HUMAN RIGHTS IN ACTION*

Practical work of OHCHR to advance the promotion and protection of Human Rights

1. Introduction

Priority of the United Nations in the field of human rights was initially the identification of international norms and standards - from those contained in the Universal Declaration of Human Rights in 1948 to the Convention on the Rights of the Child in 1990. Over the years, through the process of ratification and the consequent entry into force of international human rights treaties, the setting up of an international machinery of implementation to review the application of human rights norms and standards at the national level became of paramount importance. Human Rights Treaty bodies (Committees) with international independent experts were created to engage member states in a constructive dialogue on human rights. Next to this, however, more rapid mechanisms were established by the Commission on Human Rights to deal with major situations of human rights and were tasked with reporting also on specific remedial action resulting from international human rights obligations. Since the establishment of the Office of the High Commissioner in 1993, after the World Conference on Human Rights held in Vienna, the priority of OHCHR has been and continues to be the realisation of human rights in practical terms at country level. This is accomplished, in particular, through technical co-operation projects and the establishment of field presences with the objective of creating or strengthening national systems for the protection and promotion of human rights in ever closer cooperation with national and regional partners as well as the UN country teams. Thus, the work of OHCHR at country level follows up on recommendations of treaty bodies and mechanisms of the CHR and aims at translating international human rights instruments into concrete reality for people everywhere.

The mission of OHCHR

The mission of the Office of the United Nations High Commissioner for Human Rights (OHCHR) is to protect and promote all human rights for all. OHCHR bases itself on the principle that human rights are universal, indivisible, interdependent and interrelated. All rights-civil, cultural, economic, political and social-should be given equal emphasis, and promoted and protected without any discrimination. The realisation and enjoyment of all rights for women and men must be ensured on a basis of equality.

OHCHR is guided in its work by the Charter of the United Nations, the Universal Declaration of Human Rights and subsequent human rights instruments, and the 1993 Vienna Declaration and Programme of Action and decisions by the General Assembly, the Economic and Social Council, and the Commission on Human Rights.

OHCHR aims to ensure the practical implementation of universally recognized human rights norms. It is committed to strengthening the United Nations human rights programme and providing the United Nations treaty monitoring bodies and special mechanisms established by the Commission on Human Rights with the highest quality support.
The High Commissioner for Human Rights is the official with principal responsibility for the United Nations human rights activities.

**OHCHR vis-à-vis other counterparts**

OHCHR seeks to play an active role in meeting challenges and removing obstacles to the full realisation of all human rights and in preventing the occurrence or continuation of human rights abuses throughout the world by developing regional strategies in close co-operation with other UN agencies, regional and national organisations, Governments and the civil society.

In 1997, OHCHR went through structural changes designed to increase efficiency and eliminate duplication among the core functions mandated to it. Since then, OHCHR's mandates and activities have expanded in such areas as support to UN peace-making, peacekeeping and peace-building operations; economic and social rights through the mandates created by the Commission on Human Rights; mainstreaming human rights in the UN agencies and programmes and in the CCA/UNDAF process at country level; conducting fact-finding missions; deploying regional advisors; and expanding the technical co-operation programme.

- **Governments**

OHCHR engages in dialogue with governments and regional organisations on human rights issues with a view to enhancing national capacities and infrastructures in the field of human rights and toward improved respect for human rights. To this end, it has created policies and programmes to complement national efforts, by providing advisory services and technical assistance when requested, and encouraging governments to pursue the creation or development of effective national institutions and systems for the promotion and protection of human rights. These include: promotion of universal ratification and implementation of human rights treaties; advice and assistance on the incorporation of international human rights norms in constituions and legislation; human rights education and training for key target groups.

- **United Nations system**

OHCHR is committed to working with other parts of the United Nations to integrate human rights standards throughout the work of the Organization. The Office is currently focusing upon enhancing its work with development agencies on rights-based approaches to development with and through the UNCTs; the HURIST project with UNDP and the ACT project with UNOPS and UNDP are foundations of this work.

