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Annual report of the United Nations High Commissioner for Human Rights

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I. Introduction

1. The present report, submitted pursuant to General Assembly resolution 48/141, focuses on the work of the Office of the United Nations High Commissioner for Human Rights (OHCHR) at the global level and in the field¹ from December 2013 to November 2014.

2. The new four-year planning cycle (2014-2017) began in 2014. At headquarters and in the field, OHCHR embraced the newly defined thematic priorities guided by results-based management. These priorities are strengthening international human rights mechanisms; enhancing equality and countering discrimination; combating impunity and strengthening accountability and the rule of law; integrating human rights into development and in the economic sphere; widening the democratic space; and early warning and protection of human rights in situations of conflict, violence and insecurity. All priorities are cross-cutting and mutually reinforcing. Under the new planning cycle, migration is mainstreamed under the various priorities.

3. During the period under review, my predecessor undertook missions to the Central African Republic, Georgia, Morocco, Nigeria and South Sudan. The Deputy High Commissioner visited Cambodia, Guatemala, the Republic of Moldova and Togo. The Assistant Secretary-General visited Burundi, Iraq and Ukraine.

4. At a time of deepening turmoil worldwide, OHCHR was in great demand: the relentless conflict in the Syrian Arab Republic and spill-over into Iraq; from the conflict in Ukraine to the bloodshed in South Sudan; and, most recently, the spread of Ebola. The period under review has seen a devastating deterioration in human rights.

5. Rising inequality and the political, economic and social exclusion of marginalized groups undermined the dignity and rights of people in many States, and drove much of the unrest and most of the conflicts reported. Economic, social and cultural rights, as well as the right to development, were affected by austerity policies that disproportionately burden the poor and marginalized, as did corruption; there were failures to prioritize public services, and refusal to recognize people's right to participate in decisions that shape their lives. Migrants continued to endure profound suffering, with recent events at sea demonstrating a callous disregard for human life and human rights.

6. I must also raise the continued reprisals against those who seek to cooperate with the United Nations in the field of human rights. In the past year, there were multiple examples of Member States and/or their proxies directing personal attacks against special procedures mandate holders, the members of commissions of inquiry, and United Nations human rights officers who report on gaps in human rights protection.

7. During the period under review, OHCHR conducted monitoring missions, issued public reports on human rights developments in various States, and deployed teams to provide advice on human rights responses in crisis situations. OHCHR provided technical assistance to dozens of States in a broad range of issues, spanning its six thematic priorities.

¹ As at November 2014, OHCHR supported 67 field presences, comprising 13 country / stand-alone offices, 12 regional offices/centres, the human rights components of 14 United Nations peace missions and 28 human rights advisers, including 10 deployed in June and July 2014 to the United Nations country teams in Bangladesh, the Dominican Republic, Jamaica, Malawi, Nigeria, Sierra Leone, the United Republic of Tanzania and Zambia and to the regional United Nations Development Group teams for Asia-Pacific and Central America.

The examples of such work included in the present report reflect only a snapshot of OHCHR activities at Headquarters and in the field.

8. The final annual reports submitted by my predecessor to the Human Rights Council and the General Assembly drew attention to the growing trend of requests for OHCHR support. This trend continued, with the creation of new mandates from intergovernmental bodies, calls for technical assistance from Member States and intensified engagement within the United Nations system in the security, development and humanitarian contexts, including with respect to the Human Rights Up Front plan of action. With regard to the plan of action, which is still in its infancy, the United Nations system is beginning to identify potential problems earlier, and in severe situations human rights are given more system-wide attention. Because of the ever-increasing demands placed on OHCHR, however, I must highlight the significant gap between those demands and the capacity available. As a matter of priority, I call for renewed political and financial support from Member States so that OHCHR is able to fulfil its critical mandate.

9. With regard to efficiency, OHCHR continued its efforts by establishing a results-based management system to ensure that its scant resources are planned and allocated to ensure maximum impact. As an example, the human rights treaty body strengthening process will provide significant regular budget resources through the reinvestment of funding obtained through simplified procedures.

II. Thematic priorities

A. Strengthening international human rights mechanisms

10. Human rights mechanisms continued to spotlight a wide range of human rights issues, both thematic and country-specific. They also brought new issues to the fore, provided an early warning function, gave a voice to victims and contributed to the development of international human rights law.

11. The thematic priorities of OHCHR are strengthened by the parallel work of human rights mechanisms. Despite various constraints, including of a budgetary nature, it was able to provide adequate support to each mechanism. OHCHR also worked on initiatives that strengthen cooperation among the mechanisms, promoting a holistic approach to implementation; for example, OHCHR advised States on establishing permanent national mechanisms for reporting and coordinating follow-up to all human rights recommendations.

1. Treaty bodies

12. The successful conclusion of the treaty body strengthening process was a landmark event. To the credit of Member States, in its resolution 68/268, the General Assembly set out a series of measures to address key challenges faced by the treaty bodies, including the backlog of State party reports and communications, chronic under-resourcing and insufficient compliance with reporting obligations.

13. The above-mentioned measures, which will come into effect in 2015, are funded by cost savings and efficiencies made within the system. They include more meeting time and human and financial resources from the regular budget. General Assembly resolution 68/268 included capacity-building measures, inter alia, additional staff capacity in OHCHR regional offices,– to be funded from the regular budget, to assist States parties to fulfil their human rights obligations. The Assembly also encouraged the treaty bodies to modernize the treaty body system, to make it more accessible and to foster internal harmonization.

14. In 2014, OHCHR facilitated the review of 147 State party reports by the treaty bodies, the adoption of views and decisions on more than 100 individual communications, and seven country visits, conducted by the Subcommittee on the Prevention of Torture.

