

UN COUNTRY TEAMS



WORKING TOGETHER ON HUMAN RIGHTS

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Placing human rights at the centre of activities of the United Nations in pursuing world peace, security, economic prosperity and social equity has been an important priority of the Secretary-General's UN reform agenda that began in 1997. Good progress has been achieved to date in integrating human rights throughout the United Nations system. A growing number of UN specialized agencies have adopted human rights-based approaches to their programming and development cooperation. Increasingly, the United Nations country teams, under the leadership of resident coordinators, are incorporating human rights into the analysis and planning framework which aim to better coordinate and maximize impact of agency activities at the country level. Human rights specialists are deployed as part of peacekeeping operations and country teams, and are increasingly working closely with humanitarian agencies to address the protection needs of refugees and internally displaced persons.

Under the "Action 2" of the Secretary-General's second UN reform plan, an interagency plan of action has been developed to further strengthen the capacity of the United Nations at country level to integrate human rights norms and principles in its work, to adopt human rights-based approaches to programming and to encourage joint actions at country level in support of strengthening national human rights protection systems.

This pamphlet is intended to highlight some of the joint UN actions already taking place on the ground to implement the Action 2 Plan.

Integrating human rights in country-level analysis and planning

Integrating human rights in the country level planning frameworks and processes such as Common Country Assessment (CCA) and the United Nations Development Assistance Framework (UNDAF), Consolidated Appeals Process (CAP), Common Humanitarian Action Plans (CHAP) as well as MDG reporting provides an opportunity for the UN country team to articulate a coherent vision and strategy for a unified approach towards common programming and development goals at the country level, based on human rights principles and standards and with the ultimate aim of assisting countries in the realization of human rights. Human rights have been integrated in the Guidelines for UN country teams for the preparation of these documents, and several country teams have taken human rights-based approaches to the elaboration of CCAs and UNDAFs as well as MDG reports and other planning frameworks such as CAPs and CHAPs.

Serbia and Montenegro CCA (2003) made strategic analysis of human development challenges from human rights perspectives, with particular attention to vulnerability, capacity gaps and gender inequality. It identified public sector reform and judicial reform as among the priorities to be addressed by the country team, linking with the need to build the capacity of Government and partners to meet their duties and obligations under human rights instruments, which they have ratified.

Guatemala CCA (2003) identified discrimination as the fundamental problem to tackle in order to address all other problems, based on the findings of the Special Rapporteur on Indigenous Peoples. It also linked its analysis to the findings of other Special Rapporteurs that visited the country, including the Special Rapporteur on Violence against Women which raised the alarm that there is a systematic tolerance of massive violence against women, regardless of the numerous treaties ratified by the government. CCA also refers to the findings of the Special Rapporteur on Human Rights Defenders who reported that defenders are specifically targeted in Guatemala and emphasized that without real freedom of expression

and association and genuine participation, which are fundamental to economic development, no progress will be possible. Guatemala UNDAF identified the need to inject the issues of sustainable and equitable development and adherence to human rights into national policy debates as a top priority for UN action in the coming five years.

In the **Philippines**, the preparation of CCA/UNDAF was preceded by a number of workshops on the human rights-based approach, with extensive consultation with and involvement of all stakeholders concerned. The UNDAF emphasized the creation of an enabling environment that enhances the Government's ability to formulate rights-based and pro-poor policies as well as to build the capacities to pursue and institutionalize political, economic and social reforms.

Kyrgyzstan CCA (2003) identified that "the rights guaranteed by international instruments are still to move off the page of official documents into people's lives" and stated that "human rights must be actually be enforced and not just talked about." The country team identified the need for joint advocacy for the establishment of legislative frameworks and an enabling environment for the realization of human rights in different domains. The country team reported that such joint advocacy by UN agencies has already created progress, for example the gap in measuring infant mortality rate pointed out in CCA influenced the government decision to change the data collection methodology.

In **Cambodia**, a rights-based approach has been integrated in the 2003 Cambodia MDG report, highlighting the interrelatedness between human rights and MDGs. Recently, the MDG advisory committee (including all UN agencies) decided to expand their mandate to encompass human rights. The country team is now also looking at the relationship between human rights and MDGs, and is trying to identify activities and programmes that aim at reaching the MDGs which have an explicit or implicit rights perspective with the view to identify current best practices.

