge about legal frameworks and to compile and encourage examples of good practice.

The key priorities of work on thematic activities in 2005 were to: (a) contribute to building increased national level capacity for the protection of human rights, particularly through strengthening institutions and human rights education; (b) encourage and support the integration of all human rights into United Nations system programmes and activities in the areas of development, humanitarianism, peace and security, governance and the rule of law; (c) strengthen expertise and advance knowledge and understanding of all human rights and their interdependence, with particular attention to individuals and groups that are vulnerable to human rights violations including women, children, minorities, indigenous peoples, persons with disabilities, migrants, and victims of racism, racial discrimination, xenophobia and related intolerance; and (d) contribute to efforts to tackle emerging human rights challenges in areas such as violence against children, HIV/AIDS, trafficking, and the responsibilities of non-State actors.

### ◆ PARTNERSHIPS

OHCHR works closely with different actors on different thematic issues. During 2005, collaboration with United Nations entities on thematic activities included work with UNDP and United Nations Country Teams (UNCTs) on rights-based approaches to development, with DPKO and integrated United

Nations missions on human rights approaches to peace operations and rule of law activities, with WHO and UNICEF on violence against children, with UNAIDS on HIV/AIDS, with UNESCO on human rights education and on racism, with the Department of Economic and Social Affairs (DESA) on women's human rights, disabilities or indigenous peoples, and with the Global Compact Office on the human rights responsibilities of business. In addition, much of OHCHR's thematic work is undertaken in the context of inter-agency mechanisms which, in 2005, included the Executive Committees (particularly the Executive Committees on Peace and Security and on Humanitarian Assistance and the United Nations Development Group), the Inter-Agency Standing Committee (IASC) on humanitarian issues, the Inter-Agency Support Group (IASG) on indigenous issues and the Inter-Agency Network on Women and Gender Equality.

OHCHR also collaborated with regional and other organizations on specific themes of mutual interest, notably with the Council of Europe on minorities or national institutions, the African Commission on Human and Peoples' Rights on the rights of indigenous peoples, the OSCE on trafficking, and with La Francophonie and the Commonwealth on national institutions. In its partnerships with national institutions, OHCHR served as the secretariat of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and its Sub-Committee on Accreditation, as well as continuing extensive support to regional mechanisms to facilitate coordination and collaboration among national institutions. Partnership with national institutions is especially important for OHCHR's thematic work in areas such as disability and economic, social and cultural rights.

Strong relationships with civil society were and continue to be crucial, as can be seen in work undertaken in 2005 on human rights education and with minorities and indigenous peoples.

### ◆ SCOPE OF ACTIVITIES

OHCHR's work on policy and good practice guidance requires the compilation of information, analysis and consultations. In 2005, this work resulted in the development of conceptual, policy and good practice tools on a wide variety of issues including a set of five tools in the area of transitional justice, conceptual documents on the formulation of poverty reduction strategies and on the Millennium Development Goals, national human rights action plans, guidelines on good governance and the assessment of the effectiveness of national human rights institutions. A number of human rights reference materials were also produced, including analytical studies for the Repertory of Practice of United Nations organs, the resource collection and database on human rights education and training, and the online compilation of all the concluding observations and views of treaty bodies that refer to national human rights institutions. Promotional materials produced include country fact sheets on trafficking and migration and a publication on frequently asked questions and answers on rights-based approaches to development.

A large volume of work was undertaken in 2005 to prepare training and educational materials, including a handbook on human rights for parliamentarians, a handbook on economic, social and cultural rights for national human rights institutions, a legislative handbook on trafficking, and prototype modules on the role of national human rights institutions and of parliamentarians, to facilitate action by the United Nations system to strengthen national human rights protection systems. Training activities in 2005 were targeted at OHCHR staff as well as other partners within the United Nations system, including training for UNCTs on the integration of human rights in United Nations Development Assistance Frameworks (UNDAFs), training for national human rights institutions on thematic issues, and for peace-keeping trainers and centres.

Support to human rights mechanisms included extensive support to the Independent Expert leading the Secretary-General's Study on Violence against Children, and research and substantive support to intergovernmental mechanisms, including the Ad Hoc Committee of the General Assembly negotiating a convention on the rights of persons with disabilities, the Working Group on the right to development and its High-level Task Force, and the Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights and

the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. Substantive thematic support was also provided to treaty bodies and to independent expert mechanisms established by the Commission on Human Rights and the Sub-Commission for the Promotion and Protection of Human Rights.

Assistance to civil society was particularly important in 2005 for activities focusing on human rights education – particularly through the provision of small grants to grass-roots organizations through the Assisting Communities Together (ACT) project and those provided to NGOs working on contemporary forms of slavery and on indigenous peoples' rights. OHCHR's capacity-building for civil society was also increased in 2005, with the first minorities' fellowship programme, as well as a pilot Russian programme added to the English, French and Spanish indigenous fellowship programmes. Activities to facilitate the access of civil society and national human rights institutions to United Nations human rights mechanisms continued to focus on the provision of travel grants for participation in official meetings dealing with indigenous peoples' rights or contemporary forms of slavery, and access to UNCTs for indigenous representatives.

Seminars, workshops and experts' meetings organized in 2005 addressed issues such as the right to a remedy, the implementation of economic, social and cultural rights by national human rights institutions, impunity and reparations, the principle of consent of indigenous peoples, minorities and conflict prevention and resolution, prosecuting sexual and labour exploitation through trafficking, and possible monitoring mechanisms for the new convention on the rights of persons with disabilities. At the regional level, conferences, seminars, meetings and consultations brought together national human rights institutions and focused on issues such as combating racism, lessons learned on rights-based approaches to development, trafficking, the right to education, women's economic, social and cultural rights and transitional justice.

Ultimately, the objective of all thematic activities is to contribute to the protection of human rights by increasing the capacity of duty-bearers to promote and protect human rights, and of rights-holders to advance their own claims. The heavy emphasis placed on partnerships in OHCHR's thematic activities seeks to increase their catalytic effect by ensuring that they contribute to a much broader effort involving governments, the United Nations system and other intergovernmental

organizations, human rights mechanisms and civil society, in the effort to empower individuals and groups to improve the enjoyment of all human rights for all.

United Nations regular budget funding was used for activities in the area of the right to development, research and analysis. In 2005 expenditures amounted to US\$ 5.1 million for these activities.

## BUDGET AND EXPENDITURE THEMATIC HUMAN RIGHTS CHALLENGES

This table indicates the budgeted amount for planning activities as per Annual Appeal 2005 and mid-year review revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures.

	Annual Appeal Budget US\$	Revised Budget US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
World Programme for Human Rights Education*	714,047	698,901	486,868	858,128
Strengthening human rights in peace operations*	396,856	433,797	302,362	378,000
Support to national institutions	1,698,503	1,615,868	1,720,619	1,045,321
Trafficking in persons*	396,517	421,719	319,445	200,539
Secretary-General's Study on Violence against Children	351,882	527,377	487,284	0
Economic and social issues	813,600	569,524	255,123	403,754
Human rights and development	1,218,027	1,203,179	1,047,910	0
Support to United Nations Country Teams*	0	0	26,088	152,998
Rule of law and democracy	1,550,191	1,567,617	1,303,284	1,581,625
Human rights and counter-terrorism*	0	0	17,029	177,845
Minorities and indigenous peoples	676,644	849,784	413,677	379,029
Voluntary Fund for Indigenous Populations	339,000	244,530	199,032	486,330
Voluntary Fund for the International Decade of the World's Indigenous People	0	20,770	56,458	352,242
Victims of slavery	226,000	363,841	297,695	248,588
Victims of torture	7,330,310	6,577,865	6,546,474	7,893,881
Anti-Discrimination	572,232	488,843	607,406	651,439
<b>Total</b>	<b>16,283,809</b>	<b>15,583,615</b>	<b>14,086,754</b>	<b>14,809,719</b>

\*These activities are funded under the Voluntary Fund for Technical Cooperation.

## VOLUNTARY CONTRIBUTIONS

### THEMATIC HUMAN RIGHTS CHALLENGES

This table refers to the total amount of voluntary funds pledged and income received in 2005.

	Earmarking/allocation	Pledge US\$	Income US\$
<i>Unearmarked contributions</i>			
Canada	National institutions	0	50,000
Cyprus	Anti-discrimination	10,000	10,000
Finland	Anti-discrimination	197,829	200,000
France	National institutions	200,000	200,000
	Human rights and development	100,000	100,000
Ireland	National institutions	178,294	178,294
	Human rights and development	50,000	50,000
	Indigenous peoples	150,000	150,000
Italy	National institutions	88,327	88,098
Malaysia	National institutions	20,000	20,000
Monaco	National institutions	10,000	10,000
New Zealand	National institutions	100,000	100,000
Slovenia	Anti-discrimination	20,000	20,000
Spain	Human rights and development	0	100,000
	Indigenous peoples	0	100,000
Sudan	Human rights and development	5,074	5,074
Sweden	National institutions	99,671	91,463
	Anti-discrimination	184,140	168,976
United Kingdom	Human rights and development	288,592	280,000
	Rule of law and democracy	175,217	170,000

## VOLUNTARY CONTRIBUTIONS

### THEMATIC HUMAN RIGHTS CHALLENGES (cont.)

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Earmarking/allocation		Pledge	Income
		US\$	US\$
<i>Specific earmarking</i>			
Australia	National institutions in the Asia-Pacific region	77,519	77,911
	Follow-up to seminar on good governance	15,504	15,582
Belgium	Human rights and development	339,213	292,398
Denmark	Seminar on counter-terrorism	35,000	35,000
Finland	Gender mainstreaming and women's rights	60,314	60,976
	Rule of law and democracy	60,314	60,976
France	National institutions	120,919	120,627
	Study on violence against children	27,137	27,137
Germany	National institutions	121,951	121,065
Ireland	AIDS, disability, gender, rule of law	376,412	376,412
	Anti-discrimination	62,735	62,735
	National institutions	125,471	125,471
Mexico	Special Rapporteur on indigenous peoples	20,000	20,000
Monaco	Study on violence against children	25,873	25,873
Norway	National institutions	47,923	47,330
	Human rights and development	63,898	63,107
	Rule of law and democracy	47,923	47,330
Philippines	Disability	1,160	1,160
Poland	Trafficking in persons	10,000	10,000
	Decade to combat racism	5,000	5,000
Spain	Gender mainstreaming and women's rights	0	156,038
	Gender mainstreaming and women's rights	101,431	0
Switzerland	Business and human rights	25,424	22,901
United Kingdom	National institutions	190,840	179,020
	HIV/AIDS	108,303	105,079
	Hybrid tribunal legacy project	82,526	82,256
European Commission	National institutions	930,171	0
	Promotion and protection of indigenous peoples		
	in Guatemala and Mexico	0	409,832
UNAIDS	People affected by HIV/AIDS	0	105,420
<b>Total</b>		<b>4,960,105</b>	<b>4,748,541</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

Voluntary contributions for the Human Rights Trust Funds can be found under the corresponding chapters from page 215 to 225.



# GLOBAL PROJECTS

## WORLD PROGRAMME FOR HUMAN RIGHTS EDUCATION

### BACKGROUND

Human rights education, training and public information are regular activities of OHCHR. The proclamation by the General Assembly of the World Programme for Human Rights Education (2005-ongoing), at the conclusion of the United Nations Decade for Human Rights Education (1995-2004), has provided additional momentum and requires continued focus on these areas by the international community and OHCHR, which is responsible for coordination activities.

The World Programme is structured in consecutive phases, in order to focus for certain periods on specific human rights education sectors. At the request of the General Assembly, OHCHR, jointly with UNESCO and in close cooperation with relevant experts and practitioners, developed a draft plan of action for the World Programme's first phase (2005-2007), dedicated to human rights education in the primary and secondary school systems. The draft plan of action was published on 2 March 2005 (A/59/525/Rev.1) and was adopted by the General Assembly on 14 July 2005.

### OBJECTIVES

The main objective of OHCHR's work in relation to the World Programme is to provide support to relevant actors (governmental agencies, national human rights institutions, non-governmental organizations etc.) in the elaboration and implementation of human rights education and training initiatives.

The related strategy encompasses the following courses of action:

- Support national human rights education and training initiatives through OHCHR's technical cooperation programme;
- Support grass-roots human rights education and training initiatives through the Assisting Communities Together (ACT) project;
- Facilitate information-sharing and networking among all relevant actors;

- Develop selected human rights education and training materials; and
- Ensure worldwide coordination of the World Programme.

This work is guided by United Nations policy documents, including relevant General Assembly and Commission on Human Rights resolutions, and builds on the lessons learned through work on the Decade for Human Rights Education (1995-2004).

### IMPLEMENTATION

#### ◆ SUPPORTING NATIONAL HUMAN RIGHTS EDUCATION AND TRAINING INITIATIVES

OHCHR ensures that technical cooperation projects receive appropriate input on human rights education and training. In 2005, staff experts on human rights education contributed to the planning or organization of education and training activities in various countries in Africa (Angola, Burkina Faso, Chad, Comoros, Liberia, Mali, South Africa and support to the Economic Community of West African States and the United Nations Economic Commission for Africa), Asia-Pacific (China, India, Iran, Mongolia, New Zealand, Timor-Leste and regional programmes), the Arab region (Morocco, Palestine and Iraq, and regional programmes) and Europe (Armenia, Bulgaria, Georgia, Germany, Ireland, the former Yugoslav Republic of Macedonia, Russia, Slovenia, and Ukraine).

#### ◆ SUPPORTING GRASS-ROOTS HUMAN RIGHTS EDUCATION AND TRAINING INITIATIVES

The Assisting Communities Together (ACT) project was initiated in 1998 in cooperation with the UNDP to make small grants available for non-governmental organizations, local associations and institutions carrying out human rights education and training activities in their communities.

In November 2005, OHCHR and UNDP launched the fifth phase (2005-2007) of the project in 48 countries. In line with the World Programme, the fifth phase focuses on supporting human rights education activities in the primary and secondary school systems. It is projected that during this phase 289 grants will be provided, of which 174 grants will be funded by OHCHR and 115 by UNDP country offices. In addition, during 2005 some activities under the fourth phase (2003-2005) of the ACT project

were implemented. In 2006, a consolidated final report will be prepared for the approximately 200 grants (117 from OHCHR) distributed to civil society in the 32 participating countries.

#### ◆ FACILITATING NETWORKING AND INFORMATION-SHARING AMONG RELEVANT ACTORS

Throughout 2005, OHCHR supported human rights education activities and participated in educational activities organized by other institutions at the regional and international levels. In Africa, through a grant to the Human Rights Centre of the University of Pretoria, OHCHR sponsored the 14th African Human Rights Moot Court Competition in September 2005. This annual event brought together law students, academics, judges and human rights experts from all over Africa for one week to debate human rights issues.

In the Asia-Pacific region, a regional OHCHR/UNESCO project was developed and a regional conference on the role of education in combating discrimination was held in October 2005. A grant to the Asia-Pacific Human Rights Information Centre (HURIGHTS Osaka) supported two human rights teacher-training workshops in South Asia and Southeast Asia.

During 2005, the Office undertook discussions to conceptualize subregional compilations of good practices for human rights education programmes for primary and secondary schools. This work will continue in 2006.

OHCHR has also continued to develop its resource collection of human rights education and training materials, a specialized collection of OHCHR's library. In 2005, OHCHR received 95 materials for the collection including materials for human rights education and training produced at all levels and documentation on the United Nations Decade for Human Rights Education and the World Programme.

OHCHR has continued to maintain and develop its database on human rights education and training ([www.unhchr.ch/hredu.nsf](http://www.unhchr.ch/hredu.nsf)), in order to disseminate information on related materials, institutions, programmes and scholarships. The process of updating the "institution" and "programme" sections of the database commenced through questionnaires sent to approximately 800 organizations. The "scholarship" section has been transferred to a new OHCHR web page entitled "scholarship opportunities" ([www.ohchr.org/english/about/scholarship.htm](http://www.ohchr.org/english/about/scholarship.htm)).

OHCHR has also fully revised and enhanced its internet page on the Universal Declaration of Human Rights ([www.unhchr.ch/udhr](http://www.unhchr.ch/udhr)), which now contains several new resources. Work has continued on OHCHR's worldwide collection of Universal Declaration on Human Rights materials, which now includes more than 500 printed and multimedia materials and commemorative items on the Universal Declaration. OHCHR has started preparing a standard inventory of the non-book materials and an online catalogue. A selection of this collection is permanently displayed on the ground floor of OHCHR's headquarters in Geneva.

#### ◆ DEVELOPING SELECTED HUMAN RIGHTS EDUCATION AND TRAINING MATERIALS

In 2005, work started on two new materials: a joint booklet with UNESCO on the *Plan of Action of the World Programme* and a *Human Rights Training Package for Primary and Secondary School Teachers*. Work has continued on some of the training and educational tools developed in recent years under OHCHR's human rights education programme, including the *Human Rights Training Package for Prison Officials*, the *ABC - Teaching Human Rights: Practical Activities for Primary and Secondary Schools* and its accompanying poster, which are being translated into all the official languages of the United Nations.

#### ◆ ENSURING WORLDWIDE COORDINATION OF THE WORLD PROGRAMME

As requested by the General Assembly in December 2004, in early 2005 OHCHR revised the draft Plan of Action for the first phase of the World Programme following comments received from governments and in close consultation with UNESCO. The revised draft plan of action was published on 2 March 2005 and was adopted by the General Assembly on 14 July 2005. Since the adoption of the Plan of Action, OHCHR and UNESCO have carried out joint activities with a view to disseminating the Plan. In September 2005, OHCHR and UNESCO sent a joint message to an international human rights education electronic network. Also, OHCHR, UNESCO and the Council of Europe developed a strategy to reach out to Ministers of Education to encourage implementation of the Plan of Action and to offer assistance upon request. In addition, OHCHR responded to more than 500 related queries and requests for assistance from governmental and non-governmental actors.



## CONSTRAINTS

OHCHR's work related to the World Programme experienced several delays largely due to the late adoption (July 2005) of the Plan of Action by the General Assembly and delays in recruiting a new person for the coordination of the ACT project, after the incumbent left in May 2005. The new coordinator took up her functions in August 2005.

While OHCHR receives many requests for support in the area of human rights education and training, its capacity to respond to them, to contribute with expert input and to develop related material remains limited due to the limited number of staff at OHCHR experienced in this work. Regarding support to civil society, OHCHR has difficulty responding to the requests for financial assistance from NGOs since the ACT project, which provides such assistance, is limited in geographical coverage and financial capacity. The period during which NGOs can apply for funding is also limited. Participation in the fifth phase yielded interest from more countries than OHCHR was able to support.

## IMPACT AND ACHIEVEMENTS

During the reporting period, OHCHR received and responded to approximately 500 online/written requests and queries for information concerning national human rights education initiatives, related materials and publications, training programmes and summer courses, sources for financial support, etc. Positive feedback has been received by the recipients who were able to use the information provided for their human rights education programmes.

Human rights education and training activities conceived by grass-roots organizations were developed and implemented under the ACT project. The feedback on the ACT project both from the grant recipients and United Nations colleagues in the field highlighted the positive impact that the ACT project has had on working relationships between grant recipients and their local/national authorities. The feedback also highlighted the contribution of such an initiative to bridging the gap that sometimes exists between headquarters and the United Nations presence at the local level. Concerning the partnership established with UNDP, it is worth noting that, within the fifth phase of the project, 36 UNDP country offices agreed to cost-sharing from their national budgets. During the previous phase, the

corresponding figure was 19 UNDP country offices, and during the first two phases the grants were funded exclusively by OHCHR. Furthermore, during the fourth phase several UNDP country offices, such as Tajikistan and Burkina Faso, went beyond their initial funding commitments.

OHCHR is responding to many requests concerning its education and training materials. In particular, the *ABC – Teaching Human Rights: Practical Activities for Primary and Secondary Schools* was the most requested OHCHR publication for 2005.

## EVALUATION AND LESSONS LEARNED

Due to the uneven quality of the reports received during previous phases of the ACT project, OHCHR has developed, with UNDP, guidelines for administration and implementation. The guidelines advise the local ACT task forces responsible for supervision in each country and provide a common framework for every step of the process – from the selection of grants to the reporting on implemented activities. The standard application form has also been updated and standard reporting forms have been developed.

Efforts should be devoted to enhancing communication between OHCHR and local United Nations offices, so that OHCHR can obtain human rights education and training materials produced at the local level and make them available in its resource collection.

## FUNDING

This project was funded through voluntary funds under the Voluntary Fund for Technical Cooperation.

## EXPENDITURE BREAKDOWN WORLD PROGRAMME FOR HUMAN RIGHTS EDUCATION

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	294,257	137,997
Experts/consultants' fees and travel	21,210	18,559
Travel:		
OHCHR staff	8,440	5,431
Commission members	0	0
Representatives and other participants	0	0
Contractual services	0	45,389
General operating expenses	0	0
Supplies and acquisitions	5,886	6,339
Grants, contributions, fellowships and seminars	101,064	545,690
<b>Sub-total</b>	<b>430,857</b>	<b>759,405</b>
Programme support costs	56,011	98,723
<b>Total</b>	<b>486,868</b>	<b>858,128</b>

## STRENGTHENING HUMAN RIGHTS IN PEACE OPERATIONS

### BACKGROUND

Several developments in the past decade have demonstrated the need and provided opportunities for a better integration of human rights into United Nations peace and security activities. United Nations peace operations have evolved into complex multidimensional operations including military, police and civilian components that are required to work closely together to implement the mission mandate and achieve its objectives.

The Secretary-General's reform programme of 1997, which designated human rights as an issue cutting across the four substantive fields of the United Nations work programme, provided an additional impetus for the integration of human rights into peace and security activities. In 2000, the report of the High-Level Panel on United Nations Peace Operations (known as the "Brahimi report") re-affirmed the centrality of human

rights to United Nations conflict prevention, peace-making, peacekeeping and peace-building activities and stressed the importance of human rights training for peacekeeping personnel. The Memorandum of Understanding between OHCHR and DPKO also calls for human rights training to be provided to all deployed peacekeeping personnel.

In recognition of the key role that military personnel and civilian police can play in protecting and promoting human rights, OHCHR has been engaged in training military and police personnel deployed to peace operations since 2002, and this was a key focus of the work in 2005. Also in 2005, OHCHR continued its work with DPKO in developing an integrated training programme for senior peace operations personnel to foster a mission-wide understanding of human rights and encourage the integration of human rights aspects into the methodology and policy of the operations.

### OBJECTIVES

Building on the work carried out in 2004, during 2005 OHCHR aimed to strengthen the capacity of the United Nations, its Member States, and United Nations peace operations to provide human rights training to peace operations' personnel, with special focus on senior management, military and civilian police. In addition, OHCHR aimed to promote the integration of human rights aspects into policy, methodological and operational directives guiding the operation of military and police components of peace operations, with a view to fostering respect for human rights.

### IMPLEMENTATION

OHCHR pursued its objectives through a combination of the following activities:

- The development of training materials;
- The provision of training to national and field trainers to build the institutional capacity of peacekeeping training centres and peace operations;
- Support for and facilitation of human rights training within programmes organized by DPKO and external institutions;
- Capacity-building and technical support to field staff (OHCHR offices and human rights components of peace operations); and

- Advice and assistance to DPKO, Member States and OHCHR on the integration of human rights aspects into training materials for peace operations' personnel, and into policy and operational guidelines relevant to military and police aspects of peace operations.

Implementation highlights for 2005 included two training courses for military instructors from the peacekeeping training centres of Member States. One course was held for participants from Europe and North America, in partnership with the United Nations Training School of the Irish Defence Forces in Ireland in February 2005. The second course for participants from Africa with the Kofi Annan International Peacekeeping Training Centre was held in Ghana in June 2005. These two training courses included participants from twenty troop-contributing countries, from the headquarters of the Economic Community of West African States and human rights officers responsible for providing in-mission training to peacekeepers from the United Nations Mission in Liberia, the United Nations Mission in Sudan and the United Nations Operation in Burundi.

These courses concluded the pilot phase of OHCHR's draft *Training Package on Human Rights for Military Personnel of Peace Operations*, commenced with two similar courses for Latin America and Asia held in 2004. All four courses aimed at validating the relevance and suitability of the draft materials for the target group, and strengthening the capacity of Member States to systematically provide human rights training to military peacekeepers and observers. At the end of 2005, OHCHR conducted a survey among participants of the four pilot training courses to gather information on any follow-up activity required. The survey also inquired about the need for further assistance from OHCHR.

An inter-agency programme, aimed at building the capacity of the African Union Mission in Darfur in human rights-related areas, was designed in cooperation with the United Nations Mission in Sudan, the United Nations Population Fund, UNICEF and UNDP. The programme will provide the opportunity to customize OHCHR's approach to the human rights roles of peacekeeping forces to a specific mission situation.

In February 2005, OHCHR participated in an international course on civil-military relations in United Nations, European Union and NATO-led peace operations, organized by the Swedish Armed Forces International Centre (SWEDINT).

OHCHR and the human rights components of peace operations continued to participate, upon request, in activities organized by DPKO for specific national contingents or mission staff prior to deployment to provide training on human rights issues of relevance to the missions and countries concerned.

OHCHR finalized the development of a training module, based on current United Nations experience, for senior management of peace operations. The module was developed as part of a project launched by DPKO called Standardized Training Modules – Level 3 (STM 3), aimed at reaching out to senior personnel traditionally not covered by United Nations training. Systematic training of senior management of peace operations is a key aspect of the Secretary-General's reform measures in this area of United Nations work. The training module addresses human rights policy and strategic issues of relevance to senior political, humanitarian, development, military and police staff, and is a tool to promote implementation of the Secretary-General's Policy Committee decision on human rights in integrated missions. The module provided the basis for OHCHR's participation in two senior mission leaders training courses for current and prospective senior peace operations staff organized by DPKO in Abuja, Nigeria and in Durban, South Africa, in April and September 2005 respectively. OHCHR New York also participated in a senior leaders induction programme for special representatives of the Secretary-General and other senior staff.

## CONSTRAINTS

The main constraint on implementation of the planned activities came from competing demands on staff time. Staff responsible for the activities had to assign time to priority areas arising from the United Nations reform process and the OHCHR Plan of Action.

## IMPACT AND ACHIEVEMENTS

OHCHR's work contributed to raising significant interest about human rights training among peacekeeping training centers worldwide, and to developing a network of institutions committed to supporting the integration of human rights in national training programmes for peacekeeping personnel.

The positive impact of the work was indicated by the results of the survey conducted at the end of 2005 and from regular contact

that OHCHR maintains with stakeholder institutions. As a result of participation in OHCHR courses, several training programmes conducted by Member States to prepare military contingents and/or observers to be deployed to peace operations were modified to include or expand sessions on human rights, based on OHCHR materials and methodology. In one case, a Member State started a review of the curricula in use for all armed forces – not only those deployed in peace operations – with a view to systematically incorporating human rights training.

Following the participation of human rights staff of peace operations in the training courses, human rights training was strengthened for personnel in the peace operations in Burundi, Sudan and Liberia using OHCHR's training materials and approach. Pre-deployment training programmes organized by DPKO for new staff and for United Nations troop-contributing countries continue to feature human rights sessions and to request OHCHR's participation.

OHCHR has developed a pool of resource persons, both external consultants and staff, able to provide human rights training for peacekeeping personnel according to OHCHR methodology and materials. This has enhanced the capacity of the Office to respond to requests for assistance by DPKO, Member States and peace operations.