15. OHCHR, at Headquarters and in the field, continued to provide technical assistance to support ratification and reporting of, and follow-up to, the recommendations made by treaty bodies.

2. Special procedures

16. Three new special procedures mandates were created in 2014 (now totalling 53 special procedures): Independent Expert on the situation of human rights in the Central African Republic; Special Rapporteur on the rights of persons with disabilities; and Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. The Human Rights Council appointed 31 mandate holders. Standing invitations to special procedures rose to 109, although, regrettably, they were not always honoured.

17. From January to October, special procedures mandate holders conducted 63 visits to 43 States. As at 31 October 2014, special procedures had issued 20 urgent appeals, 206 joint urgent appeals, 39 allegation letters and 162 joint allegation letters. The average response rate for the period was around 45 per cent, slightly higher than the rate recorded in 2013 (42.9 per cent).

18. The thematic and country-specific expertise of mandate holders helped to draw attention to emerging issues such as the use of drones in extraterritorial lethal counter-terrorism operations; mass digital surveillance for counter-terrorism purposes; the implications of States' surveillance of communications on the rights to privacy and to freedom of opinion and expression; and the implementation of the right to social security through the universal adoption of social protection floors.

3. Human Rights Council

19. The Human Rights Council continued to address various urgent and chronic human rights situations. It established (or extended the mandate of, in the case of the Syrian Arab Republic) commissions of inquiry, and requested OHCHR to conduct investigations. OHCHR continued to support the work of the Council, and its subsidiary bodies, in all aspects.

20. At its twenty-sixth session, the Human Rights Council decided, in its resolution 26/24, to establish a commission of inquiry to investigate all alleged human rights violations in Eritrea. At its twenty-first special session, in its resolution S-21/1, the Council established a commission of inquiry to investigate all violations of international humanitarian law and international human rights law in the Occupied Palestinian Territory, including East Jerusalem, particularly in the occupied Gaza Strip, in the context of the military operations conducted since 13 June 2014, whether before, during or after.

21. The period under review witnessed a new trend whereby the Human Council requested OHCHR to conduct investigations and to establish field-based structures. In its resolution 25/1, the Council requested the High Commissioner to undertake a comprehensive investigation into alleged serious violations of human rights by both parties in Sri Lanka during the period covered by the Lessons Learnt and Reconciliation Commission.

22. In its resolution S-22/1, the Human Rights Council requested OHCHR urgently to dispatch a mission to Iraq to investigate alleged violations and abuses of international human rights law committed by the so-called Islamic State in Iraq and the Levant and

associated terrorist groups. The Council, in its resolution 26/30, also invited the High Commissioner to report on the situation of human rights in Ukraine.

23. In March 2014, the Human Rights Council, in its resolution 25/25, on the basis of the final report of the commission of inquiry to investigate the systematic, widespread and grave human rights violations committed in the Democratic People's Republic of Korea,² requested OHCHR to set up a field-based structure to follow up on the work of the commission.

24. OHCHR organized an increasing number of panel discussions on a broad array of issues – thereby significantly enriching the deliberations of the Human Rights Council – such as the death penalty, civil society space, the safety of journalists, female genital mutilation, child, early and forced marriage, violence against children, the history teaching and memorialization processes, persons deprived of their liberty, the right to privacy in the digital age, the protection of the family and its members, the role of prevention, use of remotely piloted aircraft or armed drones, commemorating the sixty-fifth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, preventive approaches within the United Nations system, and mainstreaming the human rights of migrants. A large number of substantive reports by Office of the High Commissioner and special procedures mandate holders were prepared to inform the panel discussions.

25. The Office also organized country-related panel discussions at the request of the Human Rights Council, including on lessons learned and continuing challenges in combating sexual violence in the Democratic Republic of the Congo and on the situation of human rights in South Sudan.

26. The Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the work of the Human Rights Council and its mechanisms became operational in January, enabling OHCHR to cover the participation of six Government officials, to install two fellowships for State representatives and to organize two interregional seminars to facilitate participation.

4. Universal periodic review

27. In November 2014, the universal periodic review reached the middle of its second cycle. All 112 States scheduled for consideration had participated, most at a high level. Aiming to foster effective implementation, the reviews focused on progress made since the first cycle. The challenge is to follow up on the growing number of recommendations and keeping the overall objective of bringing about impact on the ground.

28. The Office prepared documentation to inform review debates and to support States under review. The Trust Fund to facilitate the participation of States in the sessions of the Working Group on the Universal Periodic Review funded 16 delegates, and OHCHR organized bilateral and cross-regional sessions, including in partnership with the International Organization of la Francophonie and the Inter-Parliamentary Union, to strengthen engagement, including of parliamentarians. Requests for OHCHR support from all regions grew steadily, which were addressed through the Voluntary Fund for Financial and Technical Assistance. The Office assisted States in building their capacity in a variety of areas to allow follow-up, placing emphasis on support for inter-institutional structures, the elaboration of implementation plans and the establishment of tracking systems to monitor implementation.

² A/HRC/25/63.

29. OHCHR supported the United Nations country teams in integrating recommendations made by human rights mechanisms into their programmatic work.

5. Humanitarian funds

30. At its thirty-ninth session, the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture spelled out the objectives of a renewed strategy and funding that would enable it to respond with better emergency assistance for victims.³ The new vision is characterized by a universal victim-centred approach and impartial outreach, and strives to respond in a fairer manner to both new and long-term needs, and to distribute resources more evenly among all United Nations regions. In 2014, the Fund supported 270 projects for a total amount of \$7.2 million.

31. OHCHR also administers the United Nations Trust Fund on Contemporary Forms of Slavery and the Special Fund established by the Optional Protocol to the Convention against Torture. In 2014, the Trust Fund supported 35 projects for a total amount of \$400,000, whereas the Special Fund disbursed seven grants for a total amount of \$232,000. The United Nations Voluntary Fund for Indigenous Peoples supported the participation of 170 representatives of indigenous peoples in human rights mechanisms and in the World Conference on Indigenous Peoples.