In **Bosnia and Herzegovina**, the UN Country Team concluded its UNDAF analysis this year (2004) with a

rights-based approach, and UNICEF is now coordinating with OHCHR to elaborate its country programme with human rights, and in this case, children's rights as its main focus. In order to do so, workshops have been provided by these agencies to train the civil society organisations involved on the rights based approach to programming.

Theme groups on human rights

The Action 2 Plan encourages country teams to set up theme groups or other appropriate mechanisms to discuss and coordinate human rights related issues at country level. In 2003, 25 UN country teams reported that they have established such groups. Some country teams established stand-alone theme groups on human rights, while others decided to integrate human rights in the work of all relevant theme groups.

In **Tanzania**, the country team established a task force on human rights-based approach to train UN staff, ensure integration of human rights in the preparation of work plan and budget, and facilitate the engagement of Government partners. The extensive and consultative preparations ensured a common understanding of a human rights-based approach, gender and environment among the members of the UN country team and how the UN can work effectively with the Government in supporting these issues.

In **Nicaragua**, the country team set up a theme group on human rights to support the implementation of international human rights obligations, which have been identified as priority areas within the "rights and duties" section under the framework of the UNDAF. While the Nicaraguan government has signed some international human rights treaties, not all of them have been ratified and in many cases these international obligations are not being upheld. Therefore the objects of the Nicaraguan Human Rights Theme Group are: to promote the signing and ratification by the State of the principal international human rights instruments still pending; to assist the Government in the preparation of reports and to implement the recommendations of the Supervisory Committees on Human Rights Treaties; and to strengthen the cross cutting theme of human rights within the activities of UN system in Nicaragua.

The UN country team in **Serbia and Montenegro** established the Belgrade Human Rights Contact Group (HRCG) in June 2001 to gather international and national organizations working on human rights issues and to serve as an informal network for such actors. The HRCG is designed to foster cooperation between participating organisations, to maximize the group's collective knowledge and to strengthen the NGO capacity in having impact on the Government. An assessment of the HRCG is exercised regularly, to ensure its practical relevance to participants' daily work. In 2003 regional contact groups were established in other areas of Serbia and Montenegro

to include human rights actors from different regions and not only from Belgrade.

In **China**, the UN country team established the Theme Group on the Rule of Law which incorporates human rights as a cross cutting issue underlying the country's efforts to establish joint cooperation mechanisms in the areas of judicial administration, human rights education, the building of a judicial system, and the promotion of economic, social and cultural rights. The Theme Group serves to identify knowledge gaps on critical issues, to coordinate related knowledge sharing and to further define and monitor UN collaboration with national authorities in the rule of law with particular attention to the rights approach.

The UN country team in **Albania** has identified Theme Groups in the areas of key development challenges (poverty, education, gender, health, governance, environment, development and partnership) which constitute the core mechanism for undertaking the CCA assessment and analysis. Under the general terms of reference, all Albania Theme Groups must ensure that analysis and assessments are done through a human rights based approach to meet these development challenges with respect to inequalities of income, economy, age, gender and regional disparities.

In **Cambodia**, OHCHR and UN-HABITAT, with the participation of UNIFEM, UNDP, and ESCAP, established a Housing Rights Task Force to prevent housing rights violation, including forced evictions in Phnom Penh. The Task Force has broad participation, including communities and their representatives, local and international NGOs working in the field of development and others on human rights, Municipality, Land Ministry, experts/consultants and the UN Special Rapporteur on the Right to Adequate Housing.

In **Colombia**, the UN country team established the Follow Up Group on the implementation of the Action 2 Plan, composed of interested heads of agencies, and chaired by the OHCHR Colombia. The Follow Up Group will supervise implementation of the work plan of the Technical Group on implementation of Action Plan 2. The responsibility of the Technical Group will be to advise on the gradual integration of human rights in the policies, programmes, plans and activities of the UN country team during the period 2004-2006, in line with the Secretary-General's reform programme.