## EVALUATION AND LESSONS LEARNED

Daily and final evaluation of training courses by participants indicated that the courses were often a first opportunity to explore human rights issues relevant to peacekeepers, their legal aspects and their application to the tasks and professional realities of peacekeepers. Predictability in OHCHR's assistance, achieved thanks to the allocation of dedicated resources to this area of work, contributed to systematizing cooperation with DPKO on human rights training for peacekeeping personnel and to expanding related cooperation with Member States.

## FUNDING

This project was funded through voluntary funds under the Voluntary Fund for Technical Cooperation.

## EXPENDITURE BREAKDOWN STRENGTHENING HUMAN RIGHTS IN PEACE OPERATIONS

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	146,907	134,810
Experts/consultants' fees and travel	1,840	29,102
Travel:		
OHCHR staff	28,251	35,066
Commission members	0	0
Representatives and other participants	0	0
Contractual services	0	0
General operating expenses	0	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	90,579	135,535
<b>Sub-total</b>	<b>267,577</b>	<b>334,513</b>
Programme support costs	34,785	43,487
<b>Total</b>	<b>302,362</b>	<b>378,000</b>

## SUPPORT TO NATIONAL INSTITUTIONS

### BACKGROUND

National human rights institutions (NHRIs), guided by the 1993 Paris Principles, are at the core of national human rights protection systems. OHCHR's national institutions unit, located in the Capacity Building and Field Operations Branch, works with over 100 institutions worldwide, with regional networks of national institutions and a large number of governments that are considering establishing or strengthening their national institutions.

### OBJECTIVES

- Support efforts by governments to establish or strengthen NHRIs to promote and protect human rights.
- Promote the implementation of international norms for NHRIs by other United Nations agencies and programmes.
- Encourage treaty bodies and special procedures mandate-holders to recognize and promote the role of NHRIs.

- Support assessment by the Commission on Human Rights, the Sub-Commission on the Promotion and Protection of Human Rights and the General Assembly of the role and effectiveness of NHRIs as human rights monitoring bodies.

## IMPLEMENTATION

### ◆ ADVISORY SERVICES

On request, tailored advice was provided to a growing number of countries on an appropriate constitutional or legislative framework regarding new NHRIs and on their nature, functions, powers, responsibilities, rules and regulations. Comparative analyses, technical cooperation needs assessments, project formulation and evaluation missions were also undertaken. Countries that benefited from such services included Afghanistan, Angola, Belgium, Burkina Faso, Burundi, Cameroon, Chile, China, Colombia, the Comoros, Congo, Côte d'Ivoire, the Democratic Republic of the Congo, El Salvador, Finland, Iraq, Italy, Jordan, the province of Kosovo (Serbia and Montenegro), Liberia, Maldives, Mauritania, Mongolia, Nepal, Niger, Norway, Palestine, Pakistan, Qatar, Rwanda, Saudi Arabia, Serbia and Montenegro, Sierra Leone, Sri Lanka, Sudan, Timor-Leste, Turkey, the United Kingdom, Uruguay and Zambia.

### ◆ SUPPORT TO INTERNATIONAL INITIATIVES

In its capacity as the secretariat of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) and its Sub-Committee on Accreditation, OHCHR facilitated and provided substantive support to the 16th session of the ICC in Geneva in April 2005, in parallel to the 61st session of the Commission on Human Rights. Support was also provided to regional and thematic organizations and networks. By the end of 2005, 51 NHRIs were accredited by the ICC as being in compliance with the Paris Principles. The national institutions unit has worked closely with the ICC to strengthen its accreditation procedures and will assist in undertaking a systematic review of the status of currently accredited NHRIs to ascertain their ongoing conformity with the Paris Principles.

At the 61st session of the Commission on Human Rights, OHCHR assisted some 56 institutions and their regional networks to participate. During its last session, the ICC discussed

an increased role for NHRIs in the Commission on Human Rights and other United Nations bodies on the basis of the Secretary-General's report to the 61st session of the Commission on enhancing the participation of NHRIs in the work of the Commission (E/CN4/2005/107). At its 55th session, the Sub-Commission on the Promotion and Protection of Human Rights decided that NHRIs could be accredited to its sessions in their own right and speak on any substantive agenda item.

Since 2003, OHCHR has maintained a web site on NHRIs ([www.nhri.net](http://www.nhri.net)) with the support of the Danish Institute for Human Rights. The site, linked to all existing NHRIs' web sites and to the OHCHR main web page, includes information on country and thematic issues of interest to NHRIs. Further, based on consultations with NHRIs and in cooperation with the International Council on Human Rights Policy, OHCHR finalized the publication *Assessing the Effectiveness of National Human Rights Institutions*.

### ◆ SUPPORT TO REGIONAL INITIATIVES

#### The Americas and the Caribbean

In March 2005, the Network of National Human Rights Institutions of the Americas organized an international seminar on illicit trafficking of migrants and smuggling. OHCHR provided financial and substantive contributions to the seminar, which concluded with commitments from NHRIs to address irregular migration, smuggling and trafficking and related areas requiring the attention of State authorities. The Network also organized a regional workshop on NHRIs and the right to education in September 2005, with the collaboration of OHCHR and UNESCO. A main outcome of the workshop was the establishment of a working group to create a plan of action for NHRIs to promote and protect the right to education more effectively.

In September 2005, OHCHR undertook a mission to El Salvador, with representatives of the NHRIs from the region to support the *Procuraduría de Defensa de los Derechos Humanos* (PDDH) of El Salvador. OHCHR also organized a seminar on the Paris Principles together with UNDP. In October 2005, OHCHR undertook a mission to Chile and Uruguay to support the establishment of NHRIs in compliance with the Paris Principles in these countries. In addition, the mission held a seminar on the Paris Principles, that was attended by heads and senior advisors of NHRIs of the region. One of the main outcomes of the mission to Uruguay was the establishment of a working group to discuss the type of NHRI most suitable to this country.



## Africa

Work with national institutions and governments in Africa constituted a major part of OHCHR's activity during 2005. OHCHR was actively engaged in providing substantive and financial support with a view to establishing and strengthening NHRIs in accordance with the Paris Principles in Angola and Cameroon, as well as in collaboration with the United Nations Missions and Operations in Liberia, Sudan, Sierra Leone and Burundi. Upon invitation by UNDP, OHCHR participated in a mission to assess the National Human Rights Commission of Rwanda. OHCHR also provided financial and substantive support to an advisory mission to the Comoros as well as a training workshop in Mauritania in preparation for the establishment of an independent NHRI. Advice on enabling legislation was also provided.

The fifth Conference of African national institutions, focusing on the role of NHRIs in the promotion and protection of economic, social and cultural rights, was held in December 2005 in Abuja. It was hosted and organized by the National Human Rights Commission of Nigeria, the Coordinating Committee of African National Human Rights Institutions (CCANI) and OHCHR in cooperation with UNESCO. NHRIs, NGOs, Governmental and intergovernmental organizations from 25 African countries, and representatives of the ICC, the Commonwealth Secretariat, the Economic Community of West African States, United Nations Country Teams (UNCTs), the International Council on Human Rights Policy and the Open Society Institute adopted the final Abuja Declaration. The South African National Human Rights Commission finished its three-year term as host of the secretariat to the CCANI and Kenya was unanimously appointed to host the secretariat on a permanent basis, entrusting the National Commission of Kenya with the task of drafting the terms of reference in cooperation with the CCANI Task Force, OHCHR and ICC.

## Asia-Pacific and the Arab region

OHCHR supported and participated in the 10th annual meeting of the Asia-Pacific Forum hosted by the National Human Rights Commission of Mongolia in August 2005. OHCHR also facilitated the participation of NHRIs in the 13th workshop on regional cooperation for the promotion and protection of human rights in the Asia-Pacific Region, held in Beijing in August and September 2005. In its conclusions, participants identified the need for continued support for the ongoing cooperation of NHRIs, civil society and United Nations specialized agencies, programmes and funds.

The International Conference on national institutions in the Arab Region, organized by OHCHR, UNDP and the National Council for Human Rights of Egypt in cooperation with the League of Arab States, was held in March 2005 in Cairo. Conference outcomes focused on the importance of guaranteeing respect for human rights and the special role of NHRIs in the Arab world, advocating the establishment and strengthening of independent NHRIs.

OHCHR continued to support the Asia-Pacific Forum in holding the Asia-Pacific regional training programme on human rights investigations in the Philippines in April 2005. The training programme consolidated foundation knowledge and skills in relation to the investigation of alleged violations of human rights. Through the United Nations Mission in Iraq, OHCHR also provided substantive input to the drafting process of the new constitution of Iraq, ensuring that a provision regarding the establishment of a national institution was included.

An OHCHR mission was undertaken to Nepal in June and July 2005 to review developments concerning the National Human Rights Commission of Nepal, including the impact of conforming with the Paris Principles on their work. OHCHR provided advice on the Human Rights Commission Bill of the Maldives, in order to bring proposed laws in line with the Paris Principles. OHCHR further provided advice concerning the establishment of a NHRI in Pakistan. OHCHR and the United Nations Assistance Mission in Afghanistan worked closely with the Afghanistan Independent Human Rights Commission in the holding of a transitional justice conference on truth-seeking and reconciliation in Kabul in December 2005.

## European regional group

OHCHR participated in various meetings of the European Coordinating Committee of NHRIs, to discuss issues such as human rights and the fight against terrorism, trafficking of human beings, racism and cooperation with the Council of Europe (CoE), OSCE and the European Union. This included meetings concerning discussions to define a common strategy for establishing and strengthening NHRIs in Europe and Central Asia and a technical cooperation programme for establishing and strengthening NHRIs in Member States of the CoE.

OHCHR participated in meetings in Finland, Switzerland and Turkey to provide advice on the possible establishment of a NHRI in these countries in compliance with the Paris Principles.

Furthermore, OHCHR provided legislative advice to the United Nations Mission in Kosovo regarding draft regulations on a Human Rights Advisory Panel and on the Ombudsman institution.

#### ◆ COOPERATION WITH THE HUMAN RIGHTS MECHANISMS AND NATIONAL INSTITUTIONS

OHCHR has systematically engaged with treaty bodies and their members by providing expert analyses on NHRIs, and has been working on guidelines for the engagement of NHRIs in the treaty body process. OHCHR further prepared a compilation of all concluding observations and recommendations as well as decisions under individual complaints procedures made by the treaty bodies relating to NHRIs since 2000. This compilation, which is regularly updated, was posted on the NHRIs web site.

The special procedures mandate-holders of the Commission on Human Rights increasingly consult with representatives of NHRIs and are an important mechanism in encouraging compliance with the Paris Principles and providing support to NHRIs. The mandate-holders of the Commission are regularly provided with information concerning the work of NHRIs in preparation for their country missions. Increasingly, mandate-holders communicate with NHRIs to assist in ensuring that their recommendations are followed up at the national level.

#### ◆ COOPERATION WITH UNITED NATIONS PARTNERS, INTERNATIONAL AND REGIONAL ORGANIZATIONS

During 2005, OHCHR strengthened its cooperation with UNDP, UNESCO, UNICEF, WHO, UNAIDS, the United Nations Division for the Advancement of Women, as well as the *Agence intergouvernementale de la Francophonie*, *l'Association francophone des Commissions nationales des droits de l'homme*, the Commonwealth Secretariat, the British Council, the Council of Europe, OSCE, the Ibero-American Federation of Ombudsman (FIO), the African Union, the African Commission on Human and People's Rights and the Economic Community of West African States in its capacity-building work with NHRIs. At the request of the British Council and the Northern Ireland Human Rights Commission, OHCHR participated in the international workshop for chief executive officers and senior managers of the national institutions of the Commonwealth, held in Belfast in January and February 2005.

#### ◆ ROUND TABLES OF NATIONAL HUMAN RIGHTS INSTITUTIONS AND THEMATIC ISSUES

- **Promotion and protection of economic, social and cultural rights:** In July 2005, OHCHR published *Economic, Social and Cultural Rights: Handbook for national human rights institutions*, number 12 in the OHCHR *Professional Training Series*. The aim of the handbook is to assist NHRIs to maximize the effectiveness of their functions and powers in addressing economic, social and cultural rights. The National Human Rights Commission of India and OHCHR jointly organized an international round table on national institutions implementing economic, social and cultural rights in New Delhi in November and December 2005. In addition, OHCHR participated actively in the first congress of the *Association francophone des commissions nationales des droits de l'homme* on economic, social and cultural rights held in Montréal, in September and October 2005. A major outcome of the congress was the adoption of the Montréal Declaration on economic, social and cultural rights.
- **Racism and racial discrimination:** In 2005, OHCHR sent a questionnaire to all NHRIs with a view to preparing a comprehensive study on discrimination. The information provided by NHRIs on their mandates, cases, work and general experiences on racism and racial discrimination within their countries will form part of the study to be produced by the special rapporteurs of the Sub-Commission on the Promotion and Protection of Human Rights.
- **Migration:** At its 16th session in April 2005, the ICC of NHRIs devoted its thematic discussion to the issue of migration and NHRIs. In addition, OHCHR supported and participated in the international seminar on illicit trafficking of migrants, human rights and NHRIs held in March 2005 in Mexico.
- **Rights of persons with disabilities:** NHRIs engaged with the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Promotion and Protection of the Rights and Dignity of Persons with Disabilities by participating in the drafting of the text for a convention. OHCHR has actively provided assistance to the ICC representative to participate in the meetings of the Ad Hoc Committee since 2003. In addition, in December 2005 the Irish Human Rights Commission organized a seminar on effective monitoring of the treaty on human rights and disability at Harvard Law School. OHCHR provided comparative analysis of different treaty bodies. The goal of the seminar



was to discuss and consolidate a common position for NHRIs towards the future convention, in particular with regard to the national monitoring capacity.

- **Minorities:** OHCHR worked closely with the team supporting the independent expert on minority rights on a global survey aimed at examining the level of protection and promotion of minority rights.
- **HIV/AIDS:** OHCHR in cooperation with UNAIDS is finalizing a handbook on the role of NHRIs in the prevention of HIV/AIDS and in combating related discrimination, to be published in 2006.
- **Conflict prevention and prevention of torture:** A 28-month pilot project titled "Actors for change: strengthening the capacities of national institutions through distance and regional training" was launched by OHCHR in cooperation with its project partners, the United Nations System Staff College and the NGOs Fahamu and the Association for the Prevention of Torture. The project aims to introduce participants to various aspects of conflict and torture prevention work and to develop tools for NHRIs to be able to build appropriate capacities. Future training activities were planned for Africa, the Americas, Asia and the Pacific, and Europe and Central Asia.
- **Rights of the child:** The Independent Expert appointed by the Secretary-General to prepare a study on violence against children, supported by UNICEF, WHO and OHCHR, requested inputs from NHRIs in order to complete his analysis of the situation at the country level. OHCHR supported the participation of NHRIs in regional consultations concerning the study which took place in Thailand and South Africa in early 2005.

## CONSTRAINTS

With an increased interest in establishing and strengthening NHRIs during 2005, the national institutions unit found it difficult to respond efficiently to increased requests for assistance and input from NHRIs, Member States, civil society, OHCHR and other United Nations human rights mechanisms and agencies.

## IMPACT AND ACHIEVEMENTS

During 2005, OHCHR responded to the increasing demand from Member States and stakeholders for in-depth expertise and advice on suitable models for establishing NHRIs in compliance with the Paris Principles. The specialist knowledge of the national institutions unit will continue to be enhanced and transferred to other OHCHR colleagues as well as members of UNCTs. NHRIs now number over 100, with 51 NHRIs accredited by the ICC. With the support of OHCHR, NHRIs were able to engage more actively in the work of the Commission on Human Rights and its subsidiary bodies as well as with treaty bodies and in the drafting of new international conventions such as that relating to persons with disabilities. Reference to NHRIs was made in nearly all concluding observations issued by treaty bodies. Work on the Secretary-General's Action 2 programme focused on the importance of establishing and strengthening NHRIs.

Regional networks of NHRIs were established in Africa, the Americas, Asia and the Pacific, and Europe. While they need continued strengthening, these networks represent another conduit for OHCHR engagement with NHRIs. NHRIs are now seen as legitimate defenders of rights-holders.

## EVALUATION AND LESSONS LEARNED

Capacity-building and strengthening activities over the past years means that OHCHR is now able to rely on NHRIs as implementing partners rather than solely as beneficiaries. The establishment of new institutions, however, requires concerted effort and cannot be rushed. In some instances, more national-level consultations should be held at the early stage of development so that the institution is established with a greater basis for credibility. Also, working with UNCTs is essential, especially in ensuring a longer term commitment.

Assistance to NHRIs is a key strategy in OHCHR's efforts to engage countries to close protection gaps. NHRIs need to be recognized as a central part of sustainable national protection systems and for the important role they play in ensuring that international norms are implemented at the national level.

The integration of NHRI-related activities throughout OHCHR is becoming a reality. However, to fully achieve this, an active,

advocacy-oriented national institutions unit is required to work analytically at the OHCHR headquarters level and to reach out at the national level. OHCHR can provide leadership on NHRIs and tools for others to further such work. An understanding of the work of NHRIs by other parts of the United Nations will require time and investment in training and sharing practical experience. Particular attention must be paid to the inclusion of civil society when establishing such institutions and to ensuring transparency.

Especially Women and Children and the Protocol on Smuggling, supplementing the United Nations Convention against Transnational Organized Crime, the European Convention against Trafficking in Human Beings and the mandate of the Special Rapporteur on trafficking in human beings, especially women and children.

In developing detailed human rights-based responses to each stage of the trafficking cycle, OHCHR's *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, issued in July of 2002, serve as a framework. OHCHR focuses on the prevention of trafficking as well as on the protection of trafficked persons. In both areas, empowerment and the promotion of human rights remains a dominant goal. The principles that guide the development and implementation of OHCHR's trafficking programme are:

- Emphasis on legal and policy development – particularly at the international and regional levels;
- Integration of anti-trafficking issues into related areas, including development, migration, labour, conflict, security and gender; and
- Emphasis on OHCHR's role as a catalyst and partner in the anti-trafficking work of other organizations.

EXPENDITURE BREAKDOWN SUPPORT TO NATIONAL INSTITUTIONS		
The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).		
US\$	2005	2004
Staff costs	629,450	129,570
Experts/consultants' fees and travel	106,699	36,947
Travel:		
OHCHR staff	133,117	115,444
Commission members	0	0
Representatives and other participants	73,012	11,572
Contractual services	-7,407	66,244
General operating expenses	2,697	2,909
Supplies and acquisitions	5,732	2,606
Grants, contributions, fellowships and seminars	579,373	559,771
<b>Sub-total</b>	<b>1,522,673</b>	<b>925,063</b>
Programme support costs	197,946	120,258
<b>Total</b>	<b>1,720,619</b>	<b>1,045,321</b>

## OBJECTIVES

The goal of OHCHR's work to address trafficking in persons is to integrate human rights into international, regional and national anti-trafficking initiatives through legal and policy development. OHCHR's four objectives in this area are to:

- Enhance the capacity of the High Commissioner to provide policy guidance and leadership on the issue of trafficking;
- Strengthen the capacity of OHCHR and the United Nations human rights system to deal with the human rights dimension of trafficking;
- Ensure that a human rights perspective is integrated into the anti-trafficking work of other United Nations agencies and programmes and raise awareness of trafficking as a human rights issue throughout the United Nations system; and
- Encourage governments, intergovernmental organizations, NGOs and national human rights institutions to consider the issue of trafficking in their policies and activities.

## TRAFFICKING IN PERSONS

### BACKGROUND

The year 2005 was significant for OHCHR in providing leadership and direction for the implementation of anti-trafficking initiatives. A number of new standards were set and mandates established throughout 2004 and 2005 including the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons,

OHCHR focuses on law and policy related to trafficking without undertaking multiple or complex operational projects or technical cooperation activities. It has defined its role as that of a catalyst in ensuring that the rule of law and human rights are central to the anti-trafficking work of other organizations. It does occasionally collaborate with partner organizations to pilot small projects to test out new strategies.

To attain these objectives, OHCHR applies a two-pronged approach:

- *Prevention of trafficking* by articulating the linkages with development issues, including the rule of law, sustainable livelihoods, poverty reduction strategies, irregular migration, forced labour, and gender discrimination; and
- *Protection to victims of trafficking* by strengthening legal and policy initiatives, including shelters, skills training and reintegration schemes, that provide assistance to and protect the victims of trafficking.

## IMPLEMENTATION

In 2005, the objectives of OHCHR's trafficking work were realized by focusing on:

- Strengthening United Nations human rights-related action at the country level by building the capacity of United Nations country teams to integrate the prevention of trafficking in development issues;
- Mainstreaming the issue of trafficking into the work of the treaty bodies, special procedures, working groups, the Commission on Human Rights and the Sub-Commission; and
- Strengthening partnerships and collaborations among agencies.

Following this focus, activities were divided into five strategic activity sectors: policy and leadership, internal capacity-building, support to United Nations agencies, support to external organizations and initiatives, training and public information. Activities undertaken in 2005, listed below, reflect these priorities:

- A global analysis of anti-trafficking interventions was undertaken, which included an analysis of activities and the identification of minimum human rights elements for every level of intervention. A special focus was placed on the

implementation of trafficking and related laws in the various selected countries.

- Greater engagement in West Africa was achieved in early 2005 through the signing of an aide-memoire between OHCHR and the Economic Community of West African States (ECOWAS), charging OHCHR to assist ECOWAS in developing a policy and strategy on trafficking and migration. A consultation with ECOWAS, the United Nations Office for West Africa and other United Nations agencies as well as International NGO stakeholders was held in February during a project formulation mission. A human rights training for ECOWAS and UNCTs, with a special component on human trafficking and human rights, was conducted in September 2005. Capacity-building through training materials has been an ongoing feature throughout the year.
- Following consultation with experts, the *Legislative Handbook for Practitioners on Human Rights and Human Trafficking* was finalized. The handbook examines the legal elements related to human rights and trafficking and employs user-friendly language.
- A one-and-a-half day thematic discussion on trafficking in human beings was organized as part of the larger annual workshop on the Asia-Pacific framework for regional cooperation held in Beijing from 30 August to 2 September 2005. Many experts, Member States and NGOs participated in the thematic discussion, which proved to be extremely useful.
- A paper was produced on the analysis of linkages between trafficking and development with recommendations for strategic directions for prevention activities.
- A ten country study was published on trafficking in human beings in Southeastern Europe, focusing on prevention. The study was jointly sponsored by OHCHR, UNICEF and the Organization for Security and Cooperation in Europe's (OSCE) Office for Democratic Institutions and Human Rights, and was launched by the three agencies at the 61st session of the Commission on Human Rights in March 2005.
- OHCHR and UNHCR jointly provided input on strengthening the human rights content of the European Convention against Trafficking, sponsored by the Council of Europe. The Convention opened up for signature in May 2005.
- OHCHR continued its partnership with UNICEF's Innocenti Research Centre in Florence, focused on fine-tuning research and training methodologies for addressing trafficking in women and children. OHCHR participated in several sessions for this purpose and the partnership was expanded to look at the migration of children and its links with child trafficking.

- OHCHR continued to be an active partner of the European Alliance Against Trafficking, established by the OSCE Office of the Special Representative to Combat Trafficking. This partnership is ongoing and OHCHR participates regularly in meetings organized by the Alliance and the Special Representative's Office.
- In July 2005, OSCE and OHCHR jointly held an experts consultation on prosecuting demand for sexual and labour exploitation through the trafficking of human beings. The outcome of the consultation was an extended report identifying the key legal elements in defining and prosecuting demand for trafficking.
- During the 61st session of the Commission on Human Rights, a parallel event was held on irregular migration, trafficking and forced labour. The event was sponsored by the Intergovernmental Organizations Contact Group on Human Trafficking and Migrant Smuggling and brought together special rapporteurs and experts. It provided an important forum for advancing the shift in focus of OHCHR's trafficking programme towards addressing root causes and creating connections with related development issues.
- Country fact sheets have been produced on trafficking and migration in selected African countries. This is an ongoing project as more countries will be included in 2006.
- An ongoing activity for OHCHR is the coordination of the Intergovernmental Organizations Contact Group on Trafficking and Migrant Smuggling, comprising of UNHCR, ILO, the International Organization for Migration, OHCHR, the NGO caucus on trafficking, UNICEF, WHO and OSCE. OHCHR produced an occasional newsletter on behalf of this Group.
- With the establishment of the new mandate of the Special Rapporteur on trafficking, cooperation at the inter-branch level within OHCHR was further strengthened, with substantive collaboration between the trafficking programme, located in the Research and Right to Development Branch, and the mandate of the Special Rapporteur on trafficking, located in the Special Procedures Branch.
- Technical support to OHCHR field offices on trafficking and related issues was regularly provided and included the provision of training, advocacy and conceptual materials on trafficking.
- Greater integration of human rights and trafficking issues within UNCTs was achieved through strengthened and field-tested modules.

## CONSTRAINTS

With increased awareness of trafficking issues, the demand for guidance and assistance from partners in the areas of policy, law and programmes is constantly increasing. The politicized nature of the issue is another constraint, as trafficking is inextricably linked to other sensitive issues such as irregular migration, forced labour, smuggling, trans-national organized crime, public sector corruption, the sex trade and HIV/AIDS. The tendency of States is to focus on law enforcement based responses, so a constant challenge for OHCHR is to re-focus stakeholders on a human rights-based approach.

## IMPLEMENTING ARRANGEMENTS

OHCHR's trafficking activities are implemented by a programme manager within the Research and Right to Development Branch who also serves as the adviser on trafficking to the High Commissioner. Collaboration with other entities within the United Nations system, intergovernmental organizations and NGOs will continue through bilateral and multi-lateral agreements as well as through the Intergovernmental Organizations Contact Group on Trafficking and Migrant Smuggling. The Group regularly convenes meetings for Geneva-based intergovernmental organizations and NGOs working on trafficking.

## IMPACT AND ACHIEVEMENTS

Throughout 2005, OHCHR has demonstrated its leadership in approaching trafficking from the perspective of a human rights framework, and in strategically focusing on the key dimension of prevention. Inter-agency coordination facilitated by OHCHR continued to grow in 2005, as did involvement with trafficking issues in the regions of West Africa, Asia and Europe. In addition, an increased focus on intersecting issues broadened the impact of the work undertaken. Clearer and stronger links with migration, forced labour and development issues were developed at the policy and programmatic levels. This entailed not only the production and dissemination of human rights tools and handbooks for anti-trafficking advocates and practitioners, but also increased collaborative interventions, including pilot value-added projects in key selected areas.

The human rights assessments and analyses initiated in 2005 have provided an effective basis for bringing together lessons learned in integrating human rights into anti-trafficking work, especially in identifying the major obstacles. These assessments will continue into 2006. Progress was made in integrating trafficking expertise into country and regional engagement strategies, highlighting the need to further develop an understanding of the links between trafficking and migration.

## EVALUATION AND LESSONS LEARNED

A significant lesson learned and reinforced over the last year is that the integration of human rights into human trafficking activities is not without complications. With the best of intentions, groups seeking to implement anti-trafficking initiatives may actually do harm and violate the human rights of those they seek to assist, because they lack sufficient understanding of human rights. There is a need to fully understand the implications of the indivisibility of rights as well as the notion of competing rights. These factors underscore the need to undertake simultaneous assessment of anti-trafficking measures through the human rights lens during the development of projects in this area and to develop criteria for assessing the impact of anti-trafficking activities.