- **Civil Society Organisations**

OHCHR works in ever closer partnership with national human rights institutions, parliamentarians, academic and research centres and NGOs. NGOs are core to the protection system created by the United Nations in the field of human rights as they supply with daily information both mechanisms of the Commission as well as experts in the human rights Treaty Bodies. NGOs are increasingly involved in capacity building and education work at country level often in connection with the implementation of OHCHR technical co-operation projects.

2. Field presences
A number of OHCHR field presences have been established with a view to ensuring that international human rights instruments - particularly those ratified by the country concerned - are progressively implemented and realized at country level, both in law and practice.

This is to be accomplished through the setting up or strengthening of national human rights capacities and national human rights institutions: the follow-up to the recommendations of human rights treaty bodies and the mechanisms of the Commission on Human Rights and the creation of a culture of human rights. An essential condition for the success of field presences is that governments, national institutions, non-governmental organizations, as well as the UNCTs, are increasingly empowered to take on human rights related activities on their own, within the context of regional or sub-regional strategies.

Human rights field presences have been established in response to a wide variety of human rights concerns, with mandates reflecting the needs of each particular situation. Some field presences have focused on technical cooperation activities, providing Governments with assistance in developing their national capacity to protect human rights, including assistance to national judicial systems; help in the development and reform of national legislation in accordance with a country’s international human rights obligations; and human rights education and training for national officials, NGOs, and students.

Other human rights field presences have been established in response to human rights violations in the context of armed conflict. Since human rights violations are very often at the root of conflict and humanitarian crisis, the United Nations human rights programme recognises that a critical step in preventing and bringing an end to conflicts is to ensure the respect of human rights.

The mandates and activities of field presences in conflict situations include monitoring and investigations on a range of violations of international human rights law. Regular reports are prepared on the human rights situation in the countries concerned, which are used by the United Nations and its mechanisms in efforts to publicly denounce violations, with a view to putting an end to impunity and ensuring greater respect of human rights norms. Other activities include the promotion and protection of human rights and the setting up of training programmes intended to internalise human rights norms relevant to key professional groups - such as the police, the prisons officials, judges and lawyers and the educators - and to create a conducive environment for democracy and the rule of law thus contributing to the end of armed conflict and the establishment of lasting and just peace.

Historical background

It has been more than a decade since OHCHR implemented its first field presences to advance the promotion and protection of human rights and to support countries in incorporating international human rights standards in national laws, policies and practices. The first field presences were established to deal with emergency situations; or resulted from decisions made by the main bodies of the UN such as the Security Council, the General Assembly and the Commission on Human Rights; or implemented on the basis of agreements between the Office and individual Governments.

Over the years, the foundation for field presences has shifted from an initial focus of promotion and protection functions to support peacemaking, peace-keeping and peace-building efforts. The development of OHCHR involvement in the aforementioned activities has led to greater co-operation with DPKO and DPA. To date, human rights mandates have been incorporated into the duties of several peace-keeping personnel, including the military, civilian police and civilian affairs officers. In some cases, OHCHR has been called upon to
ensure the continuation of the human rights elements of peace-keeping operations by establishing an OHCHR presence on conclusion of the peace-keepers’ mandate.

In 1992, there was one human rights operation in the field. Currently, OHCHR maintains human rights field offices in Afghanistan, Angola, Azerbaijan, Bosnia and Herzegovina, Burundi, Cambodia, Chile, Colombia, Croatia, Democratic Republic of the Congo (DRC), East Timor, Ecuador, Ethiopia/Eritrea, El Salvador, the Federal Republic of Yugoslavia, Guatemala, Guinea Bissau, Liberia, Lebanon, Malawi, Mexico, Mongolia, Nicaragua, the Occupied Palestinian Territory, Philippines, Sierra Leone, Solomon Islands, Somalia, Sudan, Tajikistan, Thailand, and Yemen, staffed by some 200 national and international personnel and consultants. Many of these offices are human rights elements of UN complex operations (DPKO or DPA) or human rights officers working within UN country teams.