In **Afghanistan**, a Human Rights Advisory Group was established in February 2003, composed of representatives of the Afghan Transitional Authorities, donor countries, United Nations agencies and Afghan Independent Human Rights Commission (AIHRC). The Group is presently chaired by the AIHRC and is part of a broader consultative exercise coordinated by the Afghan Transitional Authorities to improve coordination between the Government, the United Nations system, donors and NGOs in the process of preparing the national development budget, with a rights-based approach.

Human rights advisors

In response to the needs for specific expert advice and support in building the capacity of country teams on human rights, Action 2 will facilitate the placement of Human Rights Advisors in selected countries. The role of Human Rights Advisors is to advise the Resident Coordinator and country team on strategies to strengthen national institutions and capacities for the promotion and protection of human rights and to act as a resource in capacity building activities, including integration of human rights into the work of country team and facilitating theme group on human rights established by country teams.

In **Nepal**, at the request of the Resident Coordinator, a Senior Human Rights Adviser was appointed in March 2003 to advise and act as a resource to the Resident Coordinator and the UN country team in stimulating discussion on ways to address serious human rights problems during the peace process and/or during conflict. The Human Rights Advisor, through the country team, is working closely with a number of national partners, particularly the National Human Rights Commission, to build its capacity to enable it to play a leading role in the promotion and protection of human rights in the country.

In **Sri Lanka**, a Senior Human Rights Advisor was appointed in June 2004 who works closely with the Resident Coordinator and UN agencies to advise and support strategies to protect human rights and build the human rights capacity of local institutions, civil society and UN itself, particularly in the context of Sri Lanka's evolving peace process.

In **Guyana**, a Human Rights Advisor was appointed in June 2004 to assist the work of the UN country team in implementing an innovative interagency project, established as a follow-up to the interagency assessment mission which identified several human rights issues that need to be addressed to reach the root causes of long-standing ethnic conflicts in the country. This is the first operational UN-wide project in the context of conflict prevention which recognizes human rights as an essential component of conflict transformation and management, and as an integral part of access to justice, security and functioning democratic institutions.

In **Haiti**, a Human Rights Adviser (HRA) was deployed in March 2004 to facilitate the substantial integration of a human rights component in the work of the UN Resident Coordinator and the UN Country Team. The HRA played a major role in the creation of a thematic group on human rights issues within the UNCT. The HRA also participated in the UN multidisciplinary needs assessment mission that helped define the structure and needs of the UN Stabilization Mission in Haiti (MINUSTAH), with particular focus on the needs and mandate of its Human Rights Section. Since the establishment of MINUSTAH on 1 June 2004, the HRA has been providing substantive and methodological support on human rights issues to its different components.

Human rights in peace-building and post-conflict operations

Integrating human rights in peace-building and post-conflict activities of the United Nations is fundamental for the prevention of conflicts, maintaining peace, restoration of the rule of law and transition to sustainable development. Increasingly, UN peace operations are becoming multi-dimensional and include components for the promotion and protection of human rights according to specific mandates given. Currently 15 UN peace and political missions have a human rights component: MONUC (**Democratic Republic of the Congo**), UNAMA (**Afghanistan**), UNMEE (**Ethiopia and Eritrea**), UNTOP (**Tajikistan**), UNOMIG (**Georgia**), MINUGUA (**Guatemala**), MINUSTAH (**Haiti**), ONUCI (**Côte d'Ivoire**), ONUB (**Burundi**), UNMISSET (**Timor-Leste**), BONUCA (**Central African Republic**), UNOGBIS (**Guinea-Bissau**), UNAMSIL (**Sierra Leone**), UNMIL (**Liberia**) and UNAMI (**Iraq**).

In these and other missions, UN departments, agencies and programmes are working closely to ensure a comprehensive approach to human rights in all peace-making, peace-building and peace-keeping operations, as well as in humanitarian assistance and during the transition to development, in accordance with international human rights standards. For example, human rights advisors and specialists have been seconded to participate in "Integrated Mission Task Forces" and multidisciplinary joint needs assessment missions to **Afghanistan, Côte d'Ivoire, Liberia, Iraq, Burundi, Haiti** and **Sudan**, with a view to integrating human rights into the pre-deployment planning.