## FUNDING

This project was funded through voluntary funds under the Voluntary Fund for Technical Cooperation.

## EXPENDITURE BREAKDOWN TRAFFICKING IN PERSONS

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	167,770	147,540
Experts/consultants' fees and travel	47,037	22,220
Travel:		
OHCHR staff	19,888	7,708
Commission members	0	0
Representatives and other participants	0	0
Contractual services	0	0
General operating expenses	0	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	48,000	0
<b>Sub-total</b>	<b>282,695</b>	<b>177,468</b>
Programme support costs	36,750	23,071
<b>Total</b>	<b>319,445</b>	<b>200,539</b>

## SECRETARY-GENERAL'S STUDY ON VIOLENCE AGAINST CHILDREN

### BACKGROUND

The Study on Violence against Children was launched at the request of the General Assembly (A/56/138) in 2003, when the Secretary-General appointed an Independent Expert to direct the study in collaboration with OHCHR, UNICEF and WHO. The study, which examines violence against children in different contexts and settings and makes recommendations on measures to prevent and confront such violence, is guided by the principles of the Convention on the Rights of the Child, which include a child's right to physical and personal integrity and the corresponding obligations of States parties to protect the child from all forms of physical and mental violence. The Independent Expert is supported by a small, autonomous secretariat based in Geneva, composed of United Nations staff, consultants and external experts.

## OBJECTIVES

- Provision of substantive and administrative support to the Independent Expert directing the Secretary-General's Study on Violence against Children, including preparation of substantive reports to the Commission on Human Rights and the General Assembly, as well as other reports.
- Provision of substantive support to the Independent Expert as he develops clear strategies and recommendations to prevent and combat all forms of violence against children, outlining actions to be taken at international, regional and national levels for prevention, protection, intervention, treatment, recovery and integration.
- Creation of networks and partnerships at the international, regional and national levels to address and eliminate violence against children.
- Creation of a framework to follow up the recommendations of the Study at the international, regional and national levels.
- Formulation of a strategy and activities to follow up on the recommendations of the Study for United Nations agencies and programmes.

## IMPLEMENTATION

### ◆ REGIONAL CONSULTATIONS

In 2005, OHCHR provided substantive input to nine regional consultations on violence against children led by UNICEF, including the participation of OHCHR staff and the Independent Expert. The consultations were held in Trinidad and Tobago (March), Pakistan and Mali (May), Argentina, Canada, Thailand and Egypt (June), and in Slovenia and South Africa (July). These consultations brought together government representatives, United Nations agencies, regional and other inter-governmental organizations, NGOs, national human rights institutions, and other parts of civil society, including the media and religious organizations. Each regional consultation was preceded by a forum for children and young people, and child representatives also attended the consultations. The consultations generated key information for the study, focused increased attention on the problem of violence against children, including through the media, and provided an opportunity to mobilize political will to address the issue. The consultations also raised

the awareness of civil society and other stakeholders, strengthened partnerships and networks concerned with the problem of violence against children, and promoted dialogue among governments and other participants. Substantive inputs provided by OHCHR to the consultations included analyses of the concluding observations of the Committee on the Rights of the Child and compilations of concluding observations per region.

The Independent Expert provided substantive progress reports on the Study to the 61st session of the Commission on Human Rights and the 60th session of the General Assembly (A/60/282), which are available on OHCHR's web site. The Independent Expert participated in a number of high-level side events at these sessions supported by OHCHR. OHCHR provided financial, technical and substantive support to the second, third, fourth and fifth meetings of the editorial board for the Study which took place in February, July, October and December 2005. The board assisted the Independent Expert in the preparation of a monograph that will incorporate the results of the study. OHCHR also provided a chapter on the international legal framework relevant to the elimination of violence against children to be included in this monograph.

### ◆ QUESTIONNAIRE TO GOVERNMENTS

As of the end of 2005, 123 responses had been received to the questionnaire submitted to governments on measures to address violence against children. A review began with analyses of the responses from Eastern and Southern Africa and Europe. Work on the North American, Latin American and Central Asian regions is being completed. The analysis so far indicates: a high prevalence of corporal punishment, both in schools and in the home; the vulnerability of children in conflict with the law, as well as street children, to violence; and the pervasiveness of harmful traditional practices. Further, it has become clear that certain background conditions exacerbate a child's vulnerability to violence. These include community attitudes to violence and discrimination, poverty, lack of access to quality education, and the inequality of women and girls. The lack of systematic, high-quality data and the importance of capacity-building for those working with children have also become clear.



### ◆ RESEARCH

An advisory group composed of experts from ILO, UNICEF and its Innocenti Research Centre and WHO are working on the development of statistical estimates on violence against children. These will include data on violence in the home and family.

### ◆ MEETINGS AND CONSULTATIONS

In June, WHO organized a consultation in Geneva on violence against children in the home and family, aiming to review a draft outline for the relevant chapter of the study and to develop complementary recommendations. An expert thematic meeting on disabilities and violence was held in New York in July, hosted by UNICEF in collaboration with Yale University. Other meetings on gender-based violence and violence against children took place in South Africa, Tunis and Nairobi, and a thematic meeting on violence against children in conflict with the law was organized by the NGO Advisory Panel in Geneva.

The Government of Madagascar hosted a subregional consultation for Indian Ocean Island States in April, while the Government of Fiji hosted a similar event in September. National consultations were also held in more than 15 countries and a number of commitments were made, including the formation of an independent Child Rights Commission in Bangladesh. Research also took place on violence against children in China.

More than 260 children had direct input to the study in 2005, including through meetings with the Independent Expert. Declarations were adopted by children at the regional consultations.

### ◆ BEST PRACTICES

The outcome documents of the regional consultations have identified a number of best practices for preventing and responding to violence and have made key recommendations for the future. Some examples of concrete developments include the establishment of a national commission for children in India, national child protection centres in Pakistan, the Violence Prevention Alliance, in cooperation with the Ministry of Health, in Jamaica, as well as the launch of a toll-free help-line for children in the Middle East.

### ◆ WEB SITE

A web site has been created ([www.violencestudy.org](http://www.violencestudy.org)) where all those contributing to the study can find updated information. The site also contains links to other sites where more details on, for example, research projects and publications can be accessed.

## CONSTRAINTS

The different approaches taken by the three supporting entities (OHCHR, UNICEF and WHO) to violence against children, in particular with respect to human rights, presented an obstacle. A further challenge lay in formulating modalities for the participation of children, as the agreed standards for their participation were sometimes difficult to implement and required good preparation, risk management and flexibility on the part of both organizers and parents.

## IMPACT AND ACHIEVEMENTS

During 2005, the Independent Expert was able to raise awareness about violence against children, and the need for effective measures to address it through a variety of means. In particular, the regional consultations provided a forum for him to raise the issue, to gather information on violence against children and to discuss steps to prevent it. The consultations also served as an opportunity to focus attention on this issue, to mobilize political will, promote dialogue and strengthen partnerships and networks concerned with violence against children. Declarations of commitment and recommendations were adopted at these consultations. In order to ensure follow-up, several new initiatives were identified, some acted upon in 2005 and others marked for action in 2006.

## EVALUATION AND LESSONS LEARNED

The lack of reliable information and statistical data on violence against children in many countries meant that the work undertaken for the study was less academic and more participatory. Preparation for the consultations, including the questionnaires, subsequent responses and the consultations themselves, created



a practical means for States to be active and to participate and provide information.

A challenge for 2006, the final year of the study, will be for OHCHR, UNICEF and WHO to continue to mobilize other United Nations agencies to ensure that violence against children remains high on their agendas, and that these agencies adopt a rights-based approach in their programmes. The development of a clear strategy to follow up to the conclusions of the Study, and to ensure that these are implemented by Member States, will also be critical.

### EXPENDITURE BREAKDOWN SECRETARY-GENERAL'S STUDY ON VIOLENCE AGAINST CHILDREN

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	97,161	0
Experts/consultants' fees and travel	101,111	0
Travel:		
OHCHR staff	33,764	0
Commission members	0	0
Representatives and other participants	116,546	0
Contractual services	0	0
General operating expenses	58,033	0
Supplies and acquisitions	24,610	0
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>431,225</b>	<b>0</b>
Programme support costs	56,059	0
<b>Total</b>	<b>487,284</b>	<b>0</b>



# ECONOMIC AND SOCIAL ISSUES

## BACKGROUND

OHCHR is mandated by the General Assembly and other inter-governmental bodies to provide support to Member State efforts to set or clarify human rights standards in areas that have traditionally received less attention from the United Nations human rights system – such as economic, social and cultural rights or the rights of persons with disabilities – or where emerging issues pose particular challenges, such as with regard to the human rights responsibilities of business actors.

In addition, as mandated by the General Assembly and Member States at crucial intergovernmental conferences, OHCHR seeks to improve the integration of gender perspectives in its own activities and to support similar efforts for the human rights mechanisms, with the objective of ensuring adequate attention to the human rights of women and girls in all human rights activities.

## OBJECTIVES

The Office seeks to raise awareness of human rights issues related to gender equality, disability, the role of business and the justiciability of economic, social and cultural rights. The immediate objective of activities in these areas is to increase OHCHR's capacity to: conduct research and analysis to develop policies and tools for practical engagement with challenging human rights issues such as the role of businesses or discrimination based on disability; to support greater attention to gender or economic, social and cultural rights in the work of the United Nations human rights system; to encourage the adoption of a human rights approach to activities concerning women, disability or business within the rest of the United Nations system; and to support intergovernmental consideration of the rights of persons with disabilities and the justiciability of economic, social and cultural rights.

OHCHR's gender mainstreaming efforts aim to ensure that the roles of men and women and the impact of the activities of the Office and of human rights mechanisms on women and men are considered systematically, so that all human rights activities include attention to the human rights of women and girls. The ultimate goal is to contribute to the achievement of equality between men and women.

The aim of activities focusing on economic, social and cultural rights, on disability and on business is to enable OHCHR to provide useful guidance and to engage in global advocacy. The ultimate goal is to assist Member States in achieving progress in setting and interpreting human rights standards for less understood rights, groups and actors, so as to facilitate the enjoyment of all human rights by all.

## IMPLEMENTATION

### ◆ GENDER

Key activities undertaken by OHCHR to advance this issue included:

- Participating in assessments of the implementation of the 1995 Beijing Declaration and Platform for Action, including inter-agency processes and a review conducted by the Commission on the Status of Women. OHCHR also facilitated the High Commissioner's participation in a High-Level Panel at the 49th Commission on the Status of Women in March 2005 and a discussion on Beijing + 10 during the 61st session of the Commission on Human Rights. OHCHR participated in the Expert Group Meeting on linking the Beijing Platform for Action, the Millennium Declaration and Millennium Development Goals in Azerbaijan in February 2005, organised by the Division for the Advancement of Women.
- Engagement in the Secretary-General's Study on Violence against Women enabled OHCHR to contribute an issues paper to the Expert Group Meeting on good practices in combating violence against women. The Office also participated in the consultation on galvanizing action to combat violence against women in New York in September 2005 and a workshop on violence against women for entities of the United Nations system in December 2005 organized by the Division for the Advancement of Women.
- More comprehensive planning of OHCHR activities towards the implementation of Security Council resolution 1325 on women, peace and security. As part of the 16 days of activism against gender violence, posters were produced and distributed to all human rights field presences, and two film and discussion sessions were held in Geneva in December 2005 with contributions from staff of UNHCR and WHO.

In addition, OHCHR continued to contribute to a broad range of inter-agency initiatives, both in the context of the Inter-Agency Network on Women and Gender Equality and its task forces and of the Task Force on Gender of the Inter-Agency Standing Committee on Humanitarian Issues.

All activities were implemented by OHCHR staff from a broad range of units across all branches and in close collaboration with partners, particularly from the United Nations system. They directly benefited delegates from governments and NGOs attending official United Nations sessions such as the Commission on the Status of Women and the Commission on Human Rights. Greater awareness among United Nations staff and among government and NGO delegates of the human rights dimensions of the United Nations work on women's issues indirectly benefits women suffering from ongoing discrimination.

#### ◆ DISABILITY

During 2005, the priority for OHCHR continued to be to provide appropriate technical support to the work of the Ad Hoc Committee of the General Assembly responsible for negotiating a new convention on the rights of persons with disabilities. This work made it possible for OHCHR to:

- Participate in the 5th and 6th sessions of the Ad Hoc Committee (New York, January-February and August 2005), as part of the technical secretariat led by the DESA, and to organize a panel discussion during the 5th session on the achievements and challenges of United Nations human rights treaty monitoring bodies and mechanisms;
- Prepare and submit to the Ad Hoc Committee three OHCHR background papers on: monitoring implementation of the international human rights instruments; special measures in international human rights law; and legal capacity;
- Convene an expert meeting on possible monitoring mechanisms for the new disability convention in Geneva in November 2005; and
- Participate in and contribute to related meetings, including the Arab regional consultation organized by DESA in Morocco in June 2005 and the meeting on equality policy aspects of the convention organized by the German Government in Berlin on 18 December 2005.

In addition, drafting continued on a fact-sheet on disability and human rights to disseminate knowledge about the potential use of

existing human rights instruments and mechanisms to promote and protect the rights of persons with disabilities.

All activities were implemented by the staff member funded by the project, in close collaboration with other staff from the human rights and economic and social issues unit of the Research and Right to Development Branch, the treaty implementation unit of the Treaties and Commission Branch and with the national institutions unit of the Capacity Building and Field Operations Branch. Delegates negotiating the new convention were direct beneficiaries, and through them the persons with disabilities whose rights will be protected by this important new instrument.

#### ◆ BUSINESS AND HUMAN RIGHTS

During 2005, OHCHR participated in global compact activities and in the preparation of training tools for business. This included participating in a number of meetings including inter-agency global compact meetings, the annual global compact networks meeting in Spain in September 2005, and the annual Global Compact Summit, held in November-December 2005 in Shanghai, China. OHCHR also took part in the Expert Group meeting organized by UNEP on its initiative to develop principles for responsible investment for institutional investors, held in Paris in April 2005.

In relation to training tools, OHCHR collaborated with the United Nations Global Compact Office in disseminating the joint publication titled *Embedding Human Rights in Business Practice*, issued in November 2004, as well as undertaking its translation into Spanish. OHCHR worked with the Global Compact Office and the Business Leaders Initiative on Human Rights on the preparation of a guide for integrating human rights into business management. A draft of the guide was launched at the Global Compact Summit in Shanghai and was posted on the OHCHR web site in December 2005. A lengthy process of consultation was also held during 2005, focusing on needs assessment and identification of partners, which resulted in the finalization in December 2005 of a letter of agreement between OHCHR and the United Nations System Staff College for the preparation of an online Global Compact learning tool on human rights and business.

OHCHR also supported the mandate of the Special Representative of the Secretary-General on human rights and trans-national corporations and other business enterprises, established by

resolution 2005/69 of the Commission on Human Rights. This included participation by OHCHR in a conference on business and human rights held in London in October 2005 and facilitated consultations held by the Special Representative with governments, business organizations and NGOs, including the consultation held with civil society in London in October 2005.

All activities were implemented by staff from the human rights and economic and social issues unit of the Research and Right to Development Branch. Collaboration took place with a range of United Nations entities, including with the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises, the United Nations Global Compact Office, several civil society organizations such as business groups and NGOs, and with individual experts. Activities directly benefited representatives of United Nations entities, employer organizations, trade unions and NGOs involved in the global debate, as well as the much larger number of business actors seeking guidance on their human rights responsibilities. Through their efforts, such activities help prevent business activities from having a negative impact on the human rights of individuals and communities, who as a result are the true beneficiaries of the project.

#### ◆ ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In 2005, OHCHR supported the participation of selected experts in the second session of the open-ended Working Group of the Commission on Human Rights considering an optional protocol for the International Covenant on Economic, Social and Cultural Rights, held in Geneva in January 2005. Experts included members and former members of the Committee against Torture, the Human Rights Committee and the Committee on the Elimination of Discrimination against Women, the Special Rapporteur on contemporary forms of racism, and experts from the African Commission on Human and Peoples' Rights and the European Committee of Social Rights.

Following Commission on Human Rights resolutions 2003/22 and 2005/25, OHCHR organized a regional Eastern Europe/Central Asia consultation on women and housing, hosted by the European Roma Rights Centre in November 2005 in Budapest, Hungary, to contribute to the Study on Women and Housing conducted by the Special Rapporteur on adequate housing. The consultation gathered civil society participants from 14 countries in the region.

In addition, OHCHR participated in the High-Level Expert Seminar on economic, social and cultural rights held in September 2005 and in an expert consultation, organized by the Chairperson-Rapporteur of the Working Group on an optional protocol, to review the draft of her analytical paper on elements for an optional protocol to the International Covenant on Economic, Social and Cultural Rights prior to its submission to the third session of the Working Group.

All activities were implemented by staff from the human rights and economic and social issues unit of the Research and Right to Development Branch, in particularly close collaboration with the Secretariat and members of the Committee on Economic, Social and Cultural Rights and with the Chairperson-Rapporteur of the Working Group considering an optional protocol to the Covenant. Direct beneficiaries of the work included the delegates attending sessions of the Working Group, as well as the Special Rapporteur on adequate housing and the civil society participants who took part in the regional consultation. Through their efforts, such activities benefit those who experience denial of economic, social and cultural rights as well as the many human rights mechanisms, United Nations entities and civil society organizations working to promote and protect their rights.

## CONSTRAINTS

Recruitment procedures delayed the filling of the post of gender coordinator, which had been vacant since August 2004. The project funded the temporary recruitment of staff until March 2005 and again from August 2005 until a new gender coordinator could be appointed in 2006. The resulting staffing gaps and uncertainty meant that priority was given to activities driven by external pressures, rather than the more challenging activities planned as OHCHR's own initiatives.

Regarding work in the area of disability, accelerated progress and increased demands for OHCHR support in the negotiation of the new convention resulted in the delay of a few activities and the postponed recruitment of the disability adviser. The new mandate of the Special Representative of the Secretary-General on trans-national corporations and the High Commissioner's annual sectoral consultation, as mandated by the Commission, resulted in limited capacity to implement activities planned in that area.

## IMPACT AND ACHIEVEMENTS

In relation to gender, activities contributed to prioritizing women’s human rights initiatives within OHCHR and other United Nations entities. This work was assisted by the High Commissioner’s personal involvement in advocacy on gender issues and focus on OHCHR’s work in this area.

In the area of disability, OHCHR’s contributions facilitated the efforts of delegates from governments, national institutions, and non-governmental organizations to ensure that the new treaty on the rights of persons with disabilities takes full account of the provisions and interpretation of existing human rights instruments. During 2005, OHCHR’s input and suggestions during the negotiation assisted the Chairperson in orienting debate on proposed provisions away from divisive political differences and towards a more constructive technical discussion. OHCHR’s activities also contributed to informing negotiators of possible monitoring mechanisms for the new convention.

Activities undertaken to promote business and human rights in connection with the Global Compact initiative were complemented by the mandate of the Special Representative of the Secretary-General. These activities have reinforced OHCHR’s contribution to research, analysis and advocacy concerning the flourishing debate about the human rights responsibilities of the business sector. OHCHR’s work in this area facilitates the sharing of information and mutual awareness about important developments taking place in the rules-based United Nations human rights system and voluntary initiatives such as the Global Compact. The work enables OHCHR’s contribution to the preparation of learning tools, including for a business audience, which are in great demand.

For economic, social and cultural rights, activities have facilitated a more informed discussion among delegations at the Working Group considering an optional protocol to the Covenant and have assisted its Chairperson-Rapporteur in preparing her influential analytical paper. The regional consultation on women and housing enabled civil society participants to improve their knowledge of international instruments and mechanisms and provided the Special Rapporteur with detailed information on specific challenges faced by women in different countries with regard to their right to adequate housing.

## EVALUATION AND LESSONS LEARNED

Following a review of OHCHR’s work and challenges in the area of gender, significant expansion has been planned for 2006-2007, as elaborated in the High Commissioner’s Plan of Action. Staff capacity will be increased from one to four professional posts and a new unit will be established. The High Commissioner’s proposal that consideration be given to having OHCHR support the work of the Committee on Elimination of Discrimination Against Women would complement such expansion of the Office’s own capacity and expertise in this area. Continuing demands by the different actors for additional OHCHR contributions requires expanded capacity on disability issues to ensure continued implementation of other disability-related activities.

EXPENDITURE BREAKDOWN ECONOMIC AND SOCIAL ISSUES		
The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).		
US\$	2005	2004
Staff costs	133,183	274,802
Experts/consultants’ fees and travel	30,846	9,562
Travel:		
OHCHR staff	20,291	31,669
Commission members	0	0
Representatives and other participants	828	0
Contractual services	0	0
General operating expenses	0	0
Supplies and acquisitions	-430	1,221
Grants, contributions, fellowships and seminars	41,054	40,051
<b>Sub-total</b>	<b>225,772</b>	<b>357,305</b>
Programme support costs	29,351	46,449
<b>Total</b>	<b>255,123</b>	<b>403,754</b>



# HUMAN RIGHTS AND DEVELOPMENT

## BACKGROUND

Strengthening human rights throughout the United Nations system has been a consistent focus of the Secretary-General's reform initiatives. In September 2003, pursuant to Action 2 of the Secretary-General's reform agenda on strengthening human rights-related United Nations actions at the country level, OHCHR in cooperation with UNDG and ECHA developed and adopted an inter-agency plan of action entitled "Strengthening human rights-related United Nations action at country level: National human rights promotion and protection systems". OHCHR is expected to guide the inter-agency process and support the work of United Nations agencies and country teams in integrating human rights into their work. In this regard, OHCHR has identified a particular need to further develop concepts, tools and services on a human rights-based approach for development activities and the Common Country Assessment (CCA)/United Nations Development Assistance Framework (UNDAF) processes undertaken by the United Nations Country Teams (UNCTs).

OHCHR's work in this area includes human rights and HIV/AIDS. Over 40 million people were living with HIV/AIDS at the end of 2005, the highest number ever. Stigmatization and discrimination has impeded individual access to information and deterred people in need of treatment from being tested. OHCHR has worked on HIV/AIDS since the late 1980s. Most of its activities are carried out jointly with UNAIDS under a joint letter of agreement. Besides responding to concerns raised by the Commission on Human Rights, OHCHR's activities have centred on promoting the International Guidelines on HIV/AIDS and Human Rights, which were adopted in 1996 and revised in 2002.

## OBJECTIVES

The overall objective of the project is to strengthen OHCHR capacity and inter-agency efforts to effectively integrate human rights into development, while at the same time responding to the mandates of the Commission on Human Rights and the Sub-Commission on the Promotion and Protection of Human Rights in related areas. This will be achieved through developing research, analysis, methodological tools and services in partnership with relevant United Nations agencies and other partners to clarify the linkages between human rights and

development, and through supporting the strengthening of human rights-related action at the country level in line with the Action 2 inter-agency plan.

## IMPLEMENTATION

### ◆ PROMOTING BETTER UNDERSTANDING OF CONCEPTUAL LINKAGES BETWEEN HUMAN RIGHTS AND DEVELOPMENT

#### Good governance practices for the promotion of human rights

OHCHR finalized the publication on national good governance practices for the promotion of human rights, which will be available in print and on the web in early 2006. The publication, aimed at policy makers and development practitioners, explores the linkages between good governance and the promotion of human rights and illustrates specific governance reform initiatives that have had a positive impact on the protection of human rights. The publication consists of 24 case studies on governance reform initiatives selected from more than 120 submissions received from governments, NGOs and national human rights institutions.

Furthermore, as a follow-up to the seminar on good practices for the promotion of human rights, organized jointly with UNDP in Seoul in September 2004, a CD-ROM containing the seminar outcomes and documentation was issued in January 2005.

In addition, OHCHR began preparations for a seminar on the role of anti-corruption measures for promoting human rights, as part of good governance practices at both the national and international levels. The seminar will take place in Warsaw, Poland, in October 2006. The objective of the seminar, which was requested by Commission on Human Rights resolution 2005/68, is to identify concrete ways in which efforts to fight corruption are assisted by and contribute to the protection and promotion of human rights. To this end a call went out to governments, international organizations and NGOs to submit model practices, and the responses were collected and translated into English.



### Human rights and the Millennium Development Goals

The original plan to publish a document on conceptual linkages between human rights and the Millennium Development Goals (MDGs) for the World Summit held in September 2005 was superseded by the High Commissioner's report to ECOSOC on the same topic, submitted in June 2005. Such a publication will still, however, be timely and useful as a contribution by OHCHR to the ongoing national and global efforts to develop human rights-based strategies aimed at achieving the MDGs. Consultants will be engaged in the second half of 2006 to work on specific sections of the publication, taking into account the outcomes of the World Summit. In the meantime, OHCHR has continued its advocacy work around human rights and the MDGs, including work with the Millennium Campaign on material focused on national level NGOs, as well as dissemination of the report of the High Commissioner's Special Advisor on Human Rights and the MDGs.

### Right to development

During the reporting period, OHCHR provided part-time research and substantive support to the mandates of the Commission on the implementation of the right to development, namely for the 6th session of the Working Group on the right to development in February 2005 and the second session of the high-level task force on the implementation of the right to development held in November 2005.

## ◆ PROMOTING PRACTICAL IMPLEMENTATION AT THE COUNTRY LEVEL

### Further integration of human rights into the CCA/UNDAF process

Following extensive consultation with development partners, OHCHR finalized a publication entitled *Frequently Asked Questions on a Human Rights Based Approach to Development Cooperation*. The publication is available in electronic form in English on the OHCHR web site. French, Spanish and Arabic versions will be made available by mid-2006. The demand for this product emerged from the United Nations inter-agency meeting on a human rights-based approach to development cooperation in Stamford, Connecticut, in 2003. The publication is addressed principally to the needs of those working on human rights and development issues within the United Nations system, including in connection with Common Country Assessments (CCAs), United Nations Development Assistance Frameworks (UNDAFs) and poverty reduction strategies at the country level.

OHCHR provided nine in-country workshops on the integration of human rights in CCAs and UNDAFs in Bhutan, Colombia, Eritrea, Gabon, Lao People's Democratic Republic, Mozambique, Rwanda, Zambia and Zimbabwe, at the request of these United Nations Country Teams (UNCTs). The workshops were delivered by, or in cooperation with, OHCHR field and regional offices.

OHCHR led the inter-agency process under the Action 2 framework to develop a common inter-agency learning package on a human rights-based approach to development programming for UNCTs, first by taking stock of all available materials on the approach from various United Nations agencies, then identifying any remaining gaps. The final learning package will consist of core modules designed around the statement adopted in 2003 on the United Nations Common Understanding of a Human Rights-Based Approach to Development Cooperation, supplemented by several thematic modules.

In 2005 OHCHR supported a regional consultation of the United Nations inter-agency Asia-Pacific lessons learned project on a rights-based approach to development. This was accompanied by an independent peer review analysis of numerous practical experiences and programming exercises documented at the country level as part of the project. The experiences surveyed in the lessons learned project included benefits and challenges faced in applying a human rights-based approach to the CCA, the results of which have been incorporated into the United Nations system's learning in the context of CCA/UNDAF.

OHCHR contributed to the inter-agency work under the United Nations Development Group (UNDG) to identify a set of good practice notes on the CCA and UNDAF from a human rights perspective. This activity was carried out under the auspices of UNDG's Quality Support and Assurance (QSA) Group, and is intended to guide development practitioners at the country level in ensuring that development programming objectives and processes are aligned with human rights principles. The results of this work have been posted on the UNDG web site, and have been included within system-wide support for the CCA/UNDAF rollout at the national level.