- **Objectives**

The main objectives of OHCHR field presences are:

- implementing international human rights standards at the country level in both law and practice;
- strengthening national human rights capacities and institutions;
- promoting human rights through information and education to prevent situations of human rights violations; and
- establishing an effective network among international, regional and national organisations and systems for the promotion and protection of human rights.

- **Specific mandates**

Within the broad overview of the objectives, several substantive activities exemplifies the work of the field presences. Those include:

- assisting in human rights capacity building, including co-ordinating technical co-operation projects; supporting human rights aspects of electoral processes; assisting in peace processes, including addressing impunity, facilitation of truth and reconciliation processes;
- support for human rights components of peace operations (including promotion and protection);
- assistance to UNCTs and UN partner organisations (UNDP, regional economic commissions) as well as regional organisations.
- Where mandated by the legislative organs or agreed upon with the Government concerned, monitoring human rights developments and reporting, including inquiries/assistance to/into human rights violations; assistance to special procedures;
- Mainstream and integrate human rights into the work of other UN agencies and programmes.

3. **Technical co-operation**

The Technical Cooperation Programme in the Field of Human Rights was established in 1955 to assist requesting States in their efforts to promote and protect human rights at the national, regional and sub-regional levels as well as building and strengthening national structures that directly impact observance of human rights and maintenance of the rule of law. Programmes are aimed at advancing democracy, formulating national action plans, training and educating.

In response to formal appeals from concerned Governments, or with their support, OHCHR implements projects on an extensive range of human rights issues, through expert advice,
training courses, workshops, seminars, fellowships, grants, information and documentation. It undertakes needs assessment and project formulation missions to determine the type of technical cooperation to be implemented and trains staff of national human rights institutions and senior staff of other UN agencies and programmes.

Various technical cooperation activities OHCHR conducts include but are not limited to:

- consolidating and strengthening the role which national human rights institutions can play in the promotion and protection of human rights by providing information material and manuals, advice and/or assistance to governments or administrations on establishing national human rights institutions and supporting those already created;
- supporting the incorporation of international human rights norms into national constitutions and providing human rights information and documentation, or assistance for public information campaigns to ensure the involvement of all sectors of society;
- assisting Governments in drafting and implementing national human rights plans of actions as well as reforming domestic legislation in order to bring national laws into conformity with international human rights standards;
- providing training courses for a number of target groups (judges, lawyers, prosecutors, penal institutions and law enforcement officers regarding the administration of justice; national parliaments and the armed forces; government officials dealing with periodic reporting obligations under the various international human rights treaties to which their State is a party); and offering fellowships for individuals nominated by their Governments who subsequently receive intensive training in a variety of human rights issues.
- providing electoral assistance through the preparation of guidelines for analysis of electoral laws and procedures, publication of a handbook on human rights and elections, development of draft guidelines for human rights assessment of requests for electoral assistance and various public information activities relating to human rights and elections;
- providing assistance to national NGOs, in the context of their country activities, by soliciting their input, utilizing their services in seminars and training courses, and supporting appropriate projects which have been developed;
- human rights education, including building the capacity for managing and utilizing human rights information and documentation including translating material, assisting in computerizing national and regional human rights offices and aiding libraries in acquiring human rights information
- training civilian and military components of peacekeeping operation as well as staff of peace-building operations.
- Other issues addressed include: economic, social and cultural rights and the right to development; racism; the rights of indigenous people; women and gender; children; trafficking of women and children; and humanitarian law.

**OHCHR Regional strategies**

OHCHR supports the continuing development of regional strategies, to stimulate intergovernmental cooperation and a shared approach to policy and programme. OHCHR collaborates with regional and subregional organizations, UN agencies and programmes, civil society, national institutions, NGOs, and the legislative, executive and judicial branches of government.