6. Progressive development of international law

32. The Office supported initiatives organized by intergovernmental bodies, the special procedures and the treaty bodies. For example, in the context of the Human Rights Council, work continued on a draft declaration on the rights of peasants and people working in rural areas; and in the context of the General Assembly, the Office, jointly with the Department of Economic and Social Affairs, facilitated the fifth session of the Open-ended Working Group on Ageing.

33. In the context of the special procedures, the Office supported work on, inter alia, the draft basic principles and guidelines on remedies and procedures on the right of anyone deprived of his or her liberty to bring proceedings before court; and the draft basic principles on the right to effective remedies for trafficked persons. The treaty bodies adopted new general comments and recommendations: for example, the Committee on the Rights of Persons with Disabilities adopted general comments on equal recognition before the law⁴ and on accessibility;⁵ the Human Rights Committee, on liberty and security of person;⁶ the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women adopted a joint general recommendation/comment on harmful practices,⁷ and the Committee on the Elimination of Discrimination against Women adopted a general recommendation on gender-related dimensions of refugee status, asylum, nationality and statelessness of women.⁸

³ See A/68/282.

⁴ CRPD/C/GC/1.

⁵ CRPD/C/GC/2.

⁶ CCPR/C/GC/35.

⁷ CEDAW/C/GC/31 – CRC/C/GC/18.

⁸ CEDAW/C/GC/32.

B. Enhancing equality and countering discrimination

1. Racism, racial discrimination, xenophobia and related intolerance

34. The Office assisted Governments in relation to legislation and national plans of action, in increasing awareness and developing the capacity of national actors to address racism, racial discrimination, xenophobia and related intolerance, and by providing forums for addressing contemporary manifestations of racism.

35. Substantive support was provided for the work of the four Durban follow-up mechanisms. I am pleased to note that the international community is converging on ways forward, particularly in combating racism in sports and strengthening the procedures of the Committee on the Elimination of Racial Discrimination. OHCHR also actively contributed to the preparation of the International Decade for People of African Descent commencing in 2015.

36. OHCHR pursued its work on issues relating to freedom of religion or belief, including with regard to the prohibition of incitement to national, racial or religious hatred. Follow-up to the Rabat Plan of Action and the implementation of Human Rights Council resolutions 16/18 and 22/31 focused on practical steps at the international and national levels. Events aimed at specific stakeholder groups were organized in Belarus, Jordan, the Russian Federation and Tunisia.

37. OHCHR embarked on concrete activities to counter the negative and discriminatory perception of migrants. In collaboration with United Nations partners, it is preparing a publication and audiovisual material exploring the human rights challenges faced by migrant domestic workers in an irregular situation.

38. In the field, OHCHR assisted the Government of Mauritania in the development and adoption of a road map to address the vestiges of slavery; in Honduras, a human rights advisory team supported the Government in organizing consultations and in drafting a national policy against racism and racial discrimination.

2. Discrimination on the basis of indigenous or minority status

39. Conflicts, ranging from those in the Central African Republic to Iraq, have demonstrated how minorities are often the main victims of violence. Stepping up system-wide work to combat racial discrimination and to protect minorities is an imperative of human rights and conflict prevention. A key tool in this regard is the guidance note prepared by the United Nations network on racial discrimination and protection of minorities and approved by the Secretary-General. OHCHR provided support to Governments and minority representatives aimed at strengthening legislation on minority rights and addressing key concerns ranging from the protection of religious minorities from violence to advancing the housing rights of Roma.

40. OHCHR strengthened its work to protect the rights of indigenous peoples, including in relation to “development” projects pursued without their free, prior and informed consent. It contributed to the first World Conference on Indigenous Peoples, held in September 2014, the results of which gave new impetus to this work. The Conference showed that the close involvement of the persons and groups affected is critical to successful development, and called for improved implementation of the United Nations Declaration on the Rights of Indigenous Peoples. OHCHR also issued new practical tools to advance the implementation of the Declaration, and continued its indigenous and minority fellowship programme.

3. Discrimination on the basis of sex

41. The Office strove to strengthen the capacity of women's human rights defenders to monitor instances of gender-based discrimination and participate in the development of public policies to promote women's human rights and gender equality (for example, in Burkina Faso, the Central African Republic, Mali, Senegal and the Sudan (Darfur)). In South-East Asia, OHCHR supported the exchange of experiences among human rights defenders promoting women's access to land and productive resources, and published a handbook on the subject with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

42. OHCHR led efforts to implement its technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity.⁹ In Malawi, this resulted in an ongoing dialogue between the Government, national stakeholders and the United Nations to examine policies and processes against human rights requirements. In Uganda, OHCHR undertook a comprehensive human rights assessment on maternal and child health. In Mexico, it contributed to the work of a coalition of organizations working at the State level in Jalisco to apply the technical guidance.

4. Discrimination on the basis of disability

43. The thematic study on the right of persons with disabilities to education prepared by the Office¹⁰ and resolution 25/20 subsequently adopted by the Human Rights Council were instrumental to OHCHR advocacy and technical assistance. The Office played a key role in ensuring that the rights of persons with disabilities were mainstreamed in the post-2015 development agenda.

44. In October 2014, the OHCHR Regional Office for Europe held its fifth annual event on the rights of persons with psychosocial disabilities. The event provided for bridge-building between stakeholders and served as a powerful advocacy platform for the rights and obligations contained in the Convention on the Rights of Persons with Disabilities.