On 29 August 2005, OHCHR organized an expert consultation on indicators involving members of treaty bodies, human rights experts and academics, with a view to developing a



framework for indicators to monitor and assess compliance with international human rights instruments. The meeting considered a draft concept paper on indicators. While agreeing on the main elements of the suggested conceptual approach and related methodology to identify suitable indicators, it recommended giving a more practical shape to the suggested approach by preparing an illustrated list of indicators for selected human rights (namely the right to life, the right to judicial review of detention, the right to adequate food and the right to health). These will be further considered in the second expert consultation in the first quarter of 2006.

### **Human rights in development and in the humanitarian context**

OHCHR organized two consecutive three-day workshops on human rights in United Nations development work in October 2005 at the ILO Training Centre in Turin, Italy. The workshops had three main objectives: (a) to acquire knowledge of the United Nations reform and its implications for United Nations work in the field of development at the country level; (b) to learn about the linkages between human rights and human development and to integrate human rights into the work of UNCTs; and (c) to develop the skills to apply a human rights-based approach to UNCT analysis and programming through the introduction of practical methodological tools, as well as through the exchange of practical experiences among participants. A total of 41 OHCHR staff members, both from Geneva (17) and the field (24), participated in the two workshops. The workshops were an opportunity to equip the participants with critical knowledge and skills to effectively perform their role in interacting with other members of UNCTs and to create a community of OHCHR practitioners who learn by practice and by exchange of experiences.

### **Joint UNDP/OHCHR human rights strengthening programme (HURIST)**

OHCHR continued to support the joint HURIST programme with UNDP, which aims to build capacity for rights-based development programming within UNDP. Between June and December 2005, work focused on supporting the final independent evaluation of the HURIST programme, the outcomes of which have shaped the future course of UNDP's human rights programme and the process towards strengthened collaboration between OHCHR and UNDP. During this period HURIST continued to support an independent lessons learning study of six HURIST-supported national human rights action plans. The

final publication on the lessons learned study will be posted on UNDP's HURIST web site and publicized on electronic networks. Pilot activities for indigenous peoples were continued in two countries, facilitated through outposted OHCHR officers in the field. OHCHR at both the headquarters and regional office level also supported pilot activities on poverty reduction strategies and human rights, including a regional launching workshop in December 2005 for participating countries in francophone Africa. Substantive activities under the HURIST programme are financed directly by UNDP, and the funding by OHCHR is limited to supporting its programme coordination role.

### **Human rights-based responses to the HIV/AIDS pandemic**

A consultant was hired in February 2005 to prepare a guidance note for OHCHR staff on current issues surrounding HIV treatment, its human rights implications and the United Nations "3 by 5" initiative to expand access to HIV treatment. In May 2003, OHCHR concluded an inter-agency agreement with UNAIDS for the engagement and posting of a technical officer on human rights within UNAIDS. The technical officer will pursue joint activities between UNAIDS and OHCHR, including preparing information and briefings on country level issues for treaty bodies and special procedures and undertaking research on human rights issues related to HIV/AIDS. Together with UNAIDS, OHCHR worked with two consultants to produce a draft handbook for national human rights institutions on HIV/AIDS and human rights. The Office also prepared two seminars during the 61st session of the Commission on Human Rights, one on discrimination based on HIV-status and the other on the role of national human rights institutions and HIV/AIDS.

### **Human rights and poverty reduction strategies**

During the reporting period, OHCHR finalized a revision of the 2002 draft guidelines for a human rights-based approach to poverty reduction strategies. The guidelines are currently awaiting final clearance before their dissemination. OHCHR also continued to support the piloting of human rights sensitive poverty reduction strategies in collaboration with UNDP through the HURIST project.

### **Voluntary guidelines on the right to adequate food**

OHCHR continued to cooperate closely with FAO in promoting the implementation of the voluntary guidelines for the realization of the right to adequate food adopted in 2004. OHCHR disseminated the guidelines to the Commission on Human Rights

and its relevant subsidiary bodies, treaty bodies and special procedures mandate-holders, and cooperated with FAO in organizing promotional events.

## CONSTRAINTS

Staff movement and prolonged vacancies due to recruitment delays and the involvement of many staff in the Office reform process affected the timely implementation of planned activities.

## IMPACT AND ACHIEVEMENTS

Activities contributed to greater awareness of a human rights-based approach to development, particularly in the context of United Nations development programming at the country level. Positive feedback was received from United Nations partners, donors and bilateral development agencies on the practical nature of publications issued, such as the *Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation*. Through partnerships, the implementation of the programme raised the profile of OHCHR, allowing it to take a lead position and responsibility in the inter-agency discussions, particularly with regard to the training of UNCTs. This should ensure the consistency of human rights messages across the United Nations system, particularly for UNCTs, which will receive a common standard learning package and support to integrate human rights into the CCA/UNDAF and programming. The joint programmes with UNDP (HURIST) and with UNAIDS have contributed to knowledge development and programming tools for implementing a human rights-based approach in these agencies.

## EVALUATION AND LESSONS LEARNED

Evaluation of the training activities that have been implemented and a review of CCA/UNDAF documents suggest that an increasing number of resident coordinators, UNCTs, and special representatives of the Secretary-General are integrating human rights in their programmes of work. As a result, future programmes will need to place even greater emphasis on the development of practical guidance and tools, as well as providing coordinated support to UNCTs and national partners in order to close capacity and implementation gaps.

The final evaluation of HURIST praised OHCHR's contributions to the joint programme for their display of "uncompromising concern for quality work," and for the quality of written guidance material the programme produced. Similarly, the assessment of results achieved and lessons learned from OHCHR's joint work with UNAIDS on HIV/AIDS attests to the need to place increasing emphasis on providing support for actors working at the national level by, for example, raising awareness and developing advocacy tools for UNCTs.

## FUNDING

This project has been funded through voluntary funds. The project component on support to UNCTs was funded under the Voluntary Fund for Technical Cooperation.

## EXPENDITURE BREAKDOWN HUMAN RIGHTS AND DEVELOPMENT

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	531,897	0
Experts/consultants' fees and travel	31,087	0
Travel:		
OHCHR staff	59,987	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	257,559	0
General operating expenses	-2,484	0
Supplies and acquisitions	14,538	0
Grants, contributions, fellowships and seminars	34,770	0
<b>Sub-total</b>	<b>927,354</b>	<b>0</b>
Programme support costs	120,556	0
<b>Total</b>	<b>1,047,910</b>	<b>0</b>

## EXPENDITURE BREAKDOWN SUPPORT TO UNITED NATIONS COUNTRY TEAMS

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	0	0
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	0	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	23,087	135,397
General operating expenses	0	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>23,087</b>	<b>135,397</b>
Programme support costs	3,001	17,602
<b>Total</b>	<b>26,088</b>	<b>152,998</b>



# RULE OF LAW AND DEMOCRACY

## BACKGROUND

The rule of law, through effective legal and judicial systems, is essential for implementing and protecting human rights at the national level. OHCHR, through its rule of law and democracy unit, is responsible for raising awareness about human rights and the rule of law throughout the United Nations system. The unit focuses on the role of courts in human rights protection; rule of law in post-conflict states; human rights, counter-terrorism and national security issues; issues related to the nexus between international human rights law and international humanitarian law; democracy; and the preparation of a comprehensive summary of the decisions of United Nations bodies known as the Repertory of Practice. In addition, the unit provides legal advice to the Office.

## OBJECTIVES

- Implement mandates provided for in resolutions of the General Assembly and the Commission on Human Rights.
- Support two independent experts, on human rights and counter-terrorism and on impunity, created by the Commission on Human Rights at its 2004 session.
- Foster partnerships within the United Nations system on the rule of law.
- Develop strategies, legal policy documents and operational tools on specific human rights questions.

## IMPLEMENTATION

### ◆ THE ROLE OF COURTS IN HUMAN RIGHTS PROTECTION

The role of the judiciary in protecting human rights is essential. During 2005, work focused on assisting OHCHR's geographic teams and field offices with technical cooperation in the field of the administration of justice. This concerned issues relating to trial observation as well as workshops, seminars and trainings of judges, lawyers and prosecutors. Documentation and human rights education material relating to these subjects were further developed or initiated. In particular, further work was undertaken on the draft *Facilitator's Guide on Human Rights for Judges, Prosecutors and Lawyers* and is expected to be completed in 2006.

Work was also initiated on a publication focusing on informal and traditional justice systems.

Judicial decisions and judgments taken at the international, regional and national level on issues affecting human rights and the administration of justice were regularly monitored to ensure they had the most up-to-date information. As part of its work related to technical cooperation, draft constitutions of Bhutan and the Democratic Republic of the Congo were reviewed with respect to their potential compatibility with human rights standards, including those provisions relating to the administration of justice. A draft law for Bhutan was also reviewed.

Staff also participated in various meetings on new developments at the international level relating to human rights standards and the administration of justice. This included a meeting on the role of defence lawyers in guaranteeing the right to a fair trial, held 3 to 4 November 2005 in Tbilisi, Georgia and the fourth meeting of the Judicial Integrity Group, held on 27 to 28 October 2005, hosted by the United Nations Office on Drugs and Crime (UNODC) in Vienna. OHCHR had extensive contact with UNODC in Vienna to discuss joint training programmes for judges and prosecutors and various initiatives taken by the two organizations regarding the development of new materials relating to the administration of justice, including informal and traditional justice systems. Further, extensive comments were provided on UNDP's draft publication *Programming for Justice: Access for All – A Practitioner's Guide to a Human Rights-Based Approach to Access to Justice*.

Other work undertaken included activities related to the administration of justice by informal and traditional justice systems and by military tribunals. The programme of work relating to human rights and the courts was enhanced by the servicing of specific mandates of the Sub-Commission and its sessional Working Group on the Administration of Justice. Activities were also undertaken with other parts of the United Nations to promote a human rights perspective on issues relating to the administration of justice.

### ◆ TRANSITIONAL JUSTICE

During 2005, the main focus of work on transitional justice was to ensure sustainable, long-term institutional capacity within United Nations field presences and transitional administrations to respond to the demand for policy guidance on transitional justice issues. This was achieved through several activities:

- Initiated by OHCHR in 2003, five rule of law tools for post-conflict states were completed in 2005. The tools outline the basic principles involved in mapping the justice sector, prosecution initiatives, truth commissions, and vetting and monitoring legal systems. A key focus is on the strategic and technical challenges faced when advising on the development of transitional justice mechanisms. The tools therefore provide guiding considerations and principles, gathered from previous experiences and lessons learned, for the development of such mechanisms. They are intended to provide field missions and transitional administrations with the fundamental information they require to effectively advise on the development of transitional justice mechanisms, in line with international human rights standards and best practices.
- Two technical regional meetings were held in Monrovia, Liberia in July and in Amman, Jordan in October to take stock of transitional justice-related activities in the African and Arab regions. In addition, the meetings were an opportunity to introduce the OHCHR draft rule of law tools and strategize on steps to ensure their effective implementation. The meetings were attended by staff from United Nations field presences as well as DPKO, UNDP and national experts on transitional justice.
- The development of an additional rule of law tool on legacy and hybrid courts was initiated. This new tool is intended to develop effective and meaningful policies, processes and techniques on the inter-relationship between hybrid courts, which contain both international and national elements, and strictly domestic courts. It seeks to enhance the credibility, impact and effectiveness of hybrid tribunals through long-term stability and development of the domestic justice system, including respect for human rights protections, the rule of law and legal institutions. This policy tool will be completed by end of 2006.
- Also initiated was the development of a concept paper on human rights performance indicators for justice reform in post-conflict states, which was completed in April 2005. The purpose of the concept paper was to determine the feasibility of creating a human rights-based performance indicator policy tool that would allow for objective measurement of progress made by the justice system of post-conflict states. The concept paper focused on legal actors, legal institutions and the police and recommended, subject to certain parameters, the creation of indicators. OHCHR will collaborate with DPKO on the development and implementation of such indicators.
- In its resolution 2005/70, the Commission on Human Rights requested that OHCHR submit, in consultation with other parts of the United Nations system, civil society and other stakeholders, a study on human rights and transitional justice activities undertaken by the human rights components of the United Nations. During 2005, the unit initiated the first component of the study, namely a compilation of transitional justice activities of OHCHR field presences and human rights components of peacekeeping missions and submitted the report to the Commission. Further components to the study will focus on lessons learned and best practices of specific transitional justice mechanisms, such as truth commissions.

#### ◆ HUMAN RIGHTS AND SECURITY

OHCHR continued to analyze the human rights implications of terrorism and to promote respect for human rights and the rule of law in the context of terrorism and counter-terrorist activities. In 2005, the Office worked with United Nations entities, States, and regional and civil society organizations to ensure that international human rights principles, norms, standards, and relevant jurisprudence are taken into account in national and regional counter-terrorist decision-making processes. Activities undertaken included:

- Continued dialogue with the Counter-Terrorism Committee (CTC) and strengthened links with the CTC, including through the newly-appointed senior human rights officer working within the CTC Executive Directorate. OHCHR also participated in the Task Force established to implement the global strategy, announced by the Secretary-General on 10 March 2005, to respond to the threat of terrorism;
- Participation in a workshop in Zagreb, Croatia in March 2005 on counter-terrorism measures, with a view to ensuring the integration of human rights elements;
- Organization of a seminar from 27 to 28 June 2005 on human rights, counter-terrorism and states of emergency. The seminar aimed to develop and disseminate the principles in the Human Rights Committee's General Comment 29 including the scope of non-derogable rights, and General Comment 31 on the scope of States' legal obligations under the International Covenant on Civil and Political Rights. Consultations with regional organizations were also held on 29 July in follow-up to the 5th high-level meeting between the United Nations and regional

organizations, on the protection of human rights while countering terrorism;

- Continued assistance to special procedures, including the Independent Expert on the protection of human rights while countering terrorism, by consolidating and building on findings and recommendations relevant to protecting human rights in the context of counter-terrorism;
- Support to the Working Group of the Sub-Commission on the Promotion and Protection of Human Rights set up to elaborate detailed principles and guidelines concerning the promotion and protection of human rights when combating terrorism;
- Participation in meetings of the Council of Europe's Steering Committee on Human Rights and provision of technical advice on human rights issues including those related to the use of diplomatic assurances in expulsion procedures and on the appropriateness of concluding a legal instrument containing minimum standards for diplomatic assurances; and
- Submission of analytical reports to the Commission on Human Rights and the General Assembly on the protection of human rights and fundamental freedoms while countering terrorism.

#### ◆ INTERNATIONAL HUMAN RIGHTS LAW AND INTERNATIONAL HUMANITARIAN LAW

There is a growing recognition of the complementary approaches of international human rights law and international humanitarian law in addressing conflict situations. In this regard, OHCHR was asked by the Commission on Human Rights to prepare a revised version of the Basic Principles and Guidelines on the right to a remedy and reparation for victims of violations of international human rights law and international humanitarian law. The Commission also tasked OHCHR with supporting the work of the Independent Expert to update the set of principles to promote and protect human rights through action to combat impunity. These tasks were achieved through a series of activities:

- In February 2005, OHCHR organized an informal meeting for Member States, intergovernmental organizations and NGOs to discuss the follow-up to the process of finalizing the Basic Principles and Guidelines on the right to a remedy and reparation for gross violations of international human rights law and serious violations of international humanitarian law. Pursuant to the recommendations made during the

meeting, the text of the Basic Principles and Guidelines was submitted to the Commission on Human Rights, which adopted them in April 2005. They were subsequently adopted by ECOSOC in July 2005 and by the General Assembly in December 2005.

- OHCHR continued to support the work of the Independent Expert to update the set of principles to promote and protect human rights through action to combat impunity. The updated set of principles was submitted to the Commission on Human Rights. Furthermore, pursuant to Commission on Human Rights resolution 2006/81, the Office prepared a report on impunity, surveying a selection of international commissions of inquiry and fact-finding missions supported by OHCHR in several countries.
- To build on the progress made with the two sets of principles, OHCHR organized a workshop on combating impunity and providing victims with reparations, which took place in Geneva in September 2005. Workshop participants, including staff from OHCHR field offices, human rights components of United Nations peace missions, representatives of civil society and expert practitioners, discussed strengthening the implementation of various measures to combat impunity. The two sets of principles provided important guidance on these issues and constituted a legal framework for the workshop. OHCHR further presented the principles during the workshops on transitional justice organized in Liberia during July 2005 and in Jordan during October 2005.
- OHCHR also continued to address complementary approaches of international human rights law and international humanitarian law in dealing with conflict situations. This included the preparation of an analytical report on fundamental standards of humanity for the Commission on Human Rights.

#### ◆ DEMOCRACY

Within the framework of the discussion on democracy and human rights conducted by the Commission on Human Rights, and as a follow-up to the first expert seminar held by OHCHR in 2002 on the interdependence of democracy and human rights, OHCHR was further mandated (Commission resolution 2003/36) to organize a second expert seminar in 2005. The seminar further examined the interdependence between democracy and human rights with a specific focus on democracy and the rule of law. Twelve experts from different parts of the world and various academic and professional backgrounds, including legal practitioners, participated in the three-day seminar. The seminar took



place from 28 February to 2 March 2005 and gathered representatives of Member States, academia, NGOs and the United Nations. The ensuing report was submitted to the Commission at its 61st session. The handbook for parliamentarians was released in 2005 and seminars based on the handbook will be conducted by OHCHR in 2006.

#### ◆ REPERTORY OF PRACTICE

The Repertory of Practice of United Nations organs, a comprehensive summary of decisions of United Nations organs organized by Charter Articles, was established as a legal publication in 1953 through General Assembly resolution 796 (VIII). On an annual basis, the General Assembly requests that the Secretary-General prepare an analytical study on specific Articles of the United Nations Charter. The studies carried out and completed by the Repertory team of OHCHR are published and serve as a reference guide for Member States, United Nations agencies, legal practitioners and civil society organizations in the interpretation and application of the United Nations Charter.

In 2005, the analytical studies of Articles 55(c) and 62(2) for the "Supplement to the Repertory of Practice No. 8" (1989-1994), as well as of Article 56 for "Supplement to the Repertory of Practice No. 9" (1995-1999), were completed and submitted to the United Nations Office of Legal Affairs (OLA). Pursuant to General Assembly recommendations, the backlog of studies related to the Supplements to the Repertory of Practice will be eliminated in September 2006. In this area, OHCHR has continued to work under the guidance of the Inter-departmental Committee on Charter Repertory, chaired by the OLA.

#### CONSTRAINTS

Two activities foreseen in the 2005 Annual Appeal were not undertaken. It was decided not to hold a meeting of judges in Geneva in 2005, particularly as the Sub-Commission adopted a resolution requesting that a second seminar on the administration of justice by military tribunals be organized. Furthermore, taking into account that the Human Rights Committee was in the process of adopting a new General Comment on the right to a fair trial, it was also decided to proceed with the preparation of a digest on the right to a fair trial at a later time. These proposed activities were replaced by other activities, described above.

With the increased awareness of the linkages between the rule of law, democracy and human rights since the unit's establishment in 2003, the main constraint has been an inability to respond to the growing demands placed on the unit by its partners in Geneva and the field. The unit does not possess all the expertise it requires. Additional expertise is needed in areas such as accountability, access to justice, and corrections.

#### IMPACT AND ACHIEVEMENTS

During 2004, OHCHR was able to contribute to raising awareness about the nexus between human rights, the rule of law, and democracy. It participated in the elaboration of United Nations policies and operational tools in this area. Particular emphasis was placed on enhancing the understanding and the operational aspects of countering impunity, enhancing the rights of victims and promoting respect for human rights in the context of counter-terrorism.

After 15 years of consideration, the adoption of the Basic Principles and Guidelines on the right to a remedy and reparation constitutes an important achievement. Similarly, the Updated Principles on combating impunity provide crucial guidance on fashioning measures to dispel impunity and prevent its reoccurrence.

The five tools on transitional justice completed in 2005 have had an immediate impact. The principles and best practices that are contained in the five tools are already being put into effect in the United Nations' work in Afghanistan, Burundi and Liberia, and have led to greater collaboration with other United Nations departments and agencies. The enhanced interest in the tools from the field has resulted in the identification of additional gaps, including the question of legacy and hybrid tribunals, which in turn has led to the development of further tools.

The conclusions and recommendations of the expert seminar on democracy and the rule of law laid the foundation for developing national and regional frameworks to promote democracy and enforce the principles of the rule of law.



## FUNDING

This project was funded through voluntary funds. The project component on human rights and counter-terrorism was funded under the Voluntary Fund for Technical Cooperation.

### EXPENDITURE BREAKDOWN RULE OF LAW AND DEMOCRACY

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	666,136	593,866
Experts/consultants' fees and travel	97,764	186,352
Travel:		
OHCHR staff	108,828	71,704
Commission members	0	0
Representatives and other participants	229,040	77,759
Contractual services	19,489	13,996
General operating expenses	7,195	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	9,828	298,606
<b>Sub-total</b>	<b>1,138,280</b>	<b>1,242,283</b>
Programme support costs	147,975	161,497
<b>Total</b>	<b>1,286,255</b>	<b>1,403,780</b>

### EXPENDITURE BREAKDOWN HUMAN RIGHTS AND COUNTER-TERRORISM

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	15,054	142,504
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	16	14,881
Commission members	0	0
Representatives and other participants	0	0
Contractual services	0	0
General operating expenses	0	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>15,070</b>	<b>157,385</b>
Programme support costs	1,959	20,460
<b>Total</b>	<b>17,029</b>	<b>177,845</b>



# GROUPS IN FOCUS

## MINORITIES

### BACKGROUND

National, ethnic, religious and linguistic minorities are generally recognized as being among the most disadvantaged groups in society. The World Conference against Racism in 2001 demonstrated that members of these groups are the most likely to confront racism in their daily lives, and that the exclusion and marginalization of minorities is often due to structural, historical and cultural factors with deep roots in society. Information brought to the attention of the United Nations, including through the United Nations Working Group on Minorities, its subregional meetings, and the other human rights mechanisms, has indicated that minorities are often caught up in long lasting conflicts where timely action might contribute to peaceful solutions. Ensuring the peaceful accommodation of the legitimate interests of minorities in multicultural States remains a challenge for the United Nations, including OHCHR.

### OBJECTIVES

In 2005, OHCHR's strategy aimed at contributing to the ongoing work of the Secretary-General to resolve and prevent conflicts involving minority groups by strengthening the capacity of minority organizations to know and claim their rights through training programmes, mainstreaming minority concerns through inter-agency cooperation at the country and regional level and providing research and analysis on minority issues to the High Commissioner and human rights mechanisms.

### IMPLEMENTATION

The Office organized the first minorities fellowship programme for five fellows selected from the Wayeyi linguistic minority in Botswana, the Coptic community in Egypt, the Christian Dalit community in India, the Palestinian Minority in Israel and the Roma Muslim community in Kosovo. The programme was held from March to June 2005, imparting knowledge of human rights and minority rights, human rights mechanisms and national human rights institutions. The fellows also attended the Committee

on the Elimination of Racial Discrimination, the Commission on Human Rights and the Working Group on Minorities.

OHCHR, in partnership with Minority Rights Group International, organized a training programme in Geneva in May-June 2005 for 20 representatives of minorities from Asia, Africa, Latin America and Europe. OHCHR also facilitated their participation in the workshop on conflict prevention and resolution and in the United Nations Working Group on Minorities. Minority Rights Group International supported an additional 16 representatives.

In May, prior to the 11th session of the United Nations Working Group on Minorities, OHCHR organized a workshop on minorities and conflict prevention/resolution in Geneva. The workshop examined the structural causes of conflicts affecting or involving minorities in different regions, as well as ways the promotion and protection of human rights, particularly minority rights, could contribute to conflict prevention and peace-building. Various conclusions and recommendations were adopted, including the development of a minority matrix and profile using the identification of trends and best practices to serve as a tool in conflict prevention and resolution. Additionally, the Office facilitated the participation of five representatives of minorities from Colombia, India, Israel, Kenya and the Philippines at the Global Conference on building civil society partnerships to prevent violent conflict and build peace in New York in July 2005. OHCHR also organized a workshop on minority rights and conflict prevention at the Global Conference and was a panellist in a meeting on Southeast Asia.

In July 2005, OHCHR met with members of the secretariat of the Department of Political Affairs, the United Nations Development Group, UNDP New York and with members of the Organization of American States in Washington with a view to strengthening inter-agency and regional cooperation on minority issues and organizing a future inter-agency meeting with UNDP in New York. OHCHR also worked to strengthen cooperation with the consultative body on minority issues of the Council of Europe. In October 2005, OHCHR and UNDP organized a subregional meeting in Chinchá, Peru on Afro-descendants in Latin America. The meeting focused on a number of issues including improving strategies for the empowerment of Afro-descendants in the planning, implementation and evaluation of projects identified to meet the Millennium Development Goals.

OHCHR's work on the rights of minorities allowed for informed input to be provided on relevant minority issues to OHCHR's regional consultations and to treaty bodies, in particular the Committee on the Elimination of Racial Discrimination. Additionally, background papers were prepared for staff of the Office and the new Independent Expert on minority issues, advocating a focus on promoting and protecting diversity and the inclusion of minorities in development programming and planning, especially with respect to the Millennium Development Goals.

## CONSTRAINTS

Staffing constraints within OHCHR and at the national level in target countries made it difficult to meet the demands on the programme. The planned formal inter-agency meeting on minorities was therefore not held. In addition, two planned country level activities could not be implemented during 2005 due to the changing political situation in those countries.

## IMPACT AND ACHIEVEMENTS

The Office was creative in developing additional programmes for the empowerment of civil society, for building partnerships and for strengthening cooperation with different agencies. The first fellowship programme for minorities raised the level of understanding among the participating fellows on human rights standards and the use of human rights mechanisms; it strengthened their ability to promote and protect the rights of their communities and enhanced their capacity to conduct training sessions. A tangible result of the programme is that partners in the international system have expressed interest in drawing upon the expertise of the fellows in developing and implementing programmes related to minority rights.

More generally, activities carried out during 2005 contributed to building the capacity of civil society to promote and protect minorities' rights, to encouraging the development of global networking on minority issues and to enabling representatives of minorities to gain knowledge on human rights mechanisms. OHCHR's activities also contributed to the ongoing work of the Secretary-General on strengthening the consideration for human rights in recommendations for the resolution and prevention of conflict, by supporting the development of a

minority matrix and profile – a tool that could be used as an instrument for conflict prevention and resolution in the future.

## EVALUATION AND LESSONS LEARNED

An external evaluation was commissioned and undertaken by Minority Rights Group International. This evaluation suggested that the Office should put more emphasis on, and dedicate more resources to, minority-related issues. A number of specific strategies

See page 215 for expenditure table.

# INDIGENOUS PEOPLES

## BACKGROUND

Indigenous peoples are often discriminated against within society, have weak political participation and lack equal access to economic, social and cultural rights. They may be harmed by or excluded from development projects and often do not benefit fully from strategies to meet the Millennium Development Goals and reduce poverty. They have less access to justice and security, are often drawn into conflicts, and tend to be the victims of serious human rights violations. National legislation may result in direct or indirect discrimination against them, and where laws to protect and promote their rights exist they are often not implemented in practice. Marginalized groups within indigenous communities, particularly women, face additional barriers to overcoming exclusion.