Human rights components of peace and political missions are also working closely with the UN country teams, in the planning and implementation of mission activities, supporting interagency theme groups on human rights, and strengthening national capacities for the promotion and protection of human rights, for example in **Afghanistan, Ethiopia-Eritrea, Guatemala, Haiti, Côte d'Ivoire, Timor-Leste, Sudan** and **Iraq**. In **Afghanistan**, the United Nations system under the United Nations Assistance Mission in Afghanistan (UNAMA) has been supporting Afghan ownership and leadership of the transition process, with an emphasis on strengthening human rights institutions and capacity. A strong alliance has been established between the Afghan authorities, the Afghan Independent Human Rights Commission (AIHRC), civil society, and the UNAMA. The human rights and protection component of the United Nations Mission in **Liberia** (UNMIL) is responsible for implementing the human rights mandate of the mission, including protection of vulnerable groups such as refugees, returnees, internally displaced persons and demobilized child soldiers, as well as provision of human rights training and support for capacity building for government and civil society. In **Iraq**, OHCHR and the United Nations Assistance Mission for Iraq (UNAMI) Human Rights Office together with the United Nations Country Team is working, in close cooperation with the Iraqi

Ministry of Human Rights and the Ministry of Justice, in a "Cluster approach" to implement a programme of human rights activities for Iraq (mainly Cluster 9 of the United Nations Strategic Plan for Iraq).

The UN country teams, for example in **Angola**, are also playing a crucial role in ensuring the follow-up to human rights activities and capacity building after the end of peace missions' mandates.

Human rights in humanitarian actions

During humanitarian crisis or complex emergencies, specific human rights challenges arise which require coordinated, rights-based responses. Increasingly, UN agencies are working together to address the rights and duties of all stakeholders involved in humanitarian actions, based on international human rights, humanitarian, and refugee law.

The UN in **Sierra Leone** helped to create the Code of Conduct for Humanitarian Assistance, which describes in non-legalistic language the rights and responsibilities of different actors involved in humanitarian assistance – aid recipients, parties to the conflict (government and rebel soldiers) and humanitarian organizations – with a view to providing a simple framework for principled actions in accordance with international human rights and humanitarian law.

In **Liberia**, the UNDG-led inter-agency assessment mission in 2004 identified human rights as one of the priority areas for the post-conflict reconstruction phase for Liberia. At the same time, human rights were recognized as one of four cross-cutting areas which inform all sectors of the needs assessment. The full integration of human rights promotion and protection in such assessment processes, through human rights checklists and advice provided as part of the mission, demonstrated the importance of establishing and/or strengthening national human rights protection systems early on in the transition from peacekeeping and emergency relief to reconstruction and development in order to ensure that the root causes of the conflict are identified and addressed, and a recurrence of conflict is avoided.

In **Democratic Republic of Congo**, OHCHR joined OCHA and UNHCR in two investigation missions, on the border with Angola on the occasion of massive expulsions and serious violations of human rights suffered by thousands of illegal migrant workers from various nationalities, expelled from Angola to RDC, in order to enable the "humanitarian" organizations to benefit from the "human rights" expertise and determine from which statute, convention or law victims may benefit.

In **Uganda**, the UN country team is providing support to the Government in the formulation of its policy on internally displaced persons, based on the 1998 Guiding Principles on Internal Displacement elaborated by the Representative of the Secretary-General on Internally Displaced Persons. These

Guiding Principles have also been used as the basis for the training module on IDPs developed by OCHA.

Assisting national human rights institutions

Building strong, credible and effective independent national institutions that comply with the international standards known as the Paris Principles, is an important part of strengthening national human rights protection system. In many countries, UN country teams, individual agencies and OHCHR have been supporting the valuable work of ombudspersons and national institutions which act as independent complaints mechanism and conduct reviews of State laws and practices on human rights issues.

In **Nepal**, OHCHR and UNDP is implementing a joint programme aimed at providing capacity building to the National Human Rights Commission of Nepal in the form of support for human rights promotion, monitoring, investigation and overall programme management advice.

In **Chad**, preparation is underway to develop a programme for strengthening national institutions in the context of Action 2.

In **Afghanistan**, a joint OHCHR-UNAMA-UNDP project assists the Afghan Independent Human Rights Commission (AIHRC) in building and strengthening its capacities, in five areas of work: human rights monitoring and investigations, human rights education, human rights of women and children, and transitional justice.