45. In the Republic of Moldova, OHCHR continued to support the Government's efforts to amend relevant laws and practices in order to implement the Convention on the Rights of Persons with Disabilities, in particular with regard to equal recognition before the law, and was instrumental in enabling a number of children with disabilities to enrol in mainstream schools or kindergartens.

5. Discrimination on the basis of sexual orientation and gender identity

46. The Office documented widespread human rights abuses targeting individuals because of their sexual orientation or gender identity. While welcoming the steps taken by many States to address such abuses, concerns remain at attempts made in several States to establish or expand discriminatory legislation in this regard, as well as at the increasing number of attacks against lesbian, gay, bisexual and transgender (LGBT) persons and those who speak up in their defence.

47. OHCHR continued to engage with Governments and other stakeholders to advance human rights protection for members of the LGBT community, and supported the efforts of United Nations human rights mechanisms to the same end. In Ecuador, for example, OHCHR provided technical assistance for an interministerial task force on the rights of

⁹ See A/HRC/21/22.

¹⁰ A/HRC/25/29.

LGBT persons. In Cambodia, the Office and the United Nations Development Programme jointly organized the country's first national conference on the rights of LGBT persons. OHCHR field presences also supported the investigation of allegations of discrimination and violence against LGBT persons and conducted training for civil society on monitoring violations.

48. In 2013, OHCHR launched the Free and Equal campaign, a global United Nations public information campaign designed to promote greater respect for the rights of LGBT persons. Over the past year, the campaign reached more than a billion people and attracted support from leading public figures and celebrities around the world.

49. In September 2014, the Human Rights Council adopted resolution 27/32 on human rights, sexual orientation and gender identity, in which it reiterated its grave concern at acts of violence and discrimination based on sexual orientation and gender identity, and requested the High Commissioner to update the previous relevant report¹¹ with a view to sharing good practices.

C. Combating impunity and strengthening accountability and the rule of law

50. Ongoing and new conflicts and natural disasters have highlighted the immense, persistent challenges faced by States in preventing acts of violence and safeguarding the security of those within their jurisdiction. In the wake of these threats to security, some States have rushed to adopt emergency legislation, modify detention policies, revise criminal justice rules and practices and impose limitations to freedoms of expression and peaceful assembly.

51. OHCHR continued to address complex legal and policy challenges related to these issues, including new technologies. It partnered with the United Nations University in a research project on the application of international human rights law to national regimes overseeing governmental digital surveillance. It also launched an open consultation on the right to privacy in the context of domestic and extraterritorial surveillance. Drawing on these activities, the Office presented a report to the Human Rights Council and the General Assembly on the right to privacy in the digital age,¹² in which it examined the protection afforded to privacy by international human rights law. The issues raised in the report were the subject of a panel discussion on the right to privacy in the digital age held during the twenty-seventh session of the Council.¹³

52. As an active member of the United Nations Counter-Terrorism Implementation Task Force, OHCHR continued to co-chair the Task Force Working Group on Promoting and Protecting Human Rights and the Rule of Law while Countering Terrorism. The Working Group implements a long-term project on training and capacity-building for law enforcement officials on human rights, the rule of law and prevention of terrorism, and produced a series of practical basic human rights reference guides.

53. OHCHR advanced the global debate on a moratorium on the death penalty, aiming at its abolition. In cooperation with the Governments of Chile, Italy and the Philippines, it organized three global events on the theme "Moving away from the death penalty", and regional meetings in Algeria and Indonesia, focusing on deterrence and public opinion, discriminatory practices in the use of the death penalty, and best practices and challenges in

¹¹ A/HRC/19/41.

¹² A/HRC/27/37.

¹³ See A/HRC/28/39.

the implementation of a moratorium. OHCHR launched a publication on the topic during a high-level panel discussion at the sixty-ninth session of the General Assembly,¹⁴ with the participation of the Heads of State of Mongolia and Tunisia, the Prime Minister of Italy and a representative of the President of Benin. OHCHR furthermore published a report on the death penalty in Iraq.¹⁵

54. OHCHR advocated for respect for international human rights standards in cases of individuals facing the death penalty and for the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, which contributed to positive developments: Myanmar announced the presidential commutation of all death sentences to life imprisonment; the judiciary in India continued to commute death sentences to lesser punishments; Thailand announced a policy on abolition; Equatorial Guinea introduced a temporary moratorium; Nigeria reconfirmed continuation of the federal moratorium; the United States of America commenced an executive review of execution procedures; Afghanistan announced a review of all death penalty cases; and El Salvador, Gabon and Poland ratified or acceded to the Second Optional Protocol.

55. OHCHR supported the design, establishment and functioning of transitional justice processes from a human rights perspective in more than 25 States. It provided assistance to the truth commissions in Tunisia and Côte d'Ivoire, and prepared commentaries on related legislation in Nepal and Mali. The focus remained on ensuring that the rights of victims are central in these processes and that gender considerations are taken into account. These concerns are reflected in the analytical study focusing on gender-based and sexual violence in relation to transitional justice.¹⁶ Together with UN-Women, OHCHR led the process of drafting the guidance note of the Secretary-General on reparations for conflict-related sexual violence.¹⁷

56. OHCHR contributed to strengthening national capacities to protect victims and witnesses of serious crimes under international law. It deployed an international expert to Uganda and the Sudan (Darfur) to support the authorities in the establishment of national witness protection programmes and measures.

57. OHCHR advised States – including Grenada, Liberia, Myanmar, Thailand, Trinidad and Tobago and Tunisia – in the revision of their Constitution or in the development of a new one, to ensure compliance with the highest standards of promotion and protection of human rights.