## OBJECTIVES

The Office's overall objective is to promote and protect the human rights of indigenous peoples by strengthening existing human rights mechanisms relating to indigenous peoples, supporting standard-setting processes, advocating for inter-agency cooperation, mainstreaming indigenous peoples rights within the United Nations system and United Nations Country Teams (UNCTs), empowering indigenous organizations and communities, and assisting States on these issues.

## IMPLEMENTATION

### Special Rapporteur on human rights and fundamental freedoms of indigenous peoples

With the aim of supporting the annual thematic research work of the Special Rapporteur, the Office organized two international expert seminars on constitutional reform, legislation and implementation of laws in the context of the rights of indigenous peoples. The first seminar in July 2005 was organized jointly with the Inter-Parliamentary Union (IPU) and attracted governments, United Nations agencies, parliamentarians and researchers; the second seminar in October 2005 was organized with the College of Law of the University of Arizona and focused on the implementation of national laws and jurisprudence on indigenous people's rights.

### International Decade of the World's Indigenous People

The Office implemented two recommendations that were approved in 2004 by the coordinator of the International Decade of the World's Indigenous People. These recommendations related to community-led training activities, which were carried out in Mali and New Caledonia in 2005 (see below). The second International Decade of the World's Indigenous People will be coordinated by the United Nations Department of Economic and Social Affairs in New York.

### Implementation of recommendations made by the Permanent Forum on Indigenous Issues

In January 2005 in New York, OHCHR participated in a workshop of the Permanent Forum on Indigenous Issues on the principle of free, prior and informed consent of indigenous peoples in relation to development affecting their lands and natural resources. The aim of the discussions was to facilitate the application of this concept to the work of the United Nations. The Office also participated in a technical workshop on traditional knowledge and indigenous peoples, organized by the Inter-Agency Support Group on Indigenous Issues in Panama in September 2005. The workshop aimed to examine activities related to traditional knowledge being undertaken by the United Nations system, and it sought methods of better integrating indigenous peoples' perspectives in these activities.

### Indigenous fellowship programme

Since its inception in 1997, the indigenous fellowship programme has become a well-established component of the Office's work aimed at empowering indigenous individuals and communities to work toward the improvement of the human rights situation and status of indigenous peoples. The programme has been organized in close collaboration with other United Nations agencies, including ILO, UNESCO, United Nations Institute for Training and Research, WIPO, UNDP, the World Conservation Union (IUCN) as well as the University of Bourgogne in Dijon and the University of Deusto in Spain. A Russian language component was added to the English, French and Spanish programmes, bringing the total number of beneficiaries during 2005 to 19 fellows. This pilot Russian project was organized in partnership with RAIPON, a Russian NGO. In 2005, the five English-speaking fellows participated in the Permanent Forum on Indigenous Issues. A tool box of training material designed to provide accessible and appropriate materials to be used by local communities was also initiated.

### Community-led human rights training

The community-led training initiative is a practical way of directly involving indigenous peoples in the formulation, methodology, programme, implementation and evaluation of human rights training for their own communities. In 2005, OHCHR continued to build the capacity of indigenous organizations through focused human rights trainings: while the indigenous communities determined the methodology and identified the targeted beneficiaries, the Office provided a resource person to give training activities on international human rights mechanisms. The first community-led training took place in October 2005 and was hosted by elders of the Touareg community in Tiboraghen in Mali. The second human rights training workshop was held in New Caledonia in November 2005 and benefited the Kanak people.

### Indigenous peoples' rights in Guatemala and Mexico

In June 2005, the Office launched a two-year pilot project on the promotion and protection of indigenous peoples in Latin America with a special focus on Guatemala and Mexico. The project is aimed at supporting current government and civil society efforts in the implementation of the recommendations of the Special Rapporteur and complementing the current activities of the offices in Mexico and Guatemala on indigenous issues. It also seeks to strengthen national capacities and improve indigenous

peoples' awareness and knowledge of their human rights. In this context, a manual containing the reports of the Special Rapporteur following his visit to Guatemala and Mexico was published and widely distributed; high-level meetings with the Special Rapporteur and government officials were organized in both countries to analyse progress in the implementation of the recommendations and to identify challenges; the design of a number of training tools was launched, including the production of an interactive CD-ROM on the rights of indigenous peoples; and several initiatives from indigenous and civil society organizations on the implementation of the recommendations were supported.

### **Andean region**

The Andean project covers Bolivia, Ecuador and Peru and focuses on mainstreaming indigenous peoples' rights at the country level through the implementation of the indigenous component of the Human Rights Strengthening (HURIST) programme in Bolivia and Ecuador. It also aims to strengthen the capacity of indigenous peoples through human rights training and supporting national human rights institutions dealing with indigenous rights. During 2005 – the first year of this project – the Office identified opportunities to establish partnerships with United Nations agencies (including UNDP, ILO and UNICEF), engaged with indigenous organizations and Government representatives, and held discussions with the Inter-American Institute for Human Rights. The OHCHR programme coordinator, supported by Swiss Development Cooperation and based at UNDP Ecuador, undertook country missions to Peru and Bolivia to carry out needs assessments and look into possibilities for further partnership with indigenous organizations. Further activities included: support to inter-agency meetings, elaboration of a policy paper, presentation of the mandate of the Special Rapporteur to United Nations colleagues and indigenous organizations, initial work on a publication concerning the mandate, training for indigenous leaders, and discussions with the Indigenous University of Ecuador on the establishment of a Masters programme on human rights and indigenous peoples.

### **Cooperation with the African Commission on Human and Peoples' Rights**

The Office continued to support cooperation activities between the United Nations human rights mechanisms on the promotion and protection of indigenous peoples' rights and regional mechanisms. The Office organized a three-day consultation in Banjul

prior to the 37th session of the African Commission on Human and Peoples' Rights in April 2005, in cooperation with the experts of the African Commission's working group on indigenous populations/communities in Africa. The Special Rapporteur on the human rights and fundamental freedoms of indigenous peoples, one member of the United Nations working group on indigenous populations, the experts of the African Commission's working group and indigenous representatives from Africa exchanged experiences and identified areas of possible cooperation. The participants raised many issues affecting their rights and made recommendations on how to assist indigenous peoples in promoting and protecting their rights in the African region during the second International Decade of the World's Indigenous People.

### **Cooperation with UNCTs**

Through cooperation with UNDP on the indigenous component of the HURIST programme, the Office has been mainstreaming indigenous rights into key UNDP practice areas and supporting indigenous rights-based development. Two pilot projects were born out of this initiative in Kenya and Ecuador (for Ecuador see above). In Kenya, the Office participated in the initial roundtables and workshops with indigenous representatives that led to the establishment of the United Nations Indigenous Peoples Advisory Committee of Kenya, a forum for coordinated and continuous dialogue to advise UNDP on indigenous issues. OHCHR also participated in cluster workshops, which brought together representatives from different indigenous groups to strengthen networks, provide training and seek recommendations on UNDP work. The Inter-Agency Support Group on indigenous issues held in September in Panama City focused on ways of improving inter-agency cooperation to promote indigenous rights at the country level with special reference to Latin America.

## **CONSTRAINTS**

The programme of planned activities for the period was fully implemented. However, in light of the growing interest in the rights of indigenous peoples generated by the Permanent Forum, the expectations that indigenous peoples have of United Nations organizations have considerably increased.

## IMPACT AND ACHIEVEMENTS

The community-led human rights training initiative provided a practical way of directly involving indigenous peoples in the formulation, methodology, programme, implementation and evaluation of human rights training for their own communities. Through its participation, OHCHR was able to identify realities at the grass roots, to expand its understanding of the situation of indigenous peoples and to identify gaps in its work.

More generally, the activities undertaken in 2005 continued to prioritize the empowerment of indigenous peoples, building capacity and providing opportunities for dialogue between NGOs and governments. Activity evaluations showed that the development of community-led training benefiting indigenous peoples not active internationally was highly valued. In particular, the programme ensured that the work of the Office reached communities directly. The year also saw the development of country engagement activities in five Latin American countries and one African country as part of the efforts of the Office to contribute to implementation on the ground. These programmes attracted financial support from donors, support from governments and were welcomed by indigenous peoples as part of OHCHR's commitment to work with UNCTs to promote indigenous rights nationally.

## EVALUATION AND LESSONS LEARNED

The year focused on activities aimed at national level implementation, which were successfully carried out. However, there were some uncertainties about the future direction of international activities. Although there was growing consensus on the draft declaration on the rights of indigenous peoples, concerns remained about when the instrument would finally be adopted. The discussions around the proposed Human Rights Council raised questions for many indigenous representatives on the future of the Working Group on indigenous populations, which has accompanied them for more than two decades and was at the origin of many United Nations initiatives on this issue.

## EXPENDITURE BREAKDOWN MINORITIES AND INDIGENOUS PEOPLES

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	28,957	152,618
Experts/consultants' fees and travel	58,401	15,150
Travel:		
OHCHR staff	69,316	32,591
Commission members	0	0
Representatives and other participants	140,660	125,183
Contractual services	15,750	0
General operating expenses	11,540	0
Supplies and acquisitions	-351	0
Grants, contributions, fellowships and seminars	40,839	9,882
<b>Sub-total</b>	<b>365,112</b>	<b>335,424</b>
Programme support costs	48,565	43,605
<b>Total</b>	<b>413,677</b>	<b>379,029</b>

## VOLUNTARY FUND FOR INDIGENOUS POPULATIONS

## BACKGROUND

Established by General Assembly resolution 40/131 in December 1985, the United Nations Voluntary Trust Fund for Indigenous Populations aims to contribute to the promotion and protection of the human rights of indigenous populations. The original mandate of the Voluntary Fund was to support the participation of representatives of indigenous communities and organizations in the deliberations of the Working Group on Indigenous Populations. This mandate was later expanded to support their participation at the sessions of the open-ended inter-sessional Working Group on the draft United Nations declaration on the rights of indigenous peoples and the Permanent Forum on Indigenous Issues.



## OBJECTIVES

The objective of the Voluntary Fund is to provide an opportunity for indigenous people who lack the means to participate in the two United Nations Working Groups and the Permanent Forum. Their participation contributes to a deeper knowledge of the problems affecting indigenous populations and also provides a broad geographical representation and gender balance in the discussions at these international fora. The Voluntary Fund plays an important role in facilitating civil society representatives to participate in deliberations that directly affect their communities.

## IMPLEMENTATION

The Voluntary Fund is administered by the Secretary-General in accordance with the financial rules and regulations of the United Nations, with advice from a Board of Trustees composed of five experts serving in their personal capacity. The members of the Board of Trustees in 2005 were: Mr. Lars Anders Baer (Saami), Mr. Nadir Bekirov (Crimean Tatar), Mr. Ahmed Mahiou (Amazigh), Mr. José Carlos Morales Morales (Brunca) and Ms. Victoria Tauli-Corpuz (Igorot).

In 2005, the secretariat of the Fund implemented the recommendations adopted by the Board of Trustees at its 18th session, which were approved by the High Commissioner on behalf of the Secretary-General. At that session, the Board considered 464 applications for indigenous representatives to attend the 4th session of the Permanent Forum on Indigenous Issues held in New York in May 2005, the 23rd session of the Working Group on Indigenous Populations held in Geneva in July 2005 and the 11th session of the Working Group on the draft declaration held in Geneva in December 2005 and February 2006.

The Board recommended the following grants: 26 grants for representatives of indigenous communities and organizations to attend the Permanent Forum on Indigenous Issues; 25 grants for representatives of indigenous communities and organizations to attend the Working Group on Indigenous Populations; and 9 grants for representatives of indigenous communities and organizations to attend the Working Group on the draft declaration.

## CONSTRAINTS

The Board can only award grants up to the amount of funds available at the time of its annual meeting. Furthermore, difficulties in obtaining the required visas and other logistical problems mean that each year certain beneficiaries are not able to attend the sessions. In 2005, 7 of the 26 beneficiaries were not able to attend the session of the Permanent Forum on Indigenous Issues, 4 of the 25 beneficiaries were not able to attend the session of the Working Group on Indigenous Populations, and 2 of the 9 beneficiaries were not able to attend the session of the Working Group on the draft declaration.

## EVALUATION AND IMPACT

In order to assess the impact of travel grants on indigenous communities, a reporting obligation was introduced for beneficiaries of the Fund. Questionnaires were distributed to beneficiaries who participated in the three 2005 meetings, as well as reminders to the beneficiaries who had participated in 2004. An analysis of the questionnaires revealed that the travel grants have a significant impact on many different levels. In many instances, indigenous people referred to positive changes in their communities following their participation in these meetings. They highlighted achievements of particular importance to them, including: opening a direct and constructive dialogue with government representatives, voicing the concerns of their communities, gaining more visibility and recognition, networking, building partnerships and learning from the experience of other indigenous peoples, meeting donors, and building their capacity to gain knowledge and exchange information.

Additionally, participants informed OHCHR about a wide range of follow-up activities, including human rights trainings and awareness-raising campaigns, many of which aimed to ensure that the wider community would share the benefits of their participation.



## STATEMENT OF INCOME AND EXPENDITURE UNVF INDIGENOUS POPULATIONS

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	637,616
Adjustment <sup>1</sup>	115,667
Income from contributions	329,680
Other funds available <sup>2</sup>	23,933
Total funds available	1,106,896
Expenditure <sup>3</sup>	199,031
<b>Closing balance<sup>4</sup></b>	<b>907,865</b>

<sup>1</sup> Includes adjustments to prior year expenditures, savings and refunds to donors.

<sup>2</sup> Includes interest income.

<sup>3</sup> Includes disbursements & unliquidated obligations as at 31 December 2005.

<sup>4</sup> Includes all funds held as at 31 December 2005.

## EXPENDITURE BREAKDOWN UNVF INDIGENOUS POPULATIONS

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	0	0
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	3,380	7,644
Commission members	26,858	42,209
Representatives and other participants	145,896	380,528
Contractual services	0	0
General operating expenses	0	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>176,134</b>	<b>430,381</b>
Programme support costs	22,898	55,949
<b>Total</b>	<b>199,032</b>	<b>486,330</b>

## VOLUNTARY CONTRIBUTIONS UNVF INDIGENOUS POPULATIONS

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Algeria	VF for Indigenous Populations	5,000	5,000
Australia	VF for Indigenous Populations	18,519	17,698
Brazil	VF for Indigenous Populations	10,000	10,000
Canada	Unearmarked	0	9,880
Chile	VF for Indigenous Populations	2,000	3,000
Denmark	VF for Indigenous Populations	53,191	53,393
Estonia	VF for Indigenous Populations	11,278	11,279
Finland	VF for Indigenous Populations	31,966	32,317
France	VF for Indigenous Populations	129,702	129,366
Japan	VF for Indigenous Populations	11,397	0
New Zealand	Unearmarked	10,000	10,000
Norway	VF for Indigenous Populations	47,923	47,330
Spain	VF for Indigenous Populations	50,715	0
Switzerland	VF for Indigenous Populations	114,504	0
<i>Other donors</i>			
Private donors	VF for Indigenous Populations	417	417
<b>Total</b>		<b>496,612</b>	<b>329,680</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## VOLUNTARY FUND FOR THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE

### BACKGROUND

The General Assembly proclaimed the International Decade of the World's Indigenous People, beginning on 10 December 1994, in its resolution 48/163 of 21 December 1993. In 1995 the General Assembly adopted a programme of activities with the main objective of strengthening international cooperation to solve problems faced by indigenous people in such areas as human rights, the environment, development, health, culture and education. The General Assembly identified further specific objectives, including the adoption of the draft United Nations declaration on the rights of indigenous peoples.

### OBJECTIVES

The Voluntary Fund for the International Decade of the World's Indigenous People was established by the General Assembly in its resolution 49/214 to support the activities of the High Commissioner for Human Rights, appointed as coordinator for the Decade. In collaboration with the advisory group, the coordinator allocated funds for the Decade to assist projects of indigenous organizations and to undertake activities through OHCHR such as seminars, workshops or human rights training, and publications, in line with the objectives of the Decade programme. The International Decade of the World's Indigenous People concluded in December 2004 and the review of activities over the ten years is contained in document E/CN.4/2006/77.

### IMPLEMENTATION

Although the Decade finished in 2004, a number of activities could not be completed by the end of the Decade and were therefore implemented during 2005.

During the Decade, OHCHR piloted a series of community-initiated and community-led training activities with indigenous groups, in which over 100 individuals were trained. The last of these occurred during 2005 in Mali and New Caledonia as

recommended by the advisory group of the Voluntary Fund at its last session in 2004. For these training activities, OHCHR provided small grants, advice and a resource person to provide training on international human rights mechanisms. In Mali, the training focused on elders within the community. In New Caledonia it brought together minority and indigenous groups. Through its participation, OHCHR is able to learn more about the realities of indigenous people and identify gaps in their work.

In addition, a publication was prepared by OHCHR to mark the end of the Decade and reflect the present situation of the human rights of indigenous peoples around the world. This publication was funded through the Voluntary Fund and was compiled during 2005. It is expected to be released in 2006.

### IMPACT AND ACHIEVEMENTS

The indigenous fellowship programme, initially supported by the Voluntary Fund for the Decade, has now been established as an annual activity of OHCHR and is financed by the regular budget of the United Nations. The initial Anglophone programme has been expanded to include a Spanish-speaking component run in cooperation with the University of Deusto in Bilbao, a French-speaking component run in cooperation with the University of Bourgogne in Dijon, and a Russian component organized in partnership with a local indigenous organization.

### EVALUATION AND LESSONS LEARNED

With the conclusion of the Decade, the High Commissioner, in her capacity as coordinator for the Decade, considers it important to maintain the momentum generated in the United Nations system with regard to indigenous issues. A list of activities recommended for inclusion in the Programme of Action for the Second International Decade of the World's Indigenous People was elaborated by the working group on indigenous populations and submitted to the Under Secretary-General for Economic and Social Affairs as the coordinator of the Second Decade for the World's Indigenous Peoples in July 2005.

## STATEMENT OF INCOME AND EXPENDITURE

### UNVF FOR THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	334,160
Adjustment <sup>1</sup>	-4,205
Income from contributions	9,534
Other funds available <sup>2</sup>	10,156
Total funds available	349,645
Expenditure <sup>3</sup>	56,458
<b>Closing balance<sup>4</sup></b>	<b>293,187</b>

<sup>1</sup> Includes adjustments to prior year expenditures, savings and refunds to donors.

<sup>2</sup> Includes interest income.

<sup>3</sup> Includes disbursements & unliquidated obligations as at 31 December 2005.

<sup>4</sup> Includes all funds held as at 31 December 2005.

## EXPENDITURE BREAKDOWN

### UNVF FOR THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	0	0
Experts/consultants' fees and travel	15,150	10,100
Travel:		
OHCHR staff	0	6,293
Commission members	0	0
Representatives and other participants	0	17,650
Contractual services	7,329	0
General operating expenses	30	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	27,454	277,676
<b>Sub-total</b>	<b>49,963</b>	<b>311,719</b>
Programme support costs	6,495	40,523
<b>Total</b>	<b>56,458</b>	<b>352,242</b>

## VOLUNTARY CONTRIBUTIONS

### UNVF FOR THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Algeria	VF for Decade of Indigenous People	5,000	5,000
Chile	VF for Decade of Indigenous People	0	1,000
Cyprus	VF for Decade of Indigenous People	3,117	3,117
<i>Other donors</i>			
Private donors	VF for Decade of Indigenous People	417	417
<b>Total</b>		<b>8,534</b>	<b>9,534</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

In addition, contributions were received from Chile (US\$ 1,000) and Estonia (US\$ 11,279) and transferred, with donor consent, to the second International Decade established and administered in New-York.

## VICTIMS OF SLAVERY

### BACKGROUND

The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery aims at extending humanitarian, legal and financial aid to individuals whose human rights have been violated as a result of contemporary forms of slavery, and allowing NGO representatives and victims of contemporary forms of slavery to participate in the deliberations of the Working Group on contemporary forms of slavery.

### OBJECTIVES

The programme primarily aims to provide direct assistance to victims of contemporary forms of slavery and to help free them from those conditions, as well as to contribute to a better understanding of the problem at the international level.

### IMPLEMENTATION

In accordance with the financial rules and regulations of the United Nations, the Fund is administered by the Secretary-General with the advice of a Board of Trustees. The Board is composed of five persons with relevant experience in the field of human rights and contemporary forms of slavery, who are serving in their personal capacity. The current members of the Board are: Mr. José de Souza Martins (Brazil), Ms. Prateep Unsongtham Hata (Thailand), Mr. Cheikh Saad-Bouh Kamara (Mauritania), Ms. Gulnara Shahinian (Armenia), and Mr. David Weissbrodt (USA). In 2005, the secretariat of the Fund implemented the recommendations adopted by the Board of Trustees at its 10th session, which were approved by the High Commissioner on behalf of the Secretary-General.

**Project grants:** 25 project grants were approved in 2005 and were used to support local NGOs who directly assist victims of contemporary forms of slavery in 15 countries in Africa, the Americas, Asia and Europe. They include medical care, food, shelter, and provision of other basic needs as well as assistance directed toward rehabilitation, such as counselling, vocational training and legal aid.

**Travel grants:** Seven travel grants were approved in 2005 for participants to attend the 30th session of the Working Group on Contemporary Forms of Slavery, which took place in June 2005 in Geneva. One of the travel beneficiaries was a victim of contemporary forms of slavery. The Working Group invited the Board of Trustees of the Fund to continue to promote the participation of individuals and organizations from as large a number of countries as possible at the annual sessions of the Working Group, taking into account the thematic focus of each session.

### CONSTRAINTS

The Board of Trustees can only approve grants up to the amount of available funds at the time of its annual meeting. The requests for assistance greatly exceed the available funds. In 2005, the fund received over 75 requests for travel and project grants, totalling over US\$ 620,000. The Fund was able to support 32 of these.

### IMPACT AND ACHIEVEMENTS

The distinctive value of the Fund is its ability to provide direct concrete assistance to victims of contemporary forms of slavery. The Fund provided small grants for grass-roots projects that offer humanitarian, legal, and financial aid to individuals whose human rights have been violated as a result of trafficking for the purpose of sexual exploitation, domestic servitude, child labour and bonded labour. Many of the projects targeted women and children. Examples of 2005 projects included: assistance enabling children to return to school by paying school fees, purchasing supplies and providing tutorial bridge classes; comprehensive assistance to victims of trafficking in welcoming centres, including housing, food, legal aid, psycho-social support, and medical care; and vocational training for former prostitutes.

## STATEMENT OF INCOME AND EXPENDITURE UNTF ON CONTEMPORARY FORMS OF SLAVERY

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	474,838
Adjustment <sup>1</sup>	19,128
Income from contributions	789,009
Other funds available <sup>2</sup>	14,702
Total funds available	1,297,677
Expenditure <sup>3</sup>	297,695
<b>Closing balance<sup>4</sup></b>	<b>999,982</b>

<sup>1</sup> Includes adjustments to prior year expenditures, savings and refunds to donors.

<sup>2</sup> Includes interest income.

<sup>3</sup> Includes disbursements & unliquidated obligations as at 31 December 2005.

<sup>4</sup> Includes all funds held as at 31 December 2005.

## EXPENDITURE BREAKDOWN UNTF ON CONTEMPORARY FORMS OF SLAVERY

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	0	0
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	0	0
Commission members	34,964	44,928
Representatives and other participants	10,983	24,361
Contractual services	0	0
General operating expenses	0	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	217,500	150,700
<b>Sub-total</b>	<b>263,447</b>	<b>219,989</b>
Programme support costs	34,248	28,599
<b>Total</b>	<b>297,695</b>	<b>248,588</b>

## VOLUNTARY CONTRIBUTIONS UNTF ON CONTEMPORARY FORMS OF SLAVERY

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Brazil	VTF on Contemporary Forms of Slavery	20,000	20,000
Chile	VTF on Contemporary Forms of Slavery	1,000	1,000
Canada	Unearmarked	120,492	112,557
Finland	Unearmarked	117,250	118,537
France	VTF on Contemporary Forms of Slavery	64,851	64,683
Greece	VTF on Contemporary Forms of Slavery	24,390	24,038
India	VTF on Contemporary Forms of Slavery	5,000	5,000
Japan	VTF on Contemporary Forms of Slavery	25,000	0
Luxembourg	VTF on Contemporary Forms of Slavery	18,138	18,029
Luxembourg	Unearmarked	97,025	91,463
Netherlands	VTF on Contemporary Forms of Slavery	323,529	323,529
South Africa	VTF on Contemporary Forms of Slavery	7,514	7,514
<i>Other donors</i>			
Private donors	VTF on Contemporary Forms of Slavery	2,669	2,659
<b>Total</b>		<b>826,858</b>	<b>789,009</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## VICTIMS OF TORTURE

### BACKGROUND

Since its establishment by the General Assembly in 1981, the United Nations Voluntary Fund for Victims of Torture has provided grants to specialized organizations that offer humanitarian assistance to alleviate the physical and psychological effects of torture on victims and their families. The Fund is administered by the Secretary-General, in accordance with the financial regulations of the United Nations, with the advice of a Board of Trustees.

The Commission on Human Rights in its resolution 2003/32 requested that an independent evaluation be conducted with a view to enhancing the effectiveness of the Fund. This evaluation was undertaken by the Office of Internal Oversight Services (OIOS) and two external consultants during 2004. The final report was presented in October 2004 and made available at the 61st session of the Commission on Human Rights (E/CN.4/2005/55).

### OBJECTIVES

- To extend support to organizations that provide medical, psychological, social and legal services to victims of torture.
- To continue implementing the recommendations made by the OIOS in order to strengthen the efficiency and effectiveness of the Fund.

### IMPLEMENTATION

Following recommendations by the OIOS in 2004, the Fund resumed its practice of funding training activities and seminars. The Fund's secretariat also implemented several of the OIOS' recommendations during 2005 and will continue to implement them in 2006. In particular, it has taken a more proactive approach to identifying potential Fund grantees by encouraging field presences to select suitable applicants. The Fund's Secretariat, OHCHR field presences and other United Nations partners conducted visits to 56 projects in 28 countries during 2005 and found that grants were generally used for their intended purpose.

The Board of Trustees initiated the first phase of the change in the funding cycle of the Fund. Grants were allocated to recipients for an eighteen-month period from January 2005 to June 2006. When the Board meets again in April 2006, it will allocate grants for the period July 2006 to December 2007. Thereafter, it will hold an annual session in October to allocate grants for the following year, thereby changing its cycle to match the calendar year. In August 2005, the Secretary-General appointed five new members to the Board, giving particular attention to gender balance and diversity of professional experience and expertise: Mr. Krassimir Kanev (Bulgaria), a human rights lawyer with a background in non-governmental organizations; Ms. Sonia Picado (Costa Rica), a human rights lawyer and president of the Inter-American Institute for Human Rights; Mr. Joseph Oloka-Onyango (Uganda), Professor of Law at Makerere University; Mr. Derrick Pounder (United Kingdom of Great Britain and Northern Ireland), Professor of Forensic Medicine, University of Dundee; Ms. Savitri Goonesekere (Sri Lanka), a human rights lawyer and former member of the Committee on the Elimination of All Forms of Discrimination against Women.

A grant has been provided to the University of Bern to prepare a book to commemorate the 25th anniversary of the Fund, and work on the book is well underway. The book will be launched on 26 June 2006, the International Day in support of victims of torture. New public information materials and a new web site will be derived from the book and will be available by the end of 2006.