In **Zambia**, UNDP and OHCHR are collaborating on strengthening the National Human Rights Commission through training and sensitization activities for both the Commissioners and the staff of the Commission.

In **Jordan**, OHCHR and UNDP provided support regarding its legislation and its capacity building needs of the National Centre for Human Rights, established in February 2003. through an umbrella initiative to strengthen the Centre, which offered training to the Centre in the area of complaints handling and human rights education through the New Zealand Human Rights Commission.

Protecting the vulnerable

The human rights-based approach provides the essential normative and programmatic framework, common for all actors involved and protecting the most vulnerable, and for all those seeking to realize their human rights. A number of UN country teams and agencies have therefore adopted rights-based approaches in their programmes and activities, which have often led to joint actions to build the capacities of "duty-holders" to meet their obligations and "claim-holders" to realize their rights.

In **Kyrgyzstan**, UNDP, UNFPA, UNHCR and UNICEF jointly set up a public foundation "Legal Clinic Adilet" which provides legal counsel and assistance to persons affected with HIV/AIDS, refugees and young people in conflict with the law. With the support of the UN Agencies, the Legal Clinic also provides legal guidance and counseling to NGOs which provide assistance and protection to street children and orphans, and oversee the implementation of the Convention on the Rights of the Child.

In **Gambia**, the UN country team promoted the "right to a name and a nationality" by registering 7,860 children under five years of age in the Lower River Division/Central River Division and 3,200 children under age of five in Banjul.

In **Kenya**, a forum called UNIPACK (UN Indigenous Advisory Committee of Kenya) was set up to advise UNDP and through it the UN country team on indigenous issues and key programmatic initiatives that may affect them. One indigenous member of UNIPACK welcomed its establishment as "a positive step in the struggle for economic, political, social and cultural rights for indigenous peoples in Kenya". Within the framework of the joint Human Rights Strengthening (HURIST) programme, UNDP and OHCHR are implementing pilot activities at national level in several other countries to establish such forums in which indigenous peoples can more effectively voice and claim their human rights.

In **Cambodia**, UNDP and OHCHR are implementing an ACT4 project which aims at funding grass-root organizations to implement educational projects in relation to human rights and natural resources management. The project focuses on vulnerable groups.

In **Democratic Republic of Congo**, as a follow-up to massive and systematic use of sexual violence against women and girls in DRC, the UN Country Team decided to join in an "Initiative conjointe de lutte contre les violences faites à la femme et à l'enfant". This "Initiative" aims at better coordinating the efforts by the UN Secretariat (MONUC and OHCHR in DRC), Funds, Programmes and Specialized Institutions in providing psychological, medical, social and legal assistance to victims throughout the country. OHCHR is in charge of the legal assistance aspect. UNICEF and UNIFEM are in charge of psycho-social assistance. UNFPA and WHO are in charge of medical assistance, etc. The Initiative is coordinated by UNFPA under the supervision of the UN Resident Coordinator.

In **Bosnia and Herzegovina**, UNDP and OHCHR are implementing a Rights-based Municipal Assessment and Planning Programme (RMAP) with the Ministry of Human Rights and Refugees, which is aimed at enhancing the capacity of local governments and civil society in developing municipal development strategies based on human rights in 25 municipalities. Rights-based assessments made under the project will contribute to enhancing the transparency and accountability of duty-bearers and to empower civil society by generating increased participation by

stakeholders in the assessment, planning and implementation of municipal development strategies.

Contributing to UN human rights mechanisms

International human rights treaties provide a common normative underpinning and a benchmark for United Nations efforts in the areas of peace, humanitarian assistance, sustainable development, and social and economic progress. Supporting the work of UN human rights mechanisms, in particular treaty bodies and special procedures of the Commission, is a critical element for encouraging legislative, policy and programmatic change at the national level. Increasingly, supporting the national capacities to work effectively with UN human rights mechanisms is becoming a significant part of UN country teams' activities.

In **Zambia**, UNDP has supported training of government officers on reporting to treaty bodies and is planning, in collaboration with the Human Rights Commission and the Ministry of Justice, a joint workshop to disseminate the state report and to explore next steps to guide the Government in future policy development.