58. Supporting efforts to strengthen the administration of justice remains a priority for OHCHR, focusing on the independence of the judiciary and the protection of persons deprived of their liberty. OHCHR supported the Ombudsman Commission of Papua New Guinea to strengthen its monitoring of places of detention; in Malaysia, it supported the national human rights commission in its work on detention, deaths in custody and accountability of the police; in Mozambique, the national human rights institution conducted its first systematic monitoring of prisons and detention centre thanks to capacity-building conducted by the OHCHR Regional Office for Southern Africa; in Kazakhstan, the OHCHR Regional Office for Central Asia provided technical advice to the newly

¹⁴ Available at www.ohchr.org/Lists/MeetingsNY/Attachments/27/moving_away_from_death_penalty_web.pdf.

¹⁵ Available from www.ohchr.org/Documents/Countries/IQ/UNAMI_HRO_DP_1Oct2014.pdf.

¹⁶ A/HRC/27/21.

¹⁷ Available at www.ohchr.org/Documents/Press/GuidanceNoteReparationsJune-2014.pdf.

established national preventive mechanism; and in Tajikistan, the joint advocacy of the Office and the Ombudsman and civil society led to the establishment of a pilot mechanism to monitor closed institutions.

59. OHCHR pursued its involvement in the ongoing review process of the Standard Minimum Rules for the Treatment of Prisoners, and organized a workshop on traditional justice and an expert consultation on military justice.

60. In Mexico, OHCHR provided advice on the revision of the military justice code. In Guatemala, it put in place a comprehensive strategy to strengthen the national capacity to fight impunity. Its continued support for the justice sector resulted in an increased application of international human rights standards in judicial resolutions. Through regional judicial roundtables held throughout Cambodia, OHCHR convened judges, prosecutors, lawyers, court clerks and prison and police officials to foster cooperation and improve the delivery of justice.

61. As part of ongoing efforts to assist States and other relevant stakeholders to ensure human rights-based governance of migration at international borders, OHCHR released its recommended principles and guidelines on human rights at international borders,¹⁸ which translate the international human rights framework into practical border governance measures.

D. Integrating human rights in development and the economic sphere

1. Human rights in development

62. The Office contributed to ensuring that human rights, including the right to development, are fully integrated into the Sustainable Development Goals and the post-2015 development agenda so that, unlike the Millennium Development Goals, the new global agenda for development is closely aligned with international human rights standards. OHCHR efforts included engaging with Member States during the negotiations of the Open Working Group on Sustainable Development Goals, organizing high-level events and contributing technical input to United Nations interagency mechanisms supporting the negotiations of Member States. OHCHR consistently called for human rights to be mainstreamed across all goals, targets and indicators and for a universal, balanced framework ensuring freedom from fear and from want for all, without discrimination.

63. I am encouraged that the outcome document of the Open Working Group on Sustainable Development Goals¹⁹ reflects the above-mentioned human rights imperative, and OHCHR will work to preserve these gains while addressing gaps and promoting strong accountability architecture and human rights indicators.

64. OHCHR promoted a human rights-based approach to data collection in discussions on the post-2015 development agenda. It assisted several States, including Côte d'Ivoire, Egypt, Morocco and Togo, in integrating human rights indicators into the formulation and impact assessments of national development policies and programmes.

65. Efforts to integrate human rights into development and the economic sphere also included developing human rights impact assessments, which can be effective in identifying, quantifying and evaluating the ways that trade and investment have an impact on the full spectrum of human rights.

¹⁸ Available from www.ohchr.org/EN/Issues/Migration/Pages/InternationalBorders.aspx.

¹⁹ Available from <http://sustainabledevelopment.un.org/focussdgs.html>.

66. OHCHR engaged intensively with the United Nations development system, within the framework of the United Nations Development Group, to mainstream human rights into the system's "fitness for the purpose" for a transformative post-2015 development agenda. OHCHR chairs the United Nations Development Group -Human Rights Working Group (formerly the Human Rights Mechanism), which promotes interagency policy coherence and joint advocacy, and provides concrete support to resident coordinators and United Nations country teams, including in the context of the Human Rights Up Front initiative, facilitating system-wide sharing of good practices and more systematic engagement with international human rights mechanisms.

2. Global economic and social issues

67. The Office enhanced its work on the protection of human rights in economic and social issues, including in the governance of land, the response to the Ebola outbreak and in the context of recent political, economic and social crises. In the report for 2014 submitted to the Economic and Social Council,²⁰ the High Commissioner analysed human rights norms applicable to land.

68. With regard to the Ebola outbreak, OHCHR provided an analysis of the human rights dimension, including in terms of responses to the epidemic. Field presences in the countries most affected monitored the human rights impact of the outbreak and promoted integrating human rights into responses.

69. In September 2014, OHCHR, in collaboration with the World Health Organization, issued technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age.²¹ The guidance, which will be piloted in selected countries, contains advice on legislation, coordination, planning, budgeting, implementation and international cooperation.

70. OHCHR launched an ambitious process aimed at developing a fairer, more effective system of domestic law remedies in cases of gross human rights abuse involving business enterprises with a view to supporting effective implementation of the Guiding Principles on Business and Human Rights. An expert study commissioned by OHCHR concluded that the present system of domestic law remedies is patchy, unpredictable, often ineffective and fragile. OHCHR continued efforts to enhance broad implementation of the Guiding Principles, including through stakeholder capacity-building and the development of tools and guidance documents.

71. The report of the Secretary-General on the question of the realization of economic, social and cultural rights in all countries submitted to the Human Rights Council at its twenty-fifth session²² contained an analysis of access to justice in relation to violations of those rights. OHCHR also worked on the human rights implications of austerity measures and the right to social security. It supported the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which in 2014 was ratified by Belgium, Cabo Verde, Costa Rica, Finland and Gabon.

72. OHCHR launched a publication on the economic, social and cultural rights of migrants in an irregular situation that explored the legal content of these rights under the core international instruments and the practical barriers that often prevent irregular migrants from enjoying their rights to education, health, social security, housing, water and

²⁰ E/2014/86.