An amount of US\$ 150,000 was approved by the Board of Trustees at its 23rd session for the purchase or design of a management system meeting the requirements of the Fund. At its 24th session, the Board recommended that a further US\$ 100,000 be set aside to provide the Secretariat with the technological support required. In July 2005, a computer expert was recruited to work on the computerization of the operations of the Secretariat of the Fund, which will allow for the generation of statistics on the number, gender and age of victims assisted, on the types of assistance provided by the various projects financed, and will make it possible for organizations to apply and report online.

At its 24th session, in April 2005, the Board of Trustees recommended the disbursement of funds for 186 projects providing assistance to victims of torture as set out in the table below.

<b>Region</b>	<b>Number of projects</b>	<b>Amount in US\$ in 2005</b>
Africa	24	554,500
Asia	22	745,000
Latin America and the Caribbean (GRULAC)	27	1,089,000
Eastern Europe	24	772,500
Western European and Other States	89	5,404,000
<b>TOTAL</b>	<b>186</b>	<b>8,565,000</b>

## CONSTRAINTS

Given the discrepancy between the amount requested by applicants from the Fund (US\$ 14.1 million) and the amount available, it should be noted that in most cases the Fund was able to support only 15% to 20% of the total budget submitted by organizations.

## IMPACT AND ACHIEVEMENTS

An evaluation of the impact of the Fund's activities was conducted, including an analysis of lessons learned and best practices. The evaluation highlighted the Fund's positive impact on victims of torture, but indicated that clarifications and changes in policies are needed to improve the Fund's effectiveness. Other recommendations relate to strengthening the role of the Board as a policy making organ, to stronger relations with donors, to an increased level of staffing, and to strengthening the management information systems to allow the secretariat to generate statistics based on information provided by beneficiary organizations. In 2006, the new Board of Trustees will review several policy papers prepared by the Secretariat and will identify priority areas among the OIOS recommendations that will require special attention from the Secretariat during the period 2006-2007.

## EVALUATION AND LESSONS LEARNED

Recommendations made by the OIOS in 2004 to enhance the effectiveness of the Fund have been progressively implemented and will continue to be acted on into 2007. Highlights of the implementation process during 2005 include:

- Building on recommendation 3 that grants should be awarded for training. In 2005 the Fund allocated US\$ 50,000 to 6 projects for training professionals assisting victims of torture;
- Recommendation 4 states that the Fund should attain a greater geographical balance in grant allocations and take a more proactive approach to identifying potential grantees. In 2005 the Board recommended that the Secretariat be more proactive in identifying organizations in developing countries that could be eligible for funding. The next session of the Board of Trustees in 2006 will further consider this issue;
- Pursuant to recommendation 11 on developing a systematic and ongoing monitoring and evaluation system, of the 238 currently active projects 178 have been evaluated by staff members of OHCHR and United Nations field presences since 2000. A schedule of visits has been established whereby all ongoing projects will have been visited by the end of 2006. Thereafter, follow-up visits will be undertaken every four to five years, or earlier if required;
- As directed by recommendation 13, work is continuing on strengthened financial monitoring including thresholds for audit reports;
- Five regional meetings with donors were organized in March 2005, pursuant to recommendation 16. Beneficiary organizations from the five regions were invited to brief donors on their activities which are supported by the Fund, hence illustrating the direct impact of the Fund on the lives of victims assisted; and
- Further to recommendation 8 on increased staffing, two staff members with strong management and information technology backgrounds were recruited.



## STATEMENT OF INCOME AND EXPENDITURE

### UNVF FOR VICTIMS OF TORTURE

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	2,644,876
Adjustment <sup>1</sup>	75,928
Income from contributions	10,035,496
Other funds available <sup>2</sup>	215,991
Total funds available	12,972,291
Expenditure <sup>3</sup>	6,546,474
<b>Closing balance<sup>4</sup></b>	<b>6,425,817</b>

<sup>1</sup> Includes adjustments to prior year expenditures, savings and refunds to donors.

<sup>2</sup> Includes interest income.

<sup>3</sup> Includes disbursements & unliquidated obligations as at 31 December 2005.

<sup>4</sup> Includes all funds held as at 31 December 2005.

## EXPENDITURE BREAKDOWN

### UNVF FOR VICTIMS OF TORTURE

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	55,207	3,434
Experts/consultants' fees and travel	0	131,825
Travel:		
OHCHR staff	50,830	60,135
Commission members	43,708	23,516
Representatives and other participants	10,263	1,157
Contractual services	232,000	0
General operating expenses	0	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	5,401,332	6,765,668
<b>Sub-total</b>	<b>5,793,340</b>	<b>6,985,735</b>
Programme support costs	753,134	908,146
<b>Total</b>	<b>6,546,474</b>	<b>7,893,881</b>

## VOLUNTARY CONTRIBUTIONS UNVF FOR VICTIMS OF TORTURE

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge US\$	Income US\$
<i>Governments</i>			
Algeria	VF for Victims of Torture	5,000	5,000
Andorra	VF for Victims of Torture	19,142	19,142
Argentina	VF for Victims of Torture	7,000	7,000
Armenia	Unearmarked	1,096	1,096
Austria	VF for Victims of Torture	39,735	39,866
Bahrain	VF for Victims of Torture	5,000	5,000
Belgium	VF for Victims of Torture	91,463	0
Bosnia and Herzegovina	VF for Victims of Torture	2,000	2,000
Canada	VF for Victims of Torture	50,403	50,403
Chile	VF for Victims of Torture	5,000	5,000
Costa Rica	Unearmarked	5,970	5,970
Cyprus	VF for Victims of Torture	6,706	6,706
Cyprus	Unearmarked	11,082	11,082
Czech Republic	VF for Victims of Torture	12,019	12,019
Denmark	VF for Victims of Torture	347,222	334,309
Finland	VF for Victims of Torture	176,116	178,049
France	VF for Victims of Torture	135,685	135,336
Greece	VF for Victims of Torture	24,390	24,038
Ireland	VF for Victims of Torture	188,206	188,206
Israel	VF for Victims of Torture	5,000	5,000
Italy	VF for Victims of Torture	288,462	282,327
Korea, Rep. of	VF for Victims of Torture	10,000	10,000
Liechtenstein	VF for Victims of Torture	8,850	8,850
Luxembourg	VF for Victims of Torture	22,639	20,468
Monaco	VF for Victims of Torture	10,000	10,000
Netherlands	VF for Victims of Torture	1,000,000	1,000,000
Norway	VF for Victims of Torture	159,744	157,767
Philippines	VF for Victims of Torture	4,319	4,319
Poland	VF for Victims of Torture	5,000	5,000
South Africa	VF for Victims of Torture	15,027	15,027
Spain*	VF for Victims of Torture	304,291	332,429
Slovenia	VF for Victims of Torture	3,000	3,000
Slovenia	Unearmarked	7,000	7,000
Switzerland	VF for Victims of Torture	38,168	0
Tunisia	VF for Victims of Torture	1,652	1,652
Turkey	VF for Victims of Torture	10,000	9,939
United Kingdom	VF for Victims of Torture	190,840	179,020
United States of America	VF for Victims of Torture	6,944,000	6,944,000
<i>Other donors</i>			
Private donors	VF for Victims of Torture	467	9,478
<b>Total</b>		<b>10,161,694</b>	<b>10,035,498</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

\*Pledge amount consists of a 2005 contribution and the income amount represents the payment of a 2004 pledge.



# ANTI-DISCRIMINATION

## BACKGROUND

The anti-discrimination unit (ADU) works to combat racism, racial discrimination, xenophobia and related intolerance. It also promotes equality and non-discrimination in its follow-up work on the implementation of the Durban Declaration and Programme of Action further to the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. To this end, ADU works with States, national human rights institutions, NGOs, youth groups, civil society and the media. It also works to mainstream the Durban Declaration and Programme of Action across the mandate of OHCHR and United Nations programmes and agencies.

## OBJECTIVES

The objectives are to: (i) strengthen the implementation capacity of ADU with regard to the Durban agenda; (ii) ensure follow-up to Durban by all concerned stakeholders; (iii) enhance the capabilities of the non-governmental sector, youth associations and national institutions; (iv) support the global initiatives promoted by the international community and the United Nations system; (v) facilitate the creation of partnerships among NGOs and between the non-governmental sector and international organizations; (vi) promote the participation of NGOs in the process of identifying emerging international trends.

## IMPLEMENTATION

### ◆ SERVICING THE DURBAN FOLLOW-UP MECHANISMS

The unit extended substantive and organizational support to the mechanisms established in the follow-up to the 2001 World Conference. In this regard, it organized the second meeting of the group of independent eminent experts in Geneva in February 2005. The Working Group on people of African descent undertook a country visit to Belgium in June 2005 and held its fifth session in August - September 2005.

### ◆ SEMINARS AND WORKSHOPS

Three regional seminars were organized with the aim of raising the awareness and interest of all stakeholders at the regional and international levels on ways and means available to combat racism, racial discrimination, xenophobia and related intolerance. A regional seminar for the Member States of the Economic Commission of Central African States (ECCAS) on combating racism, racial discrimination, xenophobia and related intolerance through inclusive participation in public life was held in Libreville, Gabon in July 2005. The second regional seminar on combating racism, racial discrimination, xenophobia and related intolerance through education and awareness-raising was held in Bangkok, Thailand in September 2005. The third seminar, a workshop on people of African descent for the American region, examined strategies for the inclusion of people of African descent in programmes to reduce poverty, especially to achieve Millennium Development Goal 1. It was held in Chíncha, Peru in November 2005. The planned seminar with the African Commission on Human and Peoples Rights was postponed to 2006 as the Commission and the African NGO forum were unable to host the seminar in 2005.

### ◆ RACIAL EQUALITY INDEX

The Commission on Human Rights requested that the High Commissioner for Human Rights expedite the consultative process on the possibility of developing a racial equality index, and submit a draft basic document on the proposed index at the 62nd session of the Commission. ADU conducted research to determine the conceptual and empirical aspects that should be taken into consideration in developing a racial equality index, and an external consultant was hired to carry out an in-depth study on the subject. A consultative process involving a broad range of stakeholders, including experts from United Nations agencies, regional organizations, NGOs and academic institutions was initiated. ADU also organized an experts' consultation workshop on the feasibility of developing a racial equality index in Geneva on 14 and 15 November 2005. This workshop provided a forum for experts to exchange views and share experiences.

#### ◆ PUBLICATIONS, AWARENESS-RAISING AND OUTREACH ACTIVITIES

A panel discussion on discrimination, hate crimes, and countering the violence of intolerance was organized on 21 March to mark the International Day for the Elimination of Racial Discrimination. Several activities also focused on publications. Following a workshop jointly organised by ADU and UNESCO, a book entitled *Dimensions of Racism* was published in English. The text has been translated into French and Spanish and will be published in due course. A consultant was contracted to develop a study on the integration or preservation of cultural identity in a multi-racial or multi-ethnic society, in line with the study called for by General Assembly resolution 49/146, to implement the Third Decade to combat racism and racial discrimination. In addition, ADU produced a leaflet in all United Nations official languages about its mandate and activities.

#### ◆ COOPERATION WITH THE UNITED NATIONS SYSTEM

During 2005, ADU cooperated with several organizations within the United Nations system, including UNESCO on their project titled "International Coalition of Cities against Racism". ADU attended the first and second meeting of the Steering Committee of the European Coalition as an observer in Paris on 28 February 2005, and London on 9 to 10 November 2005. From 5 to 6 July, ADU also participated in a working meeting between the Bangkok Municipal Authority and UNESCO for the preparation of a coalition of cities against racism and discrimination in Asia and the Pacific.

#### ◆ COOPERATION WITH NGOS, YOUTH AND OTHER ORGANIZATIONS

In April 2005 ADU staff participated in the European Union's annual conference to combat discrimination, which focused on access to justice and knowing, understanding and asserting rights to equal treatment. The unit was also represented at the Organization for Security and Cooperation in Europe's conference on anti-Semitism and other forms of intolerance in June.

#### ◆ TECHNICAL COOPERATION

ADU provided technical cooperation support in the form of small grants, under the Assisting Communities Together (ACT) project, to NGOs, grass-roots organizations and schools to set up education against racism initiatives. Grants were provided to organizations in Burundi, Cambodia, Chad, Colombia, Kyrgyzstan, Mauritania, Mongolia, Nicaragua, Romania, Serbia and Montenegro and Uruguay. The programme ended on 31 March 2005. Further information on the ACT project can be found in the section on the World Programme for Human Rights Education.

### CONSTRAINTS

ADU was faced with considerable staff turnover and remained understaffed for most of 2005. The workload of the staff members hampered the expansion of the unit's activities to meet the increased demand.

### IMPACT AND ACHIEVEMENTS

The activities of the ADU have improved inter-agency coordination in the field of anti-discrimination, and have also empowered NGOs and other civil society organizations on this issue. ADU also strived to give the three Durban follow-up mechanisms a heightened profile, to enhance functional linkages between them, and to create synergies with relevant treaty bodies and special procedures.

### LESSONS LEARNED

The effectiveness of work on this issue would be enhanced by greater sharing of information on the mandate and activities of ADU and of OHCHR on anti-discrimination, both within the United Nations system and with the general public. An inter-agency task force on anti-discrimination would be welcome for this purpose. Agency focal points on the Durban follow-up have been appointed, which is a first step towards a more institutionalized coordination of this process. While the increase in activities has contributed to OHCHR's efforts in the fight against discrimination, the unit has become aware of the increasing need to develop tools to address the social exclusion of victims

of racism, xenophobia and related discrimination, and to collect and disseminate information on relevant initiatives and good practices by various stakeholders. This work will be a focus during 2006-2007.

## FUNDING

In addition to voluntary contributions used to implement the above-mentioned activities, United Nations regular budget funds for the Durban Programme of Action were also used. Expenditures from the regular budget amounted to US\$ 655,543 in 2005.

### EXPENDITURE BREAKDOWN ANTI-DISCRIMINATION

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	121,588	233,297
Experts/consultants' fees and travel	45,019	18,180
Travel:		
OHCHR staff	34,033	38,856
Commission members	0	0
Representatives and other participants	118,056	117,034
Contractual services	34,468	16,999
General operating expenses	4,845	2,835
Supplies and acquisitions	0	1,582
Grants, contributions, fellowships and seminars	172,569	154,201
<b>Sub-total</b>	<b>530,578</b>	<b>582,984</b>
Programme support costs	76,828	68,455
<b>Total</b>	<b>607,406</b>	<b>651,439</b>



# STRENGTHENING THE CAPACITY OF OHCHR

## INTRODUCTION

Activities under this section represent core support to the work of OHCHR that are not funded by the United Nations regular budget. In 2005, these activities included:

- Executive direction;
- Resource mobilization;
- Communications and NGO liaison;
- Resource management;
- Planning, monitoring and evaluation;
- Information management and technology;
- Publications;
- Training and methodology; and
- Staff security.

Executive direction provided support to the High Commissioner and Deputy High Commissioner in implementing the vision outlined in the Plan of Action. Considerable focus was placed upon follow-up to the Plan of Action, preparation of the new Strategic Management Plan for 2006-2007 and the creation of the policy, planning, monitoring and evaluation section.

Resource mobilization worked to obtain predictable and timely funding for OHCHR. The unit aimed at securing contributions with less earmarking and fewer constraints, to provide the Office with maximum flexibility in responding to human rights challenges. A record amount of contributions were received in 2005 and income met our budgetary requirements – a welcome development.

The communications section was created in 2005, as a result of the merging of two units – public affairs and public information. The section's activities for the year focused mainly on the challenges resulting from this organizational restructuring, including the establishment of new staff posts and recruitment, and the development of a work plan. The section also worked to ensure

support to NGOs and a steady flow of public information about the activities of OHCHR. In future the NGO function will be expanded in its capacity to ensure a comprehensive, proactive and strategic approach which utilizes and empowers civil society to implement human rights.

In the area of resource management, OHCHR aimed to enhance transparency and to facilitate the effective use of both human and financial resources. This included the development of a financial data warehouse that facilitates access to information about the financial status of the Office; working towards the partial delegation of authority; and improving the interface between project management and financial management. In the area of human resources, activities focused on harmonizing the administration and recruitment processes for new posts, and on the regularization of current posts at OHCHR.

In 2005, the Office established an entirely new section for policy, planning, monitoring and evaluation. Activities in this area concentrated on establishing the section, designing posts and carrying out recruitment, and defining the section's functions. The section will be fully operational in 2006, and will be responsible for strategic planning, priority-setting, evaluation and reporting. It will monitor the organizational performance of OHCHR, making recommendations for areas and means of improvement as needed.

Information management and technology activities focused on the provision of high quality services to OHCHR staff at headquarters and in the field. Work in this area included field support activities, such as the creation of dedicated Internet sites for field offices, and continued enhancement of OHCHR's information technology services, including ongoing work on the Office's web site and on the development of databases on human rights issues.

OHCHR continued to produce fact sheets, professional training manuals, materials on human rights education, special issue papers, and reference and promotional material. Staff worked to ensure the wide availability of these publications in multiple United Nations official languages.

Training and methodology development at OHCHR consisted of staff induction activities and the development of training materials, including CD-ROM-based resource packages intended for use at both at headquarters and in the field; and human rights training materials for external audiences.

The security unit focused on coordinating its activities to ensure the safety of OHCHR staff within the broader United Nations security system, in line with established protocols and procedures.

In addition to the expenditures listed below, US\$ 5.9 million was spent under the United Nations regular budget for executive direction, programme support, and security and safety in 2005.

## STATEMENT OF INCOME AND EXPENDITURE STRENGTHENING THE CAPACITY OF OHCHR

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	3,583,215
Adjustment <sup>1</sup>	0
Income from contributions	8,415,594
Other funds available <sup>2</sup>	0
Total funds available	11,998,809
Expenditure <sup>3</sup>	7,687,195
<b>Closing balance<sup>4</sup></b>	<b>4,311,614</b>

<sup>1</sup> Includes adjustments to prior year expenditures, savings and refunds to donors.

<sup>2</sup> Includes interest income.

<sup>3</sup> Includes disbursements & unliquidated obligations as at 31 December 2005.

<sup>4</sup> Includes all funds held as at 31 December 2005.

## BUDGET AND EXPENDITURE STRENGTHENING THE CAPACITY OF OHCHR

This table indicates the budgeted amount for planned activities as per the Annual Appeal 2005 and mid-year revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 expenditure column corresponds to Annual Report 2004 while the 2005 column includes 2004-2005 balance of disbursements and unliquidated obligations (see page 9).

	Annual Appeal Budget US\$	Revised Budget US\$	Expenditure 2005 US\$	Expenditure 2004 US\$
Executive direction	999,033	645,805	611,766	350,613
Resource mobilization	1,174,522	908,702	803,141	841,206
Communications and NGO liaison	1,103,219	161,289	754,664	410,669
Resource management	2,616,402	2,677,179	2,228,776	1,418,586
Planning, monitoring and evaluation	0	289,575	2,514	3,679
Information management and technology	1,998,292	1,893,043	1,685,284	1,806,447
Publications	682,068	494,690	496,006	367,274
Training and methodology	716,420	572,717	429,600	306,714
Staff security	649,976	849,861	675,444	449,530
<b>Total</b>	<b>9,939,932</b>	<b>8,492,861</b>	<b>7,687,195</b>	<b>5,954,718</b>



## VOLUNTARY CONTRIBUTIONS STRENGTHENING THE CAPACITY OF OHCHR

This table refers to the total amount of voluntary funds pledged and income received in 2005.

	Earmarking/allocation	Pledge US\$	Income US\$
<i>Unearmarked contributions</i>			
Canada	Executive direction	0	105,769
	Resource management	0	140,120
Chile	Information management	8,000	8,000
Denmark	Resource management	103,863	100,000
France	Staff security	100,000	100,000
	Training and methodology	100,000	100,000
Ireland	Executive direction	150,000	150,000
	Publications	100,000	100,000
	Training and methodology	50,000	50,000
Lebanon	Publications	3,000	3,000
Netherlands	Executive direction	281,547	250,000
	Resource mobilization	50,034	44,428
New Zealand	Executive direction	120,455	120,455
Norway	Executive direction	50,627	50,000
	Information management	40,502	40,000
	Publications	142,835	141,067
	Training and methodology	202,507	200,000
	Staff security	202,507	200,000
San Marino	Executive direction	0	6,595
Spain	Staff security	0	175,305
	Resource management	0	200,000
Sweden	Publications	76,282	70,000
United Kingdom	Resource management	309,206	300,000
	Resource mobilization	41,227	40,000
	Information management and technology	876,083	850,000
<i>Earmarked to strengthening the capacity of OHCHR</i>			
Ireland	Resource mobilization	58,206	58,206
	Resource management	100,000	100,000
	Staff security	30,000	30,000
Norway	Resource management	319,489	315,533
Sweden	Resource mobilization	163,461	150,000
	Planning, monitoring and evaluation	260,868	239,386
United Kingdom	Executive direction	0	250,000
	Resource mobilization	0	641,418
	Public information	0	540,000
	Information management and technology	0	700,000
	Publications	0	200,000
	Resource management	0	1,500,000
<i>Specific earmarking</i>			
Finland	Plan of Action: protection and empowerment	120,627	121,951
Private donor	Plan of Action: protection and empowerment	24,390	24,361
<b>Total</b>		<b>4,085,716</b>	<b>8,415,594</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

## EXECUTIVE DIRECTION

### BACKGROUND

During 2005 the executive office coordinated and contributed to shaping OHCHR's broad policy and programme strategies in accordance with the goals of the High Commissioner as outlined in the Plan of Action, which was called for by the Secretary-General's report *In Larger Freedom* (A/59/2005). The Plan of Action identifies five areas needing greater attention from the Office in order to close the gap between normative standards and their implementation. These are: greater country engagement, enhanced human rights leadership, closer partnership with civil society and United Nations agencies, stronger support to the United Nations human rights programme, and strengthened management and planning for OHCHR.

### OBJECTIVES

The objectives of the executive office in 2005 were to provide support to the High Commissioner and Deputy High Commissioner in their leadership role and in articulating their vision, priorities and strategies; to strengthen the policy analysis capabilities of the executive office, as well as to establish a section dedicated to policy, planning, monitoring and evaluation to coordinate Office-wide implementation of the vision; to reinforce the High Commissioner's advocacy role along with improving OHCHR's overall communications capacity; and to broaden partnerships with the aim of ensuring more responsive engagement in the protection of human rights.

### IMPLEMENTATION

In 2005, the High Commissioner established a steering committee, chaired by her, to elaborate strategies for the implementation of the Plan of Action. Through the active work of twelve task forces, set up under the auspices of the steering committee, work was undertaken to consider specific aspects of the Plan and to produce proposals for their implementation, including detailed policy options and structural workflow. Drawing, inter alia, from the work of the steering committee, the executive office outlined the future direction of the Office by mapping out how it will change and organize itself, what projects it will implement,

and how activities are to be prioritized for the next biennium. A Strategic Management Plan (SMP) was developed to implement this new vision in 2006-2007. With the advantage of greater stability in OHCHR's leadership, a solid base for the implementation of the SMP has also been established in 2005, including through the consolidation of office procedures.

In October 2005 the executive office organized a retreat for OHCHR senior managers in order to set priorities to guide action in the mid-term. Following the identification of those priorities, and to operationalize the vision of the Plan of Action, the executive office devoted a significant portion of its work and activities to the preparation of the first ever SMP. The SMP for 2006-2007 articulates how the Office intends to promote the collective realization of the ideals of the United Nations and the Secretary-General's report *In Larger Freedom*. It details the means by which OHCHR will implement the vision presented in the Plan of Action. The SMP is a result-based management tool based on biennial planning, designed to align the voluntary contributions cycle with the United Nations regular budget cycle. It assumes a cross-branch, one office approach to implementing activities, and allows the Office to plan more effectively and to enter into longer term agreements with partners.

In an effort to develop a culture of evaluation, organizational strategic planning, and priority-setting in OHCHR, the executive office established a policy, planning, monitoring and evaluation section. This section is responsible for coordinating strategic planning, priority-setting and evaluation; ensuring that the findings of evaluations are used in future decision-making; formulating and monitoring recommendations on organizational performance; conducting risk assessments intended to facilitate audit planning; working with United Nations oversight bodies; and coordinating internal and external audit reviews and the implementation of recommendations.

Following the World Summit in September 2005, at which Member States pledged to double OHCHR's regular budget resources, the executive office led the preparation of a supplementary budget which was approved by the General Assembly. A number of other organizational changes were made in 2005. To make the Office's work on prevention more effective, the High Commissioner decided to move the Office's rapid response capacity to the Capacity Building and Field Operations Branch (CBB), to build stronger links with field operations. The executive office also began work on creating a stronger communications section

composed of an editorial and publications unit, a media unit and a web and audiovisual unit. This section, which will be fully staffed in 2006, will actively pursue a dynamic communications strategy that will raise awareness about human rights and OHCHR and will build public support for human rights principles.

During the year, staff members of the executive office were also responsible for immediate professional and secretarial support to the High Commissioner and Deputy High Commissioner. Staff members offered policy advice, carried out research, wrote speeches, and assisted with missions and ad hoc assignments as requested. The executive office maintains close contact with all branches within headquarters and the New York office, as well as with the United Nations Secretariat, and Member States represented in Geneva.

From January 2005 to December 2005, in addition to the High Commissioner and the Deputy High Commissioner, the executive office was composed of five professional staff, a junior professional officer and six general service staff.

## CONSTRAINTS

Serious delays in fully staffing the executive office resulted from the cumbersome recruitment system of the United Nations; OHCHR has no delegation of authority for recruitment. These delays, for example in the case of the speechwriter and some posts in the policy, planning, monitoring and evaluation section, had an impact on the assistance provided to both the High Commissioner and the Deputy High Commissioner.

## IMPACT AND ACHIEVEMENTS

The executive office coordinated the production of the Plan of Action, and supported the work of the steering committee and the task forces. It steered the development of the SMP to move towards the full implementation of the High Commissioner's vision. It also organized senior management retreats to foster a cross-branch, one office approach to planning and implementing OHCHR's activities. It established a policy, planning, monitoring, and evaluation section to ensure that the strategic vision of OHCHR is translated into concrete priorities and operational plans, and to promote more effective monitoring of the impact and results of OHCHR's activity. Finally, the executive

office led the preparation of a supplementary budget, which was approved by the General Assembly and resulted in the creation of 91 new posts.

## EXPENDITURE BREAKDOWN EXECUTIVE DIRECTION

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	476,423	303,719
Experts/consultants' fees and travel	47,843	0
Travel:		
OHCHR staff	20,684	541
Commission members	0	0
Representatives and other participants	0	0
Contractual services	-3,583	3,583
General operating expenses	1,022	-1,022
Supplies and acquisitions	2,452	0
Grants, contributions, fellowships and seminars	-3,456	3,456
<b>Sub-total</b>	<b>541,385</b>	<b>310,277</b>
Programme support costs	70,381	40,336
<b>Total</b>	<b>611,766</b>	<b>350,613</b>

## RESOURCE MOBILIZATION

### BACKGROUND

The resource mobilization unit in OHCHR is responsible for raising funds from voluntary contributions to meet the requirements of its Office-wide human rights programme, which are complemented by funding from the United Nations regular budget. Although one of OHCHR's major accomplishments in 2005 was to obtain a doubling of its regular budget resources, regular budget funding is still insufficient to cover OHCHR's full programme of work. Voluntary contributions therefore remain crucially important, rendering the work of the unit equally important.