In **Kazakhstan**, UNDP is assisting the Government in the treaty reporting process, using the UN Manual on Human Rights Reporting. Activities include preparation of information materials in the local language and supporting the inter-ministerial working groups in charge of preparing the reports, as well as organizing workshops for NGOs on parallel reporting.

In **Chile**, at the initiative of the country team, in particular the Thematic Working Group on Gender, a study is being undertaken in coordination with the Diego Portales University on the difficulties faced by Chile in ratifying a number of international instruments: the Optional Protocol to the Convention on the Elimination of All Discrimination against Women, the Convention on Migrant Workers and the Rome Statute of the International Criminal Court. The aim of the study is to identify the obstacles to achieving the ratification of the above-mentioned instruments, and develop a strategy to encourage ratification.

In **Ecuador**, the UN country team signed an inter-institutional cooperation agreement with the Ministry of Foreign Affairs in December 2003, aimed at providing assistance to the Public Coordination Commission (PCC) on Human Rights which is charged inter alia with coordinating the preparation of reports to Treaty Bodies. With modest contributions from participating UN agencies, UN country team has been able to undertake a series of activities, including: supporting regular meetings of Working Groups charged with preparation of reports to Treaty Bodies with guidance from OHCHR, and developing a leaflet and website of PCC to disseminate information on the status of preparation of reports to Treaty Bodies.

In **Cambodia**, UNDP and OHCHR jointly supported the preparation and submission of the CEDAW report by Cambodia to the Committee at the end of last year.

In **Afghanistan**, OHCHR organized in February 2004, in cooperation with UNAMA, the Foreign Ministry of Afghanistan and the Afghan Independent Human Rights Commission (AIHRC), a workshop on reporting under human rights treaties to train representatives from the relevant Government ministries and the civil society. The consultations that took place in this context yielded significant results in terms of follow-up and commitment from the Government (formalized in Berlin in April 2004) to a five-year reporting scheme and a request for technical assistance to pave the way for its implementation. A joint OHCHR-UNAMA-UNDP project is under preparation to provide preliminary capacity to the Ministry for Foreign Affairs to meet its obligations under those international human rights instruments to which Afghanistan is a party.

In **Uzbekistan**, further to the visit of the Special Rapporteur on Torture to Uzbekistan in late 2002, UNDP took the lead role in discussions with members of the international community on collective support to the Government. Further to a high-level meeting in April 2003 at which the government expressed commitment to draft a National Action Plan to Combat Torture, the UN country team supported the drafting process started in mid 2003 with the participation of all stakeholders. The Plan was approved by the Prime Minister in March 2004 and an inter-departmental government mechanism established to coordinate human rights interventions. A donor Working Group was also formed, chaired by UNDP, to coordinate activities related to the Plan.

Advocacy and awareness raising

Human rights can only be achieved through an informed and continued demand by people for their protection. Human rights education promotes values, beliefs and attitudes that encourage all individuals to uphold their own rights and those of others. A number of UN country teams have been contributing to raising awareness and encouraging national and local dialogues on human rights.

In **Mexico**, the UN country team supported the elaboration of an assessment report of the situation of human rights in Mexico, which identifies the problems and structural causes that impede Mexico to fully comply with the recommendations of the UN and regional mechanisms for the promotion and protection of human rights. OHCHR is now assisting the Government of Mexico in the elaboration of the National Human Rights Action Plan in the country, based on the results of the report, whose implementation is expected to receive oversight by the UN Country Team.

In **Moldova**, UNDP and OHCHR supported the development of a National Human Rights Action Plan which was approved by the Parliament.

In **Ukraine**, the country team organized "Human Rights Week", which received extensive media coverage and contributed to stimulating a national debate on human rights issues.

In **Ethiopia**, the UN country team is supporting the process of establishing human rights resource centres in the University of Addis Ababa and the University of Mekele.

"Action 2"

Strengthening UN Support for the Promotion and Protection of Human Rights Worldwide

A joint initiative of the Office of the High Commissioner for Human Rights (OHCHR), the United Nations Development Group (UNDG), and the Executive Committee on Humanitarian Affairs (ECHA).

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