4. **Integrating Human Rights in the work of the UNCTs**
OHCHR is pursuing greater collaboration with UN actors, especially with UNDP and UNCTs, as a way of mainstreaming and integrating human rights throughout the UN system thus ensuring efficient use of resources and maximum impact of the proposed projects. The Office is undertaking an internal evaluation to determine how to enhance its operations support to UNCTs that are integrating human rights into their joint country analyses, strategies and programming. OHCHR assists (sometimes coaches) activities of partners with the overall goal to ensure a consistent approach to human rights. Human rights mainstreaming takes place within UNDP national offices, which are increasingly, either on their own or at OHCHR’s initiative, integrating human rights in their programmes of work. This generates demands addressed to OHCHR for guidance, training and methodology not least in relations with UNDAF and CCA processes which are now integrating more and more human rights elements.

Co-operation has recently extended to the creation of joint DPKO/OHCHR human rights components in peace-keeping operations. Under the authority of the Representative/Special Representative of the Secretary-General in charge of the UN mission, the peace-keeping operation receives substantive human rights guidance from OHCHR. OHCHR is also collaborating with UNDG partners to develop and apply a human rights training module for UNCTs. Among other mainstreaming activities and initiatives that have been established, HURIST has been highly successful in encouraging a human rights based approach in development programming; this project is active in 17 developing countries and has UNVs with a human rights profile placed in 17 UN country teams world-wide. ACT is another joint project with UNDP which provides funds to national NGOs for educational purposes.

OHCHR is currently implementing technical cooperation projects at the national, regional and global levels in close cooperation with other UN agencies such as UNICEF, UNESCO, UNFPA, UNIFEM, UNHCR, ILANUD, the Division for the Advancement of Women of the Secretariat, the United Nations Staff College. Other non-UN partners include the OAU, the African Commission on Human and Peoples’ Rights, the OSCE, the OAS, the IIHR, the Andean Commission of Jurists and others. Specific areas of focus include HIV/AIDS, the right to development, poverty, children, women, refugees, ethnic minorities and the rights of indigenous people.

5. Regional/sub-regional representatives

The World Conference on Human Rights reaffirmed the fundamental role that regional and sub-regional arrangements can play in promoting and protecting human rights while reinforcing universal human rights standards. Consequently, OHCHR has developed regional strategies and is deploying regional advisors to develop a profile more specific to the needs of the countries of the region and improve the coordination of its technical cooperation activities organisations on the ground, thus allowing for improved co-ordination on the use of resources (OHCHR’s own and partners) available in the region. Regional and sub-regional representatives collaborate with governmental agencies; parliaments; civil society; international organisations, including other United Nations agencies, international financial institutions and regional organisations. This flexible concept is designed to enhance intergovernmental co-operation, intensify exchange of experience and promote best practices between countries in comparable situations, leading to the proposals of common policies and programmes and linking various sectors of civil society. In addition, this outreach helps promote a culture of human rights based on universal standards, ensures that the services of the Office are readily accessible in all regions and focuses on cross-regional substantive issues such as trafficking in women in Southeast Asia or in Europe. Results of co-operation depend largely on local needs and are intended to be a combination of various initiatives at the regional/sub-regional level.
Regional arrangements have been established within the three existing regional intergovernmental organisations, as follows: the OAU based on the African Charter on Human and Peoples’ Rights; the OAS founded upon the American Convention on Human Rights and the Council of Europe instituted by the European Convention on Human Rights.

Additionally, regional representatives collaborating with the United Nations regional Economic Commissions are located in Bangkok, Santiago de Chile, Addis Ababa and Beirut. OHCHR has a sub-regional representative in Pretoria and plans to deploy auxiliary regional advisors to Abuja to cover the West Africa region; to Yaoundé to represent the Central African region; and to Fiji to deal with the Pacific sub-region. These representatives enable the Office to maintain a more strategic approach at the national level in the regions. They are instrumental in developing cooperation with regional institutions, Governments and civil society at the regional level, and in informing regional strategies of OHCHR.