Efforts have been placed on ensuring that donors who support OHCHR are supplied with adequate information to enable them to make important funding decisions, and with reporting that is transparent and accountable. The Annual Appeal and the Annual Report have become widely accepted tools of information that meet these expectations and have helped build donors' trust in OHCHR.

The Office continues to be dependent on a few donors and is continually working towards the expansion of the donor base to ensure that all governments and as many partners become donors to the United Nations human rights programme.

## OBJECTIVES

- Obtain predictable and timely funding for appropriate planning and implementation of OHCHR activities.
- Obtain flexible contributions with less earmarking and conditions.
- Expand the donor base.

## IMPLEMENTATION

- Advised the High Commissioner on funding strategies and issues and ensured the priorities of the High Commissioner were clearly communicated. Accompanied the High Commissioner on her first official visit to the European Commission and Parliament in April.
- Organized annual consultations to share information on human rights developments and the work of the Office and to discuss funding arrangements. In 2005, such consultations were held with the Netherlands, Finland, Sweden, Norway, Ireland, the United Kingdom, France, Switzerland and Belgium.
- Participated in the preparation for the Strategic Management Plan for 2006-2007. With the cooperation of the policy, planning, monitoring and evaluation section, coordinated activities necessary to the production of the Plan.
- Finalized the Annual Report 2004 on the implementation of activities and use of funds in 2004 and began preparation of the Annual Report 2005.
- Organized formal and informal briefings for Member States and donors to share information on the implementation of activities at the global, regional and country levels.
- Shared the results of the mid-year review with governments and adjusted programmes according to changed priorities and the availability of funds.
- Coordinated OHCHR input to the 2005 Consolidated Appeals Process (CAP) and the CAP 2005 Mid Year Review. Participated in the Inter-Agency Standing Committee CAP Sub-Working Group.
- Increased the number of joint resource mobilization initiatives, including Action 2 with UNDP, and the Study on Violence against Children with UNICEF.

- Coordinated the visit of the International Human Rights Funders Group, an umbrella organization for foundations that support human rights activities, at the fringes of the 61st session of the Commission on Human Rights. This proved to be a good opportunity to explore opportunities for future cooperation with foundations that are affiliated with human rights issues.
- Conducted a study with Think Consultancy Solutions to examine the feasibility, and the means, of obtaining funding from the private sector (individuals, corporations and foundations).
- Enhanced cooperation with mid-sized donors who could be expected to increase funding. Systematically addressed donors who made small contributions. Strengthened existing contacts, and developed new contacts, with current and potential donor governments.
- Continued efforts, with increased success, to obtain more contributions with light or no earmarking.
- Placed significant emphasis on negotiating funding agreements with less difficult conditions and in line with OHCHR's programme and reporting cycle.
- Carried out routine tasks, including following up on pledges and contributions, responding to donor requests, in particular with the preparation of ad hoc reports, updating relevant funding tables, and preparing numerous and appropriate briefing notes for the High Commissioner and senior management.

In 2005, the resource mobilization unit consisted of five professional staff, one junior professional officer, one fundraising assistant and a consultant.

## IMPACT AND ACHIEVEMENTS

The resource mobilization unit was able to secure a substantial increase in voluntary funding to OHCHR as compared with previous years. Contributions in 2005 amounted to US\$ 73.9 million, almost US\$ 14 million more than the amount raised in 2004. 59 governments, the European Commission, three United Nations agencies, one foundation and several private donors made contributions to the Office.

OHCHR received 59% of all pledged voluntary contributions in the first half of 2005, a slight increase over 2004. Of this, 17% was received in the first quarter and 42% was received in the

second. 25% of pledged contributions were received in the third quarter and 16% in the fourth, an improvement over 2004 when 27% of all pledged contributions were received in the final quarter of the year.

In 2005, the Office had multi-year agreements with the United Kingdom, Norway, Denmark, Switzerland, Belgium, France, the Netherlands, Canada and Sweden. These arrangements greatly improved the predictability of project planning and implementation.

Earmarking continued to decrease in 2005. The percentage of unearmarked contributions rose from 20% to 26%; tight earmarking fell from 14% to 6%. The Office will continue to encourage donors to make contributions that allow OHCHR maximum flexibility in responding to human rights challenges, especially in light of the new programmatic approach described in the Strategic Management Plan.

## EXPENDITURE BREAKDOWN RESOURCE MOBILIZATION

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	564,032	571,447
Experts/consultants' fees and travel	34,602	47,333
Travel:		
OHCHR staff	34,801	38,299
Commission members	0	0
Representatives and other participants	0	0
Contractual services	74,190	78,799
General operating expenses	1,716	4,505
Supplies and acquisitions	401	4,047
Grants, contributions, fellowships and seminars	1,004	0
<b>Sub-total</b>	<b>710,746</b>	<b>744,430</b>
Programme support costs	92,395	96,776
<b>Total</b>	<b>803,141</b>	<b>841,206</b>

## COMMUNICATIONS AND NGO LIAISON

### BACKGROUND

In June 2005 the public affairs and public information units were merged to create one communications section. Previously, projects in these two units focused on strengthening the Office's outreach capacity by telling the human rights story through the media, and by supporting the communications needs of the Office. From June 2005, the merged units focused on providing support to civil society organizations and strengthening OHCHR's communications capability through the creation of the new communications section, including the development of a new structure and new posts, and the consolidation of staff into one section. The new structure and focus will ensure a sound communications strategy, essential to improving the knowledge of human rights among rights-holders and to creating support for the work of the United Nations and OHCHR in promoting and protecting all human rights for all.

In 2005, the High Commissioner's Plan of Action identified the need for closer partnerships with civil society. During the year, the NGO liaison officer operated within the newly-created communications section. In future, a civil society unit will be created, which will incorporate recommendations made by the inter-Office task force on strengthening partnerships with civil society.

### OBJECTIVES

The overall objective of the section is to increase exposure to and raise awareness of the United Nations human rights programme among constituencies. This includes:

- Establishing the communications section;
- Increasing the flow and quality of public information emanating from the Office;
- Reaching a wider human rights audience;
- Making more strategic use of the media; and
- Facilitating access to OHCHR by civil society, particularly NGOs.

## IMPLEMENTATION

### Establishing a communications section

In line with recommendations made in the study commissioned by the Deputy High Commissioner on the staff and structure of a communications section, and as approved by the High Commissioner, existing staff concentrated their efforts on developing a work plan for the new section in line with the 2006/2007 biennium budget, and on activities related to recruitment for the new section.

### Increasing OHCHR public information

The section arranged numerous interviews with the High Commissioner, placed opinion pieces in the international media (including the International Herald Tribune and France's *Le Figaro*) and issued press releases and statements, including those made at the request of special procedures mandate-holders.

In addition to undertaking missions to accompany the High Commissioner (notably to China and the Russian Federation), the section represented OHCHR at the biweekly press briefings in Geneva. A new generic Office press kit folder and background information inserts were developed and disseminated to the press for use around Human Rights Day 2005.

### Reaching a wider human rights audience

The section regularly organizes briefings in all official languages for students, diplomats, journalists, public officials, academics, professors and NGOs. It also provides lectures for briefings organized by the United Nations Information Service in Geneva. As part of the working group at the United Nations Office at Geneva for the commemoration of the UN60, the section contributed to organizing and staffing an information stand and distributed various communications materials on the work of the Office in all official languages.

A UNTV mission to Colombia was planned and implemented to highlight the Office's activities in that country. The footage was then packaged for distribution in English and Spanish to various television networks worldwide and was featured as part of CNN World Report in conjunction with Human Rights Day 2005. The section also assisted the Commission on Human Rights members with media relations during the 61st session and provided media liaison support for the Sub-Commission.

### Strategic use of the media

As part of the section's ongoing activities, information officers regularly interacted with the media to establish working relationships, to facilitate coverage in the area of human rights and to seek feedback used to refine media engagement policies.

As a first step in developing OHCHR's communications, a project was conceived to help the Office articulate the essence of what it does, what it stands for and to distinguish it from other entities, such as the Commission on Human Rights and the Human Rights Council, in the minds of constituents. The modification of the OHCHR web site was also a priority and a tender was put out by UNOG to identify a qualified contractor. Proposals were evaluated in 2005 and the contract was awarded in January 2006.

In addition to developing a communications plan on the theme of torture and implementing Human Rights Day observance activities in Geneva and New York, the section conceived and developed a Human Rights Day web page on the Office's web site and provided global support to United Nations Information Centres, resident coordinators and OHCHR field presences for their various Human Rights Day observances.

### NGO liaison

The NGO liaison officer facilitated group and bilateral consultations between the High Commissioner, the Deputy High Commissioner and NGOs. In particular, the officer ensured that the practice of quarterly High Commissioner's meetings with a core group of Geneva-based/represented NGOs was maintained. Information was also shared with relevant NGOs in the context of the High Commissioner's country visits.

As in 2004, the NGO liaison officer managed relations with NGOs during the Commission on Human Rights and during the Sub-Commission for the Promotion and Protection of Human Rights. This resulted in the participation of 265 NGOs at the 61st session and the submission of 351 NGO written statements, 557 NGO oral statements, as well as 152 parallel events held on the margins of the Commission.

A Handbook for NGOs was conceptualized and developed throughout 2005 (Phase I), and obtained the endorsement of OHCHR's publication committee. The Handbook is expected to be released in the first half of 2006. The Handbook aims at providing user-friendly and detailed information on OHCHR's work and at guiding NGOs on the modalities for interaction with OHCHR.



An internal Office database of NGO partners was also conceptualized and developed throughout 2005 (Phase I) in order to systematize and collect information on those civil society partners with whom the Office has an established relationship. The database will be launched in April 2006.

## CONSTRAINTS

During 2005, the communications section was under-staffed and therefore unable to realize its full potential. The NGO liaison officer in particular had to balance the continuous task of liaising with NGOs, supporting their involvement during the former Commission on Human Rights and preparing the NGO handbook. Once all staff are recruited for the expanded communications section and the NGO unit is established, they will be equipped to implement more robust human rights promotion initiatives

## IMPACT AND ACHIEVEMENTS

Despite staffing constraints, the section successfully placed information on the High Commissioner's country visits into the international media. As part of its work on International Human Rights Day, the section ensured that all activities and publications, including the web site, emphasized the theme of torture. This contributed to the salience of the Office's work on torture in the international media. The section also met the public demand for information on the Office and its work through the organization and delivery of numerous briefings and the production of a generic information folder.

The NGO liaison function has been acknowledged repeatedly by civil society partners and OHCHR staff have welcomed the effort to systematize and collect knowledge on civil society partners and create one comprehensive database.

## EVALUATION AND LESSONS LEARNED

Following the strategic vision and direction as outlined in the High Commissioner's Plan of Action, the Office will focus increasingly on implementation. There is therefore a need for a dynamic communications strategy. When fully staffed in 2006, the larger

communications section will be better able to develop strategic outreach plans and proactively leverage communications activities on the work of the Office and human rights issues in the international media. With the new communications structure in place, the section will be able to better use its voice to advocate for human rights and to improve the public's understanding of what the Office is and does.

### EXPENDITURE BREAKDOWN COMMUNICATIONS AND NGO LIAISON

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	325,548	313,797
Experts/consultants' fees and travel	143,031	36,459
Travel:		
OHCHR staff	23,328	6,306
Commission members	0	0
Representatives and other participants	0	0
Contractual services	140,912	1,600
General operating expenses	1,082	841
Supplies and acquisitions	33,944	4,421
Grants, contributions, fellowships and seminars	0	0
<b>Sub-total</b>	<b>667,845</b>	<b>363,424</b>
Programme support costs	86,819	47,245
<b>Total</b>	<b>754,664</b>	<b>410,669</b>

## RESOURCE MANAGEMENT

### BACKGROUND

The project to strengthen resource management in OHCHR, which began in the spring of 2001 following recommendations made by internal and external auditors, aims to improve and rationalize the management of OHCHR's resources, both human and financial, in order to achieve greater cost-efficiency, transparency and effectiveness. The project focuses on enhancing transparency by strengthening the Office's internal and external reporting mechanisms, including its procedures for reporting to donors. OHCHR's capacity to administer and direct a range of extra-budgetary activities was also a key target for improvement. Steps were taken to increase the level of



technical and advisory support provided to senior, programme and project managers. The grants committee, which was initially established in April 2001 to review grants requested by external entities, was revised in September 2005 and new procedures were approved to expand the number of institutions eligible for grants. The new procedures include a tracking system to better monitor the reporting requirements and therefore determine the progress made by grant recipients.

2005 was a major transition year for OHCHR, which increased the challenges faced by the Office in achieving more effective resource management, while also laying the groundwork for future improvements. The post regularization process, whereby 132 posts at OHCHR were reviewed, required a significant effort on the part of the Administration and Management Service, but will ensure greater stability of human resources and allow for increased improvements to management.

## OBJECTIVES

- Provide daily support and advice to OHCHR staff on budgeting, financial monitoring, control and reporting.
- Ensure adequate recording, follow-up and implementation of all OHCHR's voluntary contributions in line with donor requirements and Office priorities, providing information to donors on the use of contributions in the mid-year review and the Annual Report.
- Enhance project management in OHCHR through training and advice, and updating manuals and guidelines, with special focus on the technical cooperation programme.
- Provide daily support and advice to managers and staff on all human resource issues, including recruitment and staff administration.
- Continue to develop a web-based database system capable of supporting these functions, in close cooperation with United Nations partners.

## IMPLEMENTATION

### Development of the data warehouse

As part of the recent restructuring of OHCHR, the information technology and management section was moved from the Research and Right to Development Branch to the Administra-

tion and Management Service. OHCHR has been working on a financial data warehouse that will facilitate access to information about the financial status of the Office and improve the interface between project management and financial management. In 2005, development of the data warehouse focused on constructing three modules and putting them into operation: the contribution module, the financial module and the grants management module. The contribution module and the financial reporting module were put into operation in May and August 2005 respectively.

The contribution module gives project managers easy access to up-to-date information about pledges and contributions, and facilitates the extraction of various donor-specific contribution reports. This allows OHCHR to be more responsive to donors' requests for reports and helps donors make targeted funding decisions. This module also contains reports that will assist with the formulation of the Strategic Management Plan (SMP) and the Annual Report.

The financial module, which includes data on expenditures and the availability of funds, enabled access to financial information by programme managers and financial officers. Performance reports on all OHCHR programmes were also made available. The financial module was re-engineered to reflect the changes in budgetary and financial reporting resulting from the High Commissioner's Strategic Management Plan for 2006-2007.

In close cooperation with the United Nations Voluntary Fund for Victims of Torture, development of the grants management module began. The administration module has been developed and is in the testing phase. The web-enabled grants application module is scheduled to be completed in the second half of 2006. This will be followed by trial and testing of the application by in-house staff and NGOs for an additional period of six months.

### Financial monitoring and contributions management

Financial data for all extra-budgetary projects was prepared and distributed to senior managers and project managers to assist them in monitoring the progress of programme and project implementation. Financial data for all projects was prepared to be included in the Annual Report and Mid-Year Review, and data sets and cost plans were provided for the development of the SMP.

Financial data and reports were also given to interested parties, including donors and other governmental bodies. Substantive branches received advice and support in the areas of budget preparation, cost plans for project documents, allotment requests, the payments process, grants and other related areas. Coordination with implementing agencies such as UNDP and UNOPS enhanced their reporting on expenditures incurred on behalf of OHCHR.

### Grants Committee

The Grants Committee reviewed each grant agreement prepared by substantive branches, considering the following issues: the relationship of the requested grant activity to OHCHR's mandate and work programme; the legal implications for the United Nations and OHCHR; the appropriateness and correctness of the budget/cost plan; and the previous performance of the proposed grantee (including promptness and compliance in submitting satisfactory activity, financial, and audit reports). The Grants Committee followed up with the substantive branches regularly to request the submission of outstanding grantee reports. Tracking tables and minutes of the Grants Committee meetings were posted on the Intranet to permit monitoring by all OHCHR staff.

### Human resources management

During the reporting period, the Administration and Management Service provided assistance to OHCHR staff on all personnel-related issues as well as on questions related to staff administration. Advice was provided on the management and implementation of the human resources action plan, including targets for vacancies, achieving the geographic and gender balance, and increasing opportunities for mobility between Geneva and the field.

Programme managers were actively drawn into the staff selection process. This included posting vacancies, selecting candidates through the Central Review Body Procedures, providing support to programme managers during the interviewing and selection process and assisting with the use of the Galaxy system. In cooperation with senior managers and UNOG, job descriptions of the 132 core posts in Geneva and the field that were included in the post regularization exercise were reviewed. In accordance with United Nations requirements, the Administration and Management Service ensured that posts at the P3 to P5 level funded by voluntary contributions were posted on the

Galaxy system. In addition, over 3,000 applicants who applied for the posts and participated in the selection process were pre-screened.

A new Advisory Review Panel (ARP) was established to provide oversight and transparency on the selection of candidates for those vacancies not covered by other review bodies. The human resources section provided the secretariat for the Panel and further reviewed the panel's rules of procedure, composition and working methods, including eligibility requirements.

## CONSTRAINTS

The Office operates with virtually no authority to enter into commitments for its activities. The administrative processes are restrictive and impact on OHCHR's operational effectiveness. Consistent with the efforts to strengthen administration, the Office requested limited delegation of authority in the areas of finance and human resources. Gaining such authority will have a significant effect on the Office's ability to implement programmes and projects more efficiently.

## IMPACT AND ACHIEVEMENTS

The Administration and Management Service supported the preparation of the SMP by providing necessary data, such as financial resources and human resources requirements. Support for the implementation of human rights activities in the field was strengthened, and staff participated in the assessment mission and the opening of the office in Nepal.

### Data warehousing

Through the development of the financial data warehousing project, managers now have easy and up-to-date access to project-specific financial information and to the overall financial situation of the office. The finance section is able to track donor contributions and report in a more effective and efficient manner. Data warehousing facilitates the project review process by automatically generating the reports required for the process, thereby minimizing the need for laborious manual production of reports.

The grant management module provides an environment to readily share and update important grants-related project details, to ensure that the most recent funding, tracking and assessment information is always available to trustees and in-house staff.

### Finance and budget

The financial data provided on a regular basis help senior managers and project managers in the implementation and monitoring of their respective activities. Senior managers are able to obtain general information on overall performance in both their area of responsibility and for the Office as a whole.

The Administration and Management Service supported the production of three main documents: The Mid-Year Review, the Strategic Management Plan, and the Annual Report. These documents assist stakeholders in obtaining a comprehensive picture of OHCHR's objectives, activities and resource requirements.

### Human resources

With the completion of the post regularization exercise, measures were developed to harmonize the administration and recruitment processes for all posts and to promote opportunities for mobility between Geneva and the field. The exercise regularized the status of 102 staff members leading to increased stability and career prospects. Increased support in human resources management has made the recruitment process in OHCHR more transparent, effective and professional, while adhering to the applicable regulations and rules.

## EVALUATION AND LESSONS LEARNED

The Board of Auditors conducted an operational audit in 2005. It recommended that OHCHR pursue efforts to have its partners submit reports on the utilization of grants in a more timely manner. In this regard, tracking tables were developed and made available on the Intranet for monitoring purposes. The audit team also recommended improvements in reporting to donors which OHCHR has implemented.

The development of prototype data warehouse modules helped the IT unit receive early feedback on the system concepts from users, which reduced the time required for the redesign of the module and expedited the overall development process. In

December 2005, the IT unit conducted in-house consultations and training on the data warehouse modules for each branch. The feedback from the exercise will be used for the enhancement of the modules planned for 2006.

## EXPENDITURE BREAKDOWN RESOURCE MANAGEMENT

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	1,869,039	1,085,774
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	27,206	29,248
Commission members	0	0
Representatives and other participants	0	0
Contractual services	32,389	91,757
General operating expenses	0	0
Supplies and acquisitions	43,734	3,607
Grants, contributions, fellowships and seminars	0	45,000
<b>Sub-total</b>	<b>1,972,368</b>	<b>1,255,386</b>
Programme support costs	256,408	163,200
<b>Total</b>	<b>2,228,776</b>	<b>1,418,586</b>

## PLANNING, MONITORING AND EVALUATION

### BACKGROUND

The establishment of a centrally-placed section devoted to policy, planning, monitoring and evaluation has been recognized as a need for a long time. In 2005, OHCHR's Plan of Action reiterated this need and identified the creation of such a section as one of OHCHR's priorities.

### OBJECTIVES

- Coordinate strategic planning and facilitate priority-setting including for headquarters and field activities.

- Ensure congruence among programmatic, budgetary and organizational structures of the Office.
- Monitor progress against adopted plans and assess how resources are best used to achieve established objectives.
- Ensure a systematic approach to evaluations and lessons learned to determine the relevance, impact and sustainability of activities in relation to established mandates and objectives.
- Contribute to policy and strategy formulation using evaluation results.
- Set standards for planning, monitoring and evaluation, and promote a self-evaluation and results-based culture.
- Liaise with United Nations oversight bodies, manage audits and monitor and report on the implementation of their recommendations.

## IMPLEMENTATION

In 2005, OHCHR undertook internal discussions and solicited expert advice to define the functions and structure of the new section. Job descriptions were drafted and posts were advertised to be funded by voluntary contributions. At the same time, human resources were requested under OHCHR's supplementary budget to support the recommendations of the outcome document approved at the World Summit in September 2005. As a result, the General Assembly approved two new regular posts for the section: the head of the section and a planning officer. Four new professional posts were created and advertised: a senior evaluation officer, a senior policy officer, a programme planning officer and a programme management officer.

The recruitment process for these posts was well advanced in 2005 and will be completed in early 2006. The section is responsible for: systematic situation and policy analysis leading to the development of internal and external policies on human rights issues; coordinating strategic planning, priority setting and evaluation; ensuring that the findings of evaluations are used in future decision-making; formulating and monitoring recommendations on organizational performance; conducting risk assessments intended to facilitate audit planning; working with United Nations oversight bodies; and coordinating internal and external audit reviews and the implementation of recommendations.

The policy, planning, monitoring and evaluation section will only be fully staffed and operational in 2006. However, 2005 already witnessed a major achievement in this area with the design and implementation of a completely new planning process, resulting in the first High Commissioner's Strategic Management Plan (SMP). In 2005 the planning process was redesigned to ensure a programmatic, results-based, one office approach, with priorities and programmes driving projects and activities. Consequently, the Office moved to a two-year, comprehensive planning cycle for all OHCHR's activities, regardless of funding source (voluntary contributions or regular budget funds).

The Strategic Management Plan which resulted from this process provides the comprehensive direction and programme for 2006-2007 to implement OHCHR's vision for the next five to six years as defined in the Plan of Action.

## CONSTRAINTS

Although professionals from other branches were temporarily assigned in the policy, planning, monitoring and evaluation section, the section was not properly staffed during the year. Especially important was the lack of a head of section to lead the work in this pioneering area.

## IMPACT AND ACHIEVEMENTS

- The establishment of a solid basis for the functioning of a policy, planning, monitoring and evaluation section.
- The design and implementation of a completely new planning process, resulting in the first ever High Commissioner's Strategic Management Plan for 2006-2007.

## EXPENDITURE BREAKDOWN PLANNING, MONITORING AND EVALUATION

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	0	0
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	2,225	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	0	0
General operating expenses	0	0
Supplies and acquisitions	0	0
Grants, contributions, fellowships and seminars	0	3,516
<b>Sub-total</b>	<b>2,225</b>	<b>3,516</b>
Programme support costs	289	163
<b>Total</b>	<b>2,514</b>	<b>3,679</b>

## INFORMATION MANAGEMENT AND TECHNOLOGY

### BACKGROUND

Information management activities, which consist of gathering, analysing, organizing and disseminating information, constitute an important part of human rights work. OHCHR is striving to be a leader in providing accurate and relevant human rights information, by using high quality, advanced technologies.

Within OHCHR, information management and technology services and systems have consistently formed part of the underlying Office infrastructure. Highly accessible, reliable, and secure information management and technology systems and services are the basis of all human rights work. Relevant stakeholders of the Office demand efficient systems, quality services, and productive tools in order to meet the challenges of working in the field of human rights. Traditionally these services were provided to OHCHR colleagues in Geneva during standard working hours. Today, with support from the International Computing Centre,

services are provided 24 hours a day, 7 days a week to sustain all Office activities including leadership, partnership, meetings, rapid responses, field presences and country engagement.

### OBJECTIVES

In addition to the financial data warehousing activities described above, the objectives in the area of information management and technology for 2005 were to:

- Develop and maintain comprehensive web-based information management and technology systems.
- Develop a generic web-based human rights protection database.
- Integrate the IT management and general administration of electronically stored information.
- Develop high quality information and knowledge sharing systems so that OHCHR staff (both at headquarters and in the field), United Nations agencies, Member States, NGOs and the general public, have easier access to documents and information.

The general vision of the Office is to focus on developing and improving information management and technology systems in the field of human rights. The key areas of focus are:

- *Infrastructure*: to provide more integrated information and communication technology services to headquarters and the field managed by high quality outsourced resources, including service providers, vendors and partners.
- *Human rights applications*: to enhance application systems for charter-based bodies, treaty bodies, complaint procedures, and rights holders via work with OHCHR and stakeholders.
- *Key enterprise systems*: to adopt and enforce the use of an OHCHR enterprise resource planning system which would be easily integrated with that of the United Nations system.
- *Office systems*: to improve the integration between OHCHR's office systems and the United Nations systems in the areas of information and knowledge management, document management and workflow.

### IMPLEMENTATION

- High quality and accessible information management and technology services were continuously provided to staff.

- Human rights database development continued. Systems for thematic mandates, 1503 procedures, disappearances and communication procedures were significantly enhanced.
- 32 new Extranet sites were set up, providing storage and access to secure information for United Nations human rights and Office meetings, task forces, human rights special interest groups, partners and OHCHR staff members.
- Field support activities continued, providing necessary systems and services to field offices and integrating the work of the field presences with that of headquarters and other locations. Standardization of e-mail addresses for all Office staff began. Dedicated Internet sites for field presences were created, in order to store information specific to particular regions. The Intranet was expanded to include field presence modules, in order to provide data for field presences that would be visible to all Office staff members. Information and communication technology system support for rapid response situations in Darfur and Nepal was developed and made available. Secure Socket Layer Virtual Private Network services were provided to Office staff in the field, allowing staff members to securely access the full range of information and tools required to perform their duties.
- The OHCHR web site was continuously enhanced: its general structure and content were analysed and improved; individual country pages were created to provide detailed information, including links to official documents, maps, ratifications and reservations; the search mechanisms available on the Internet were improved, both for generic search by keyword, as well as for specific search categorized by country, theme and mandate; and the usability of the Internet site was enhanced.
- Information management and technology governance procedures were established: an OHCHR information and communications technology committee was reinstated in order to provide Office-wide governance for information management and technology projects, procedures, and services.

In terms of managing partnerships, basic telephone and computer network infrastructure elements, including switches and cables, are provided by the United Nations Office at Geneva (UNOG). Building blocks of the Information Technology infrastructure, including servers, security, field connectivity and support services, are provided by the United Nations International Computing Centre (ICC). Regular and ad hoc meetings between the section and service partners serve as coordination

mechanisms to monitor operations, exchange views and ideas and solve problems.

## CONSTRAINTS

Due to financial limitations, the Office was not able to provide the entire OHCHR Internet site in Arabic, Chinese and Russian. In order to satisfy more users, however, the Office made the United Nations human rights documents available in all six official languages of the United Nations through the English language web site.

