



# General Assembly

Distr.: General  
18 December 2013

Original: English

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## Human Rights Council

Twenty-fifth session

Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**


## **Annual report of the United Nations High Commissioner for Human Rights**

### *Summary*

The present report, submitted pursuant to General Assembly resolution 48/141, provides an update of the key activities of the Office of the United Nations High Commissioner for Human Rights in 2013. It focuses on the six thematic priorities established by the Office for the period 2012-2013.

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## I. Introduction

1. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has come a long way since 1993, when the post of High Commissioner was created at the World Conference on Human Rights to ensure that an independent, authoritative voice would speak out at the global level against human rights violations, wherever they occurred. The twentieth anniversary of the Vienna Declaration and Programme of Action and of the establishment of the mandate of the High Commissioner provided an opportunity to reaffirm the principles of the Vienna Declaration, not least the universality, indivisibility and interdependence of all human rights, including the right to development, and the duty of the State, regardless of its political, economic and cultural system, to promote and protect all human rights and fundamental freedoms. This anniversary also provided the opportunity to assess progress made in the promotion and protection of human rights and the evolution of OHCHR and its achievements. Throughout my term, OHCHR has forthrightly confronted a multitude of pressing and challenging human rights issues in an increasingly complex and ever-changing world.

2. One of the most notable developments during my term has been the remarkable recognition of the importance of human rights within the United Nations system and as one of the three pillars of the Organization, together with peace and security, and development. Most recently, the report of the Secretary-General's Internal Review Panel on United Nations action in Sri Lanka,<sup>1</sup> together with the subsequent "Rights Up Front" plan of action, reaffirmed the centrality of human rights to the work of the United Nations, and provides critical recommendations for the whole system to be more responsive and responsible in preventing and addressing promptly human rights issues. OHCHR is committed to playing a leading role in ensuring follow-up to this landmark document, which, if effectively and collectively implemented, will contribute significantly to peace and security and to development.

3. In November 2013, the United Nations System Chief Executives Board for Coordination, under the leadership of the Secretary-General, endorsed a significant statement on human rights, reaffirming the system's commitment to the human rights principles of the United Nations, recognizing the responsibility of the entire system to uphold human rights norms and standards and pledging support for the "Rights Up Front" plan of action. We will continue to build on this achievement, and I trust that OHCHR will continue to pioneer the way forward, together with its partners worldwide.

4. The Office has continued to respond to a steadily growing number of requests for engagement and assistance. As at December 2013, OHCHR supported 59 field presences: 13 country/stand-alone offices, 15 human rights components of peacekeeping and special political missions, 12 regional offices and centres, and 19 human rights advisers with United Nations Resident Coordinators and country teams. These presences are critical to providing national counterparts with direct and targeted assistance in addressing human rights issues. During the period under review, the United Nations Development Group human rights mainstreaming mechanism agreed to the deployment of 13 new human rights advisers.

5. In September 2013, the interim Government of Egypt notified OHCHR of its willingness to host an OHCHR regional office for North Africa in Cairo, a process that was

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<sup>1</sup> Available from [www.un.org/News/dh/infocus/Sri\\_Lanka/The\\_Internal\\_Review\\_Panel\\_report\\_on\\_Sri\\_Lanka.pdf](http://www.un.org/News/dh/infocus/Sri_Lanka/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf).

still ongoing during the period under review. Negotiations with the Government of Myanmar to establish an OHCHR country office have also been ongoing.

6. Between December 2012 and November 2013, I undertook visits to (in chronological order) Angola, Denmark, Spain, the Netherlands, Belgium, Serbia and Kosovo,<sup>2</sup> Austria, Cameroon, Colombia, Sri Lanka, Slovenia, Poland, Afghanistan, the United Kingdom of Great Britain and Northern Ireland, Ireland and France, in addition to regular visits to Headquarters to brief the Security Council and the General Assembly. The Deputy High Commissioner visited the Democratic Republic of the Congo and Yemen. The Assistant Secretary-General for Human Rights conducted missions to Côte d'Ivoire, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, Guinea-Bissau and the Central African Republic.

7. The constant increase in demands placed on OHCHR, including new mandated activities, has tested the limits of the Office's already limited resources. I am grateful to my staff for their hard work and dedication, and count on Member States to increase overall financial support for OHCHR to enable it to undertake effectively our ever-expanding work, not least in the light of the "Rights Up Front" plan of action.

## **II. Thematic priorities**

### **A. Discrimination**

#### **1. Racial discrimination**

8. OHCHR worked on supporting a substantive approach to the work of the Durban follow-up mechanisms, which now also serve as a forum for the exchange of good practices against racism, racial discrimination, xenophobia and related intolerance. OHCHR continues to experience difficulties in securing a meeting of the independent eminent experts, who, despite the efforts of the Office, were once again unable to meet during the year under review.

9. Together with the International Federation of Association Football (FIFA) and the Union of European Football Associations (UEFA), OHCHR initiated a campaign to sensitize the public on the eradication of racism in sport consistent with the discussions held during the eleventh session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action.

10. A database on practical means to combat racism, racial discrimination, xenophobia and related intolerance was launched by the Office in September 2013 to increase the capacity of Member States and other stakeholders in this field. This tool contains more than 1,500 documents and information from more than 90 countries.

11. OHCHR provided Governments with advice on policies and programmes to eradicate racial discrimination and to promote equality, and in the review of anti-discrimination legislation. It organized national and regional meetings and supported various national institutions in, inter alia, Belarus, Bolivia (Plurinational State of), Costa Rica, Guinea, Mauritania, Mexico, Nigeria, the Republic of Moldova, the Russian Federation and Ukraine. In the past year, seven young individuals were empowered through

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<sup>2</sup> All references to Kosovo in the present report should be understood in full compliance with Security Council resolution 1244 (1999), without prejudice to the status of Kosovo.

their participation in the third Annual Fellowship Programme for People of African Descent.

12. The Rabat plan of action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence was launched by my Office in February 2013, and is now an important platform for our work in the field.

## **2. Discrimination on the basis of indigenous or minority background**

13. The leadership of OHCHR in the United Nations Indigenous Peoples' Partnership was complemented by dialogue with indigenous peoples in, inter alia, Bolivia (Plurinational State of), Indonesia and the Congo. The Office published, with the Asia Pacific Forum of National Human Rights Institutions, a manual on indigenous peoples' rights. Its support for the Expert Mechanism on the Rights of Indigenous Peoples facilitated the adoption of a new study on the access of indigenous peoples to justice. OHCHR contributed to the preparation of the 2014 World Conference on Indigenous Peoples by supporting the capacity of indigenous peoples to contribute to the process through the United Nations Voluntary Fund for Indigenous Populations. The indigenous fellowship programme included 26 fellows from 20 countries. OHCHR also endeavoured to advance respect for indigenous peoples' rights in the context of business operations, including through the operationalization of the principle of free, prior and informed consent in Latin America and elsewhere. In Colombia, the role of OHCHR in promoting dialogue contributed to a historic agreement on territorial units, enhanced protection for ancestral lands, and a plan of action concerning