²¹ A/HRC/27/31.

²² /HRC/25/31.

sanitation, food and decent work.²³ In addition, OHCHR developed a set of human rights indicators specifically related to migrants and their families, with an initial focus on their rights to health, education and decent work.

73. OHCHR conducted capacity-building in monitoring economic, social and cultural rights in, inter alia, Kyrgyzstan, Mauritania and the occupied Palestinian territories, and for the judicial protection of those rights in Guatemala, Madagascar and Montenegro, among others. OHCHR also provided technical support on the right to food in Malawi and the right to health in Togo. In Mexico, OHCHR increased awareness of State institutions and non-State actors about international obligations vis-à-vis economic and social rights. In Cambodia, OHCHR assisted indigenous communities in obtaining collective land titles. In the Plurinational State of Bolivia, OHCHR supported the development of human rights indicators on the rights to food, education, health, work and housing and the right of women to live a life free of violence. In the Republic of Moldova, OHCHR worked with the Ministry of Health to establish an anti-discrimination commission to examine equality issues in law, policy and practice in the health sector.

E. Widening the democratic space

74. Transparent and participative societies based on dialogue, pluralism and tolerance exist where State and non-State actors respect the exercise of rights, including freedom of opinion and expression, peaceful assembly and association and participation in public life. The exercise of these freedoms is fundamental to fostering dialogue, upholding the rule of law and democracy.

75. To commemorate the 20-year review of the implementation of the Beijing Declaration and Platform for Action, OHCHR launched a campaign to give visibility and legitimacy to the work of women human rights defenders, comprising 12 videos to be released via social media on the 12 areas of concern of the Beijing Platform for Action. The OHCHR Regional Office for Central Africa created a regional platform on women's political participation in the region. In Cambodia, OHCHR organized a workshop for women human rights defenders from the Asia-Pacific region.

76. OHCHR conducted human rights training for independent electoral commissions, parliamentarians, civil society actors and media professionals ahead of local elections planned in several African countries between 2014 and 2017. In Thailand, OHCHR monitored human rights in relation to the demonstrations and elections and conducted a human rights analysis of the 2014 interim Constitution, including on issues related to participation in the conduct of public affairs. In Chile, it developed a compilation of national, regional and international standards relating to peaceful protests.

77. Pursuant to Human Rights Council decision 24/116, OHCHR organized an expert panel discussion on the safety of journalists at the twenty-sixth session of the Council. It compiled good practices on the protection of journalists, the prevention of attacks committed against them and the fight against impunity for such attacks.²⁴ It also contributed to the first report of the Secretary-General on the safety of journalists and the issue of impunity.²⁵ Together with the United Nations Educational, Scientific and Cultural Organization and the Council of Europe, OHCHR co-hosted the third United Nations inter-

²³ Available from www.ohchr.org/Documents/Publications/HR-PUB-14-1_en.pdf.

²⁴ See A/HRC/27/35.

²⁵ A/69/268.

agency meeting on the safety of journalists and the issue of impunity, at which the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity was reviewed.

78. In the field, OHCHR worked with national-level actors to address the human rights issues most relevant to journalists. In Madagascar, it organized a workshop with the Ministry of Communication to develop a draft media code; in Guatemala, it provided the Ministry of the Interior with technical assistance to establish a protection mechanism for journalists. In Togo, OHCHR organized a workshop to promote the professionalization of the media. In Mexico, it enhanced the capacity of the national protection mechanism to protect human rights defenders and journalists, and provided the authorities with technical advice on providing protection in several documented and monitored cases. The OHCHR Regional Office for West Africa launched a training project for journalists on human rights and human rights reporting and to promote networking among journalists working on human rights. The OHCHR Regional Office for the Middle East, together with OHCHR Tunisia, organized a workshop to build the capacity of civil society actors and journalists to prevent incitement to hatred, using international human rights norms and mechanisms on freedom of expression.

79. Furthermore, OHCHR field presences strengthened relations with authorities to ensure timely responses to cases and allegations of threats against human rights defenders (in Colombia, Guatemala and Mexico); conducted outreach and training for civil society actors on protection mechanisms (in Colombia, the Democratic Republic of the Congo, Guatemala and Mexico); launched public information campaigns, including radio programmes (in Colombia); developed a mentoring scheme for civil society actors (in the Democratic Republic of the Congo); implemented a protection coordination mechanism of relevant international actors (in the Democratic Republic of the Congo); and strengthened the capacity of civil society organizations in remote regions (in Tajikistan).

80. OHCHR provided advisory services on developing human rights education, training policies and curricula (in, inter alia, Colombia, Honduras, the Niger, Timor-Leste and Togo); held introductory workshops for women leaders on human rights and the use of national, regional and international mechanisms to protect women's rights (in Madagascar); and translated and disseminated human rights training materials into local languages, and organized a summer school on human rights for lawyers and civil society representatives (in Georgia).

81. OHCHR provided advice and support for the establishment of national human rights institutions in a number of countries, including Angola, Benin, Botswana, Comoros, the Gambia, Guatemala, Guinea, Mozambique, Senegal, South Africa, Tunisia, Vanuatu and Zimbabwe. Activities in support of national human rights institutions included the identification of gaps in practices and provision of recommendations; support in monitoring cases; training workshops for institution staff on human rights standards and the Paris Principles, handling complaints, and monitoring and investigations; convening consultation meetings of institutions on strategic plans with civil society; joint advocacy on conditions in detention; and the publication of a booklet on obligations of institution members.