6. Human Rights Education: increasing the awareness of individuals in order to defend their rights and those of others

International instruments define human rights education as constituting training, dissemination and information efforts aimed at building a universal culture of human rights by imparting knowledge and skills and shaping attitudes. This entails the strengthening of respect for human rights and fundamental freedoms; the full development of the human personality and sense of its dignity; the promotion of understanding, tolerance, gender equality and friendship among all nations, indigenous peoples and racial, national, ethnic, religions and linguistic groups; the enabling of all persons to participate effectively in a free society; and the furtherance of the activities of the United Nations for the maintenance of peace. Knowledge of human rights constitutes therefore a forceful means of achieving empowerment participation, transparency, accountability, conflict management, peacemaking and peace-building and the more effective protection and realization of all human rights for all. Hence the incorporation of human rights education into virtually every aspect of OHCHR’s work.

The 1993 Vienna Declaration and Programme of Action concluded that human rights education, training and public information are essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace. The General Assembly formally proclaimed the period of 1 January 1995 to 31 December 2004 the United Nations Decade for Human Rights Education and welcomed the International Plan of Action for the Decade as set out in the report of the Secretary-General. Coordination of the implementation of the Plan of Action adopted was allocated to the High Commissioner for Human Rights.

The five objectives in the Plan include: assessing needs and formulating strategies; building and strengthening human rights education programmes at international, regional, national and local level; developing and coordinating the development of human rights education materials; strengthening the role of the mass media; and promoting the global dissemination of the Universal Declaration of Human Rights. The plan focuses on stimulating and supporting national and local activities and initiatives in partnership with Governments, intergovernmental organizations, professional associations, individuals and broad sectors of civil society.

In connection with the International Plan of Action, OHCHR developed a national plan of action for human rights education with guidelines that include a set of principles for effective human rights education and propose a strategy for the establishment of a national plan. The national plan is intended to encompass all levels of society, through the provision of non-formal and formal education, specialized educational and training programmes for vulnerable
groups, professional and other groups most likely to affect human rights advocacy as well as those entrusted with upholding human rights.

The Decade is a vital mechanism for the global mobilization of strategies for human rights education. The remaining few years must be effectively utilized to continue to promote human rights education and to lay foundations for sustainability beyond its end.

7. Responses to emergencies

a) The Permanent Task Force on Emergencies

Many of the OHCHR responses to emergencies human rights situations, including in Afghanistan, East Timor, Kosovo and Sierra Leone, have required co-operation between the various branches with the creation of task forces, yet the Office has faced challenges pertaining to effective administration. The recent establishment of a Permanent Task Force on Emergencies (PTFE) to aid in identifying and addressing human rights situations with regards to emergency operations and procedures will promote effective responses to emergency situations.

The PTFE will be responsible for developing its own methodology and working methods. It will meet regularly to consider the following:

- communications from the petitions team;
- the work of treaty bodies and their concluding observations;
- the work of the thematic and geographic mechanisms of the Commission on Human Rights, including their joint urgent appeals; and
- the reports from OHCHR Field Presences and human rights components of the UN peace operations (DPKO, DPA missions)

The PTFE will review lessons learned from the past several years of OHCHR, UNHCR, UNICEF and OCHA field work. It will use these experiences to institute standard operating procedures for OHCHR field work for emergencies and in connection with preventative and capacity building activities. It will establish an Emergency Revolving Fund that will provide the Office with the initial capacity to respond to emergencies.