## IMPACT AND ACHIEVEMENTS

The availability of Extranet sites proved to be extremely successful. Through the use of Extranets, internal and external partners were able to store and share data in a secure location. The most influential Extranet was implemented for the 61st session of the Commission on Human Rights in March 2005. There are now 42 individual Extranet sites maintained for specific parties, including for the Committee against Torture, the board of trustees of the Voluntary Fund for Technical Cooperation in the Field of Human Rights, human rights in development and humanitarian action, and special procedures mandate-holders.

High quality, accessible and secure information management and technology services were continuously provided to Office staff. Increased availability and reduced downtime were provided for internal and external systems. In addition, the partnership with the International Computing Center, which is providing network and help desk services, has been strengthened and further developed to optimize the services provided to staff.

Activities focused on field support greatly improved the integration of the work of field presences and that of OHCHR headquarters and other locations, as well as partnerships with other actors in the field of human rights. The creation of dedicated spaces on the Internet and Intranet for field presences provided easy storage and access to categorized information specific to particular field presences, helping to highlight the specific areas the field offices are engaged in. In addition, rapid response activities for field presences in Darfur and Nepal served as a basis for determining future IT-related rapid response services.



## EXPENDITURE BREAKDOWN

## INFORMATION MANAGEMENT AND TECHNOLOGY

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	63,224	123,390
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	7,893	6,043
Commission members	0	0
Representatives and other participants	0	0
Contractual services	40,092	132,412
General operating expenses	10,256	0
Supplies and acquisitions	310,267	253,881
Grants, contributions, fellowships and seminars	1,059,668	1,082,900
<b>Sub-total</b>	<b>1,491,400</b>	<b>1,598,626</b>
Programme support costs	193,884	207,821
<b>Total</b>	<b>1,685,284</b>	<b>1,806,447</b>

## PUBLICATIONS

## BACKGROUND

The publications programme aims to raise awareness about human rights and to provide information on ways of promoting and protecting them worldwide. It therefore continues to produce a variety of human rights-related materials, including: fact sheets, which provide concise information on a wide range of subjects; special issue papers, which explore specific subjects in greater depth; training and educational material, consisting of guides, manuals and handbooks for professional groups, educational institutions, civil society, indigenous peoples and minorities and United Nations staff; reference material, which provides researchers and law practitioners access to key human rights instruments and other essential information; and promotional material to inform the general public about the United Nations' work on human rights.

## OBJECTIVES

- Provide support to the High Commissioner for Human Rights in her advocacy role, particularly with respect to topical human rights issues and challenges.
- Present the general public with basic information on human rights and the work of OHCHR.
- Distribute training and educational material for use by professional groups and educational institutions.
- Disseminate human rights information and reference material among Member States, United Nations human rights mechanisms and experts, international organizations, NGOs, universities and research institutes.

The overall long-term objective is to rationalize and strengthen the OHCHR publications project as a whole, with strategically chosen, high quality publications.

## IMPLEMENTATION

In 2005, OHCHR revised a number of outdated publications and issued new ones (see below). Its publications list now contains 101 publications, which are available in some or all official languages of the United Nations. The list also serves as an order form. It is updated every month, posted on the OHCHR web site and distributed at meetings, conferences and major events. During 2005, well over 150,000 publications were distributed to 119 countries. Most were fact sheets and professional training series publications, particularly in Arabic, English, French and Spanish. The main recipients include governments, international organizations, NGOs, academic institutions and the general public. An increasing number of publications are now accessible on the OHCHR web site.

## Fact Sheets

No. 15/Rev.1, *Civil and Political Rights: The Human Rights Committee* (in Arabic, Chinese, English, French, Russian and Spanish).

No. 24/Rev.1, *The International Convention on Migrant Workers and its Committee* (in English).

No. 30, *The United Nations Human Rights Treaty System: An introduction to the core human rights treaties and the treaty bodies* (in Chinese, English and Russian).



### Professional Training Series

No. 11, *Human Rights and Prisons: Manual on Human Rights Training for Prison Officials* (in Arabic, English, French and Russian).

No. 11/Add.1, *Human Rights and Prisons: Compilation of International Human Rights Instruments concerning the Administration of Justice* (in Arabic, Chinese and English).

No. 11/Add.2, *Human Rights and Prisons: Trainer's Guide on Human Rights Training for Prison Officials* (in Arabic, English, French and Russian).

No. 11/Add.3, *Human Rights and Prisons: Pocket Book of International Human Rights Standards for Prison Officials* (in Arabic, Chinese, English, French, Russian and Spanish).

No. 12, *Economic, Social and Cultural Rights – Handbook for National Human Rights Institutions* (in English).

No. 13, *Human Rights – Handbook for Parliamentarians* (published jointly with the Inter-Parliamentary Union) (in English and French).

### Human rights education series

No. 4/Rev.1: *ABC: Teaching Human Rights – Practical activities for primary and secondary schools* (in Spanish).

### Special issue papers

*Human Rights and World Trade Agreements: Using general exception clauses to protect human rights* (in English).

*Indigenous peoples' right to adequate housing: A global overview* (published jointly with UN-HABITAT) (in English).

*Embedding Human Rights in Business Practice* (published jointly with the United Nations Global Compact) (in English).

*Dimensions of Racism* (published jointly with UNESCO) (in English).

*Assessing the Effectiveness of National Human Rights Institutions* (published jointly with the International Council on Human Rights Policy) (in English, French and Spanish).

### Reference material

*Compilation of documents or texts adopted and used by various intergovernmental, international, regional and subregional organizations aimed at promoting and consolidating democracy* (in English).

*Selected Decisions of the Human Rights Committee under the Optional Protocol (vol. IV)* (in French, Russian and Spanish).

*Selected Decisions of the Human Rights Committee under the Optional Protocol (vol. V)* (in English).

*Selected Decisions of the Human Rights Committee under the Optional Protocol (vol. VI)* (in English).

### Promotional material

*The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery* (in English).

## CONSTRAINTS

The implementation of a forward-looking publications policy and strategy is impeded by the heavy workload of the UNOG Conference Services Division, which is not always in a position to provide all the services (i.e. translation, design and printing) agreed as part of the regular budget. However, voluntary contributions have enabled OHCHR to use the services of external translators, designers and printers to bypass some of the bottlenecks.

## IMPACT AND ACHIEVEMENTS

Demand for OHCHR publications, particularly in Arabic, increased during the reporting period. The quality and availability of publications improved significantly during 2005 and the in-house editor ensured greater readability and consistency of style. The publications assistant streamlined the publishing process. The publications distribution clerk helped to eliminate the backlog in responding to requests for OHCHR publications and ensured their timely distribution and dispatch. All three posts are financed by voluntary contributions. In addition, an information desk clerk assists the publications distribution clerk through United Nations regular budget funding.

To ensure the publications' targeted dissemination, a distribution strategy is developed for each new publication by the publications team and the OHCHR colleagues in charge of the publication. As a result of these efforts and developments, the Office's selection of publications and its ability to meet worldwide demand have greatly improved.

## EXPENDITURE BREAKDOWN PUBLICATIONS

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	216,558	271,595
Experts/consultants' fees and travel	18,255	12,585
Travel:		
OHCHR staff	921	0
Commission members	0	0
Representatives and other participants	0	0
Contractual services	138,886	20,551
General operating expenses	0	290
Supplies and acquisitions	-1,875	20,000
Grants, contributions, fellowships and seminars	66,200	0
<b>Sub-total</b>	<b>438,945</b>	<b>325,021</b>
Programme support costs	57,061	42,253
<b>Total</b>	<b>496,006</b>	<b>367,274</b>

## TRAINING AND METHODOLOGY

### BACKGROUND

OHCHR, like all international organizations, needs policies and methodologies to guide its activities, particularly at a time when it is undergoing important change. To meet increasing demand for human rights services, especially in the field and from other United Nations agencies, OHCHR needs strengthened training resources and methodology including the development of tools such as manuals and practical guidelines.

With regard to human rights training, which is a major aspect of OHCHR's work at the international, regional and field levels, there is a need to foster a more coherent and coordinated approach across the various OHCHR branches. There is also a need to support the Office through the development of training materials and of a consolidated training capacity within the Office. Staff training is a relatively new area for OHCHR and needs to be strengthened with the establishment of induction and specialized programmes.

In addition to what is reported here under this project, other human rights education and training development activities

undertaken by the methodology, education and training unit are reported under the sections "World Programme for Human Rights Education" and "Strengthening Human Rights in Peace Operations" in the chapter Thematic Human Rights Challenges.

### OBJECTIVES

The long-term objective of the project is to enhance the capacity of OHCHR and other agencies and actors to promote and protect human rights through provision of guidance, training and relevant tools.

The specific objectives are as follows:

- Strengthen OHCHR's organizational capacity in human rights training, including its methodology;
- Ensure availability of practical and effective manuals and other training materials for use by OHCHR and other agencies;
- Integrate human rights into humanitarian work; and
- Enhance the capacity of United Nations Country Teams to set up or strengthen national human rights promotion and protection systems.

### IMPLEMENTATION

#### Organizational capacity in human rights training

To strengthen OHCHR's capacity to effectively deliver training on multiple human rights issues and enhance the training skills of relevant OHCHR staff, the methodology, education and training unit organized two courses on training methodology: a basic training of trainers course from 15 to 21 December 2005, for 15 participants including 9 from OHCHR field offices and human rights components of peace operations; and an advanced training of trainers course from 27 June to 1 July 2005, for 13 participants including two from the field. Participants in the advanced training of trainers were individually evaluated by course facilitators and, if positively assessed, received a certificate.

#### Staff induction

Efforts were also made to continue to provide basic orientation to new staff joining OHCHR. Two orientation workshops were held in July and November 2005 for a total of 45 new OHCHR staff. The workshops introduced participants to the main work areas and internal working processes of the Office, including staff and security regulations. They also included information

on the code of conduct and practical advice to enable new staff members to discharge their duties in a more cooperative and efficient manner.

To reach out to a great number of staff, especially those recruited to work outside Geneva, work started on the production of an interactive induction CD-ROM, to allow all new staff members – whether deployed to the field or at headquarters – to develop a common understanding of the work of the Office, its priorities and its approach, immediately upon reporting for duty.

In 2005, OHCHR started to produce CD-ROM-based resource packages to support pre-deployment briefings of human rights officers recruited for field offices or assignments. Packages were produced for staff deployed to Nepal, Uganda, Sudan and Pakistan. They contain both generic and country-specific information to enable staff to familiarize themselves with OHCHR's general policies, field-related methodologies and guidelines, and relevant training tools, as well as with the human rights situation in the country before deploying for missions.

### **Manuals and training materials**

In May 2005, a consolidated work plan for the development and publication of training tools by OHCHR during 2005-2007 was produced, as requested by the OIOS in order to facilitate planning and monitoring.

In November 2005, OHCHR published, in cooperation with the Inter-Parliamentary Union, *Human Rights: Handbook for Parliamentarians*, number 13 in the *Professional Training Series*. The *Handbook* was published in French and English and has been widely distributed. Spanish and Arabic translations are under way, while interest has been expressed in having it translated into some non-official United Nations languages for easier use at the national level.

Work started on developing the concept of a manual on human rights for national armed forces. Consultations were held with experts in that sector.

### **Integration of human rights into humanitarian work**

During 2005, work on integrating human rights work into humanitarian work focused primarily on coordinating OHCHR's engagement within the Inter-Agency Standing Committee and the Executive Committee on Humanitarian Assistance (ECHA), rather than on the development of methodologies and training.

Methodology and training needs with regard to the integration of human rights into humanitarian action are being reassessed in the light of the ongoing humanitarian reform process, and work will be resumed based on a clearer identification of such needs.

### **National human rights protection systems**

In 2005, as part of OHCHR's work in support of the Action 2 inter-agency plan, and in particular the development of tools to support United Nations action to strengthen national human rights protection systems, two prototype modules were developed on parliaments and national human rights institutions. The modules outline the human rights role of these institutions and make recommendations on ways to support them. Drafts were circulated widely in-house and to OHCHR field offices, and adapted based on the feedback received.

## **CONSTRAINTS**

The main constraints in the implementation of activities were due to staff movements and the ensuing delay in ensuring recruitment and replacement as needed. Other constraints included the difficulty of developing staff training programmes in the absence of adequate resources, mandates and policy frameworks.

## **IMPACT AND ACHIEVEMENTS**

The basic and advanced training of trainers courses contributed to the improvement of the training delivered by OHCHR staff as part of the Office work programme. Through building the skills of staff involved in training, the courses strengthened OHCHR capabilities to carry out human rights promotion and capacity-building activities in the field and at regional and international levels.

The CD-ROM-based resource packages produced for OHCHR staff deployed to field offices and assignments contributed to enhanced pre-deployment preparation and also provided a resource tool to overcome the difficulties often encountered by field staff in accessing information from the Internet or OHCHR Intranet. They are currently being developed into standard packages for systematic use by OHCHR to support the deployment of staff to the field.

The finalization of the publication *Human Rights: Handbook for Parliamentarians* comes at a timely moment, as OHCHR is planning to undertake more focused activities towards this target group. Feedback received so far indicates that the handbook is found to be a useful guide for individual parliamentarians and in technical cooperation activities aimed at parliaments, whether undertaken by the United Nations or other actors.

## EVALUATION AND LESSONS LEARNED

The evaluations of the basic and advanced training of trainers were particularly positive, with participants praising its practical and relevant focus. Participants were also very satisfied with the inclusion of peer-to-peer reviews of presentation techniques, the interactive nature of the training, as well as the opportunity to learn a range of different training techniques. One important lesson learned is the need for future training of this kind to more specifically focus on effective *human rights* training methodology, and to integrate the policy and approach developed by OHCHR in this field. Both trainings organized in 2005 were generic in nature, focusing on generally applicable training techniques rather than specifically on human rights training.

New OHCHR staff members were asked to participate in two surveys in July and December 2005 to provide feedback about their learning and orientation needs and their integration in the Office. The surveys, which were published as internal reports, also had the purpose of evaluating and improving orientation workshops. Results showed that new staff members, even in junior positions, bring rich expertise to OHCHR, but that their integration into their work units could be improved through the provision of additional guidance and the development of tools such as a comprehensive organizational chart and an assignment directory that could help them orient themselves more quickly and coordinate with relevant colleagues. Both workshops were rated by participants as very helpful for their daily work, and it was felt that orientation workshops should be held regularly and should complement the basic information that will be provided to all OHCHR staff through the induction CD-ROM under production.

As a project involving contributions from several parts of the Office, the production of the induction CD-ROM could have been accelerated through better planning at the project design

stage, especially with regard to ensuring coordination among the various contributors and developing a system to review contributions with regard to their coherence, accuracy and consistency in portraying the Office's vision.

A broader lesson learned with regard to staff training within OHCHR is that adequate human and financial resources need to be devoted to ensure firstly that needs are comprehensively and systematically assessed and updated, including with regard to skills and subjects not related to human rights but required for the proper performance of OHCHR work. Secondly, it must be ensured that staff training is carried out within the framework of an overall organizational policy; and that activities are effectively coordinated. Efforts to address general staff training needs relying only on the resources available within the methodology, education and training unit, including on issues not related to the unit's areas of work and in the absence of an overall Office strategy in this regard, has caused a diversion of the unit's resources. As part of the OHCHR Plan of Action issued in 2005, the Office committed to developing and implementing systematic training for staff at all levels and duty stations, and decided to establish, in keeping with the practice of similar organizations, a staff development and learning unit, within the administrative branch, that will ensure overall coordination of staff training activities. The methodology, education and training unit will continue to focus on the development of human rights training materials and methodology for use both by external actors such as government officials, NGOs and United Nations staff, and OHCHR staff, and will contribute to staff training insofar as it relates to the methodological and substantive areas where it maintains expertise.

During the latter half of 2005, an internal task force on staff training was established as part of the measures taken to start implementing the OHCHR Plan of Action. Building on work carried out so far, the task force made recommendations for a policy framework for a consistent, Office-wide approach to staff training, and identified priority staff training areas and steps needed to consolidate and expand the Office's capacity in this regard.

## EXPENDITURE BREAKDOWN TRAINING AND METHODOLOGY

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	251,290	197,558
Experts/consultants' fees and travel	0	21,268
Travel:		
OHCHR staff	56,774	4,557
Commission members	0	0
Representatives and other participants	0	0
Contractual services	72,114	0
General operating expenses	0	0
Supplies and acquisitions	0	10,545
Grants, contributions, fellowships and seminars	0	37,500
<b>Sub-total</b>	<b>380,178</b>	<b>271,428</b>
Programme support costs	49,422	35,286
<b>Total</b>	<b>429,600</b>	<b>306,714</b>

## STAFF SECURITY

### BACKGROUND

The past fifteen years have seen a dramatic shift in the perception of staff safety and security within the United Nations. As the nature of global conflict has changed, from interstate conflict to intra-state, ethnic and religious conflict, United Nations staff and humanitarian actors have become more frequent targets of the various factions within these conflicts.

The United Nations has responded to this new environment of insecurity for its staff by implementing a number of security measures. These measures include the Framework for Accountability (57/365), a number of new security directives and procedures, the introduction of minimum operating security standards, a vigorous new security reform project and a greater use of technology in the management of the United Nations security systems.

The establishment of the Department of Safety and Security as an enabler of the work of the United Nations, on 1 January 2005, marked a major step forward by the Organization. The development of new and centralized functions such as air safety, threat

analysis and policy development has added additional tasks to the work of the OHCHR security unit, in order that it may fully participate on behalf of the Office. These new measures, which have been taken to mitigate the risk faced by staff, require that OHCHR provides the support and resources necessary for their effective implementation, and that the Office accepts greater responsibility for the security of its staff.

### OBJECTIVES

During 2005 the objective of OHCHR's field safety and security unit was to work toward implementing United Nations system-wide programmes, required of all United Nations organizations. These included the security incident reporting system, staff-tracking system, integration with the United Nations risk- and threat-assessment system, connection with the security information and operations centres, the air-safety system, the security-clearance system, the Minimum Operating Security Standards (MOSS) protocols, the E-MOSS when there is a threat of terrorism, the H-MOSS for headquarters, the MORSS for residential security, and the Minimum Information and Telecommunications Standard for emergency telecommunications and information security.

### IMPLEMENTATION

In 2005, the field safety and security unit successfully implemented the following aspects of the United Nations security management system:

- Conducted all activities in coordination with all United Nations entities that are members of the inter-agency security management network, the Department of Safety and Security, and host government authorities.
- Continued to inform, advise and remind managers at all levels of their responsibilities and obligations under the framework for accountability.
- Continued to inform, advise and remind managers at all levels of their responsibilities and obligations with respect to United Nations Department of Safety and Security policies and directives.
- Endeavoured to ensure that all staff were trained, equipped and cleared by security, and briefed before embarking on field missions.

- Continued to monitor MOSS compliance levels of all staff and field offices.
- Represented OHCHR at Department of Safety and Security working groups on training, air safety and other security related issues to ensure the Office's needs were adequately addressed.
- Undertook assessment missions and provided security support for new OHCHR offices in Nepal, Guatemala and Uganda.
- Accompanied and provided security support to staff members, special rapporteurs and independent experts on missions to high risk areas.
- Provided basic security information for induction of new staff members and interns.
- Provided technical expertise and liaison with the safety and security service of the United Nations Office at Geneva and the Swiss Government with regard to the necessary security upgrades at Palais Wilson.
- Participated in the United Nations Office at Geneva crisis management group and security management team.
- Represented OHCHR in the inter-agency security management network and all of its related work.

## CONSTRAINTS

Security assessment and staff assistance missions were limited in 2005 to those activities with available funding. Improvements have been made to staffing levels and resources provided to the security unit for 2006 to meet ongoing requirements.

## IMPACT AND ACHIEVEMENTS

OHCHR maintains one of the highest MOSS compliance rates within the United Nations family and security incidents relating to staff continue to be relatively low, which can be attributed to good levels of staff training and awareness, and to monitoring and early interventions by the security unit. The OHCHR field safety and security unit was, once again, singled out in the United Nations security management system as an example of "best practices".

## EXPENDITURE BREAKDOWN STAFF SECURITY

The 2004 figures include data contained in the Annual Report 2004. The column for 2005 represents the expenditures for the biennium 2004-2005, as at 31 December 2005 less the 2004 expenditures (see page 9).

US\$	2005	2004
Staff costs	515,294	394,720
Experts/consultants' fees and travel	0	0
Travel:		
OHCHR staff	55,289	1,914
Commission members	0	0
Representatives and other participants	0	0
Contractual services	1,607	0
General operating expenses	737	1,180
Supplies and acquisitions	27,134	0
Grants, contributions, fellowships and seminars	-2,323	0
<b>Sub-total</b>	<b>597,738</b>	<b>397,814</b>
Programme support costs	77,706	51,716
<b>Total</b>	<b>675,444</b>	<b>449,530</b>

## CONTINGENCY FUND

Since the Office has no financial resources available to respond to emergencies and unforeseen needs, a contingency fund was established to cover the costs of urgent initiatives by the High Commissioner. The fund, which had a target level of US\$ 500,000, is entirely financed through voluntary contributions and is designed to be a cash flow mechanism. In other words, advances made for urgent initiatives are reimbursed as soon as income for a specified activity or project is received.

In 2005, the contingency fund had already met its funding target and was used to prepare for the establishment of a monitoring office in Nepal in response to the need for rapid deployment. The Fund has since been replenished once funds were received for the Nepal operation. Further information on the Nepal operation may be found in the chapter entitled "Human rights support for peace-making, peacekeeping and peace-buildings activities" on page 82.





# MISCELLANEOUS

This section presents a variety of activities undertaken during the year that were not originally budgeted for and did not appear in the Annual Appeal 2005. In addition, some projects in this section represent adjustments from previous years. Programme support refers to the administrative support provided to the four Branches, the field presences and the executive office, in matters such as travel requests for OHCHR staff, special rapporteurs and others who travel on behalf of the High Commissioner, the employment contracts of staff recruited through UNOPS, providing budgetary and financial support to project managers, advising on the availability of funds and preparing financial reports, including for donors.

On 19 August 2004 a Peace Concert was held in Geneva to pay tribute to all the victims of the attack against the United Nations headquarters in Baghdad on 19 August 2003. Financial implications in 2005 for the Peace Concert refer to adjustments for expenses in 2004.

In addition, OHCHR received a contribution in support of a joint OHCHR, UNFPA and UNICEF project on sexual abuse in the Democratic Republic of the Congo. OHCHR provided legal assistance in the context of this project. Additional information can be found on page 61.

## STATEMENT OF INCOME AND EXPENDITURE MISCELLANEOUS

This statement indicates total funds available for activities in 2005, inclusive of new contributions and carry-over, overall expenditures incurred during 2005 and total balance as at 31 December 2005.

Summary	US\$
Opening balance	6,937,456
Adjustment <sup>1</sup>	0
Income from contributions	3,877,197
Other funds available <sup>2</sup>	1,686,001
<b>Total funds available</b>	<b>12,500,654</b>
Expenditure <sup>3</sup>	419,328
<b>Closing balance<sup>4</sup></b>	<b>12,081,326</b>

- <sup>1</sup> Includes adjustments to prior year expenditures, savings and refunds to donors.  
<sup>2</sup> Includes interest from income of US\$ 1,686,001 under the Trust Fund for support activities of OHCHR.  
<sup>3</sup> Includes disbursements and unliquidated obligations of miscellaneous projects as at 31 December 2005.  
<sup>4</sup> Includes all funds held as at 31 December 2005. Includes cash operating reserves of US\$ 6.9 million which could not be used for activities in 2005.

## BUDGET AND EXPENDITURE MISCELLANEOUS

This table indicates the budgeted amount for planned activities as per the Annual Appeal 2005 and mid-year revised budgetary requirements versus actual expenditures incurred in 2005. The 2004 expenditure column corresponds to Annual Report 2004 while the 2005 column includes 2004-2005 balance of disbursements and unliquidated obligations (see page 9).

	Annual Appeal Budget	Revised Budget	Expenditure 2005	Expenditure 2004
	US\$	US\$	US\$	US\$
Sexual abuse DRC /UNFPA	0	0	297,392	0
Programme development umbrella	0	0	132,840	0
Peace concert	0	0	-10,904	58,218
<b>Total</b>	<b>0</b>	<b>0</b>	<b>419,328</b>	<b>58,218</b>



MISCELLANEOUS

VOLUNTARY CONTRIBUTIONS

MISCELLANEOUS

This table refers to the total amount of voluntary funds pledged and income received in 2005.

Donor	Earmarking	Pledge	Income
		US\$	US\$
<i>Governments</i>			
Azerbaijan	Unearmarked <sup>1</sup>	5,085	5,000
Belgium	Early warning unit	139,024	0
Brazil	Unearmarked <sup>2</sup>	50,000	50,000
Canada	Unearmarked	1,518,852	0
Costa Rica	Unearmarked <sup>3</sup>	9,873	9,873
Croatia	Unearmarked <sup>4</sup>	5,000	5,000
Denmark	Unearmarked <sup>5</sup>	519,313	500,000
France	Field activities related to strengthening rule of law <sup>6</sup>	0	690,016
	Unearmarked <sup>7</sup>	24,213	24,213
Germany	Plan of Action	182,927	181,598
Greece	Unearmarked <sup>8</sup>	60,976	60,096
Mexico	Unearmarked <sup>9</sup>	100,000	100,000
Netherlands	Unearmarked <sup>10</sup>	1,263,948	1,188,235
New Zealand	Unearmarked <sup>11</sup>	125,520	125,520
Oman	Unearmarked <sup>12</sup>	10,000	10,000
Panama	Unearmarked <sup>13</sup>	1,000	1,000
Portugal	Unearmarked <sup>14</sup>	80,000	80,000
Spain	Unearmarked	781,012	0
Switzerland	Women rights and human rights defenders	76,336	0
	Unearmarked <sup>15</sup>	211,994	53,435
United Kingdom	Unearmarked <sup>16</sup>	470,099	456,103
<i>Other donors</i>			
UNFPA	RDC (Sexual and gender-based violence)	297,000	297,000
OHCHR staff	Internship programme	2,119	2,102
Private donor	Internship programme	38,000	38,006
<b>Total</b>		<b>5,972,291</b>	<b>3,877,197</b>

With reference to the pledge and income columns, in some instances a pledge is made in the prior year and payment is received in the current year. In other instances a pledge is made in the current year and payment is received the following year.

<sup>1</sup> Allocated in early 2006 to programme support and management services.

<sup>2</sup> Allocated in early 2006 to field operations.

<sup>3</sup> Allocated in early 2006 to field operations.

<sup>4</sup> Allocated in early 2006 to programme support and management services.

<sup>5</sup> Allocated in early 2006 to Palestine.

<sup>6</sup> Consists of the payment of the 2nd portion of a multi-year contribution pledged in 2002.

<sup>7</sup> Allocated in early 2006 to Nepal.

<sup>8</sup> Allocated in early 2006 to executive direction and management.

<sup>9</sup> Allocated in early 2006 to human rights bodies and organs.

<sup>10</sup> Allocated in early 2006 to human rights bodies and organs (US\$ 588,235) and special procedures (US\$ 600,000).

<sup>11</sup> Allocated in early 2006 to Bangkok regional office.

<sup>12</sup> Allocated in early 2006 to programme support and management services.

<sup>13</sup> Allocated in early 2006 to programme support and management services.

<sup>14</sup> Allocated in early 2006 to executive direction and management.

<sup>15</sup> Allocated in early 2006 to transitional justice.

<sup>16</sup> Allocated in early 2006 to executive direction and management.