82. Pursuant to Human Rights Council 24/21, OHCHR organized a panel discussion on the importance of the promotion and protection of civil society space at the twenty-fifth session of the Council.²⁶ OHCHR developed procedures to handle allegations of reprisals arising in the context of Human Rights Council meetings, including with respect to recording of incidents. It organized regular briefings of non-governmental organizations with the President and the Secretariat to follow up on issues related to reprisals and to

²⁶ See A/HRC/27/33.

exchange good practices and lessons learned. The Office also developed a practical guide for civil society actors entitled “Civil society space and the United Nations human rights system”.²⁷

83. All field presences work closely with, and build the capacity of, various civil society actors. The Regional Office for South-East Asia monitored cases of reprisals against human rights defenders and facilitated networking of civil society actors for human rights protection. In Burundi, the Human Rights and Justice Section of the United Nations Office in Burundi supported the establishment of a national human rights observers’ network to monitor and report on the human rights situation in the country. In Uganda, OHCHR conducted joint visits with civil society actors to verify allegations of threats against human rights defenders, and held consultations with civil society actors about strategies to advocate effectively for human rights.

F. Early warning and protection of human rights in situations of conflict, violence and insecurity

1. Protection of human rights during violence and conflict

84. The past year saw increased levels of demand for OHCHR engagement in emergency responses, to support commissions of inquiry or to conduct investigations. OHCHR continued to support or established five commissions of inquiry mandated by the Human Rights Council or the Security Council, and initiated investigations on human rights violations in Sri Lanka and Iraq pursuant to Human Rights Council resolutions. Furthermore, in March 2014, OHCHR deployed a human rights monitoring mission to Ukraine, which as at November had issued eight public reports.

85. OHCHR gave regular input for briefings of the Security Council expert group on the protection of civilians in armed conflict, and also provided expertise to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), the United Nations Multidimensional Integrated Stabilization Mission in Mali, the United Nations Mission in South Sudan, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and the United Nations Mission in Liberia in the development or revision of their strategies and operations for the protection of civilians.

2. Early warning and preventive action

86. The Office has become increasingly engaged in the implementation of the Human Rights Up Front plan of action, which seeks to ensure that the United Nations is aware of potential or emerging human rights crisis situations at the earliest stage, promptly deploys the required resources on the ground to respond and takes preventive action. OHCHR continued to build deployable human rights capacity to meet these needs by expanding its internal and external rapid response roster capacity.

87. In terms of early warning, OHCHR pays special attention to violations of economic, social and cultural rights. Gross and systematic violations can lead to inequality, compound the impact of natural disasters and contribute to triggering social protest, unrest and conflict. OHCHR will therefore continue its work on violations of economic, social and cultural rights during and after crises, in particular with regard to the protection of the rights to health and to education in situations of conflict.

²⁷ Available from www.ohchr.org/Documents/AboutUs/CivilSociety/CS_space_UNHRSsystem_Guide.pdf.

88. OHCHR was engaged in mediation processes to defuse tensions between authorities and communities; for instance, in Colombia, it participated in several negotiation platforms, at the national and local levels, contributing to peacebuilding and to upholding the rights claimed by social movements.

3. Human rights, peace and security

89. Engagement with the Security Council has significantly increased in the past three years. OHCHR thematic and country briefings continued to have a clear focus on prevention and accountability. They helped to shape the response of the Organization to crises, highlighted human rights protection challenges, provided early warning signals and proposed actions. During the period under review, my predecessor briefed the Security Council in a general debate on conflict prevention, and on a number of country situations, in particular in the Central African Republic, Libya, Mali, South Sudan and the Syrian Arab Republic. I also briefed the Council for the first time in November on the situation in Iraq. The Assistant Secretary-General briefed the Council on Burundi, South Sudan and Ukraine.

90. OHCHR worked to enhance the response of the United Nations to the protection crisis in the Central African Republic, and to ensure that protection of human rights was at the core of the MINUSCA mandate. OHCHR supported the deployment of human rights protection and monitoring capacity during the start-up phase of the operation in parallel to planning for a full-fledged human rights component. To support the transition from the African-led International Support Mission in the Central African Republic (MISCA) to MINUSCA, OHCHR, alongside the Department of Peacekeeping Operations, trained MISCA contingents on human rights and the protection of civilians. OHCHR also supported UNAMID and the Department in the streamlining of mandated activities. It participated in the strategic review for the reevaluation of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), and engaged in the civilian staffing reviews exercise led by the Department of Field Support mandated by Member States for the human rights components of MONUSCO, the United Nations Assistance Mission for Iraq and the United Nations Stabilization Mission in Haiti.

91. Based on its experience in integrating human rights into peace and security, OHCHR held a consultative meeting with the Commission of the African Union to identify areas for OHCHR potential support to strengthen human rights integration into African Union peace support operations, including through integration within the United Nations Office to the African Union. OHCHR was also actively involved in the lessons learned exercise on transitions from the African Union peace operations to United Nations peacekeeping operations in the Central African Republic and in Mali, as requested by the Security Council in its resolution 2167 (2014). OHCHR will also engage with the High-level Independent Panel on Peace Operations with a view to advocating for a strengthened role of human rights within peace missions.

92. OHCHR supported the implementation of the human rights due diligence policy on United Nations support to non-United Nations security forces, advising United Nations peace missions, United Nations country teams and individual United Nations entities on developing procedures and risk assessments and facilitating lessons learned exercises. The policy effectively allowed principled and effective engagement in situations where the risk of serious human rights violations by regional and national security forces with which the United Nations was partnering was high.

4. Humanitarian action

93. OHCHR strengthened its engagement in humanitarian action. It remained engaged with the Inter-Agency Standing Committee, particularly with regard to the implementation of its transformative agenda and the handling of level-3 crises. The contribution of OHCHR

to the revision of the Committee's terms of reference led to the inclusion of the protection of the rights of persons in accordance with international human rights and humanitarian law as an overall objective and principle of the Committee. OHCHR focused on supporting implementation of the Committee's protection priority, particularly through its co-chair role, with the task team of the Global Protection Cluster responsible for facilitating said priority.