The PTFE is expected to collaborate with the Early Warning Framework Team in New York, DPKO, DPA and OCHA to identify emerging situations of human rights concerns that are the potential basis of emergencies and to implement preventative action through human rights needs assessment and technical cooperation missions, public statements, articles and press releases.

b) The establishment of a field presence as a response to emergency situations

As a consequence of mainstreaming, in the majority of cases, the establishment of a field presence would take place within the framework of a larger UN operation. Emergencies related exclusively to human rights situation, without repercussions for national or international peace, are rather exceptional and so is the possibility of reacting with a self-contained field presence by OHCHR.

c) The Urgent Action Desk

The Urgent Action desk is currently comprised of a staff member working closely with colleagues. An additional staff has been envisaged to ensure effectual administration of multilingual communications received. OHCHR information technology will also be reinforced to allow communications to be sent directly to the relevant mandate holder thus
eliminating inefficiencies in current processing methods. Registry personnel, desk officers and field staff will be trained to increase their awareness of the crucial importance for OHCHR to effectively handle urgent communications.

8. The UN human rights mechanisms, or the system of special procedures

Since 1979, special mechanisms have been created by the United Nations to examine specific country situations or themes from a human rights perspective. The Commission on Human Rights has mandated experts (Special Rapporteurs, Special Representatives, Independent Experts) or Working Groups to examine, monitor and publicly report on human rights situations in specific countries or territories (country mechanisms/mandates) or on major phenomena of human rights violations worldwide (thematic mechanisms/mandates). There are currently 37 mandates, of which 24 are thematic and 13 are country/territory specific.

The mandate holder’s work involves analysis of information from various sources, correspondence with governments, fact-finding missions, and the drafting of annual reports to the Commission and, where mandated, to the General Assembly. The activities of the country and thematic mechanisms are based on communications received from various sources (the victims or their relatives, local or international NGOs, etc.) containing allegations of human rights violations. Such communications may be submitted in various forms (e.g. letters, faxes, cables, e-mail) and may concern individual cases or contain details of situations of alleged violations of human rights.

Where information attests to an imminence of a serious human rights violation (e.g. extra-judicial execution, fear that a detained person may be subjected to torture or may die as a result of an untreated disease, for example), and following verification of the information and its source, the experts submit urgent appeals - including jointly - to Governments requesting clarifications; calling for the effective protection of the alleged victim and observance of the international human rights standards; and urging the competent authorities to undertake full, independent and impartial investigation and to adopt all necessary measures to prevent further violations while requesting to be informed of every step taken in this regard. Appeals tend to be of a preventative nature and do not presuppose the conclusion.

If no response is received and/or the competent authority takes no remedial measures, the expert reminds the Government concerned of the cases periodically. Reference to exchanges, communications sent and replies received are reflected in the expert’s reports to the Commission on Human Rights and, where appropriate, the General Assembly.

Support to 28 of the 37 special procedures comes from the Activities and Programmes Branch (APB) of OHCHR and the Research and Right to Development Branch (RRDB), which services the remaining nine. Objectives and activities supporting special procedures are the following:

- provide adequate support to thematic and country-specific mechanisms to enable mandate-holders to respond to requests for action in a timely and effective manner—fielding fact-finding missions, conducting relevant studies within the scope of their mandates, and coordinating action with other partners within and outside the UN system, especially with human rights treaty bodies and including through the quick response desk in close co-ordination with the relevant desk officer/s;
- ensure consistency of data entered into the thematic database and extend its coverage to include as many thematic and country-specific mandates as possible.

The special procedure mechanisms are of paramount importance for monitoring universal human rights standards and address many of the most serious human rights violations in the
world. They are also useful means to assess the needs of a specific country in the field of human rights, thus functioning as a diagnosing tool for the Government's follow-up action, including in co-operation with OHCHR’s technical assistance program. The increase and the evolution of procedures and mechanisms in this area constitute a system of human rights protection. Recent issues of concern the thematic experts have brought to the attention of the international community have included police brutality, summary executions, the killing of women in the name of honor, the suffering of street children, the persecution of ethnic minorities, the role of non-State actors in human rights violations, the link between extreme poverty and respect for human rights and the impact of human rights violations on civil society.

* Adapted from the text of a forthcoming brochure prepared by APB