94. In the past year, OHCHR placed 26 human rights officers at the disposal of the inter-agency rapid response mechanism to strengthen the operational protection capacity of the system to respond to major crises.

95. OHCHR rapid and surge deployments in the context of humanitarian action increased. Missions were dispatched to the Philippines, following typhoon Haiyan; to the Central African Republic, in the context of the declaration of the level-3 crisis; to Gaza, following the July crisis; to Ukraine, to support the role of OHCHR as co-chair of the protection sector; and to Mauritania, to support the lead role of OHCHR in the protection sector. OHCHR also took the leadership of two regional protection clusters in the Philippines, in the aftermath of Typhoon Haiyan, and had overall leadership of the protection cluster in Liberia in the context of the Ebola crisis – in addition to maintaining this role in Haiti, Palestine, Mauritania and the Pacific (as co-lead).

5. Sexual and gender-based violence, trafficking and related exploitation

96. Global guidance was developed to promote accountability for sexual and gender-based violence, followed by concrete activities in the field. In June, the guidance note of the Secretary-General on reparations for victims of conflict-related sexual violence, developed jointly by OHCHR and UN-Women, was launched (see para. 55 above). The implementation of the note was promoted in a number of contexts and resulted in legislative revision (in Kosovo),²⁸ the introduction of a specific reparation programme (in the Republic of Moldova) and pilot assistance programmes for victims (in the Democratic Republic of the Congo).

97. In addition, a protocol for the investigation of gender-motivated killings of women was launched in Latin America and widely disseminated within the region. The protocol aims at providing prosecutors, judges, police officers and forensic experts with practical guidance for investigation and complying with due diligence standards.

98. OHCHR launched a study on wrongful gender stereotyping by the judiciary in cases of sexual and gender-based violence. OHCHR Guatemala presented the study to the judicial school, which agreed on a project to review judgements of ordinary and specialized courts and to integrate the issue of gender stereotypes into the curriculum of the judiciary. In the Republic of Moldova, OHCHR supported a process to review prosecutorial guidance in cases of rape, to address harmful gender stereotypes and to ensure objective investigations.

99. In Kosovo, OHCHR worked towards the increased and meaningful participation of women in public processes, in particular those related to sexual and gender-based violence. OHCHR also supported the implementation of the recommendations of its report on reparations for survivors of sexual violence related to armed conflict.²⁹

²⁸ All references to Kosovo in the present report should be understood to be in full compliance with Security Council resolution 1244 (1999), without prejudice to the status of Kosovo.

²⁹ Victoria S. Rames, *Healing the Spirit: Reparations for Survivors of Sexual Violence related to the Armed Conflict in Kosovo* (Prishtinë/Priština, OHCHR Stand-alone Office in Kosovo, 2013).

100. OHCHR strengthened the capacity of human rights components of peace missions and fact-finding bodies to investigate sexual and gender-based violence. The three-day training on investigating conflict-related sexual violence was delivered in the Democratic Republic of the Congo and the Sudan (Darfur).

101. In Côte d'Ivoire, a committee of national experts on conflict-related sexual violence, supported by the Human Rights Division of the United Nations Operation in Côte d'Ivoire, examined several cases of conflict-related sexual violence transmitted by legal aid clinics in order to ensure corrective and judicial measures. The committee was established to elaborate a plan of action to sensitize members of the armed forces and the population on the prevention of and responses to sexual violence.

102. OHCHR provided States and civil society actors with technical assistance and capacity development on trafficking and human rights. It supported regional and inter-agency frameworks on trafficking, and continued to raise awareness of linkages between trafficking and human rights.

103. OHCHR, as co-lead entity of the Team of Experts on the Rule of Law and Sexual Violence in Conflict under Security Council resolution 1888 (2009), continued to provide technical advice and capacity-building assistance to national authorities in addressing accountability for conflict-related sexual violence. Support was provided to the Central African Republic, Colombia, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea, Liberia, Somalia and South Sudan.

III. Conclusions

104. **Under its overall mandate, OHCHR continued to provide substantive support to human rights mechanisms with a view to maximizing their efficiency and effectiveness, their responsiveness to all human rights violations and their capacity to assist States in fulfilling their human rights obligations. OHCHR worked energetically to fulfil all mandates received from the relevant intergovernmental bodies and to provide valuable advice to various stakeholders on a wide array of issues. The Office delivered a considerable number of technical assistance activities upon the request of Member States. OHCHR continued its efforts to mainstream human rights throughout the work of the United Nations, including in peace operations, development and humanitarian action.**

105. **Human rights must be at the core of the work of the United Nations as a whole and become a full and integral pillar of the Organization. This is supported by the Human Rights Up Front initiative, designed to strengthen prevention and response in situations where people are at risk of, or are subject to, violations of international human rights or humanitarian law. So very often, at the root of the crises confronted by the United Nations, we find a complex web of violations of economic, civil, cultural, political and social rights. Early and coordinated action across the full spectrum of human rights would achieve our goal of prevention more effectively.**

106. **The world needs a United Nations human rights office that is strong, resilient and able to act quickly to prevent and respond to human rights challenges. OHCHR must have the resources to fulfil its broad and critical mandate, including undertaking effective prevention and delivering support to Member States seeking to overcome obstacles, but also detecting and calling attention to human rights violations so that swift, effective and relevant action may be taken.**

107. In the light of the funding shortfall that OHCHR is enduring, partly due to mandated activities not funded comprehensively by the United Nations regular budget, the Office has been compelled to reduce the level of its activities for 2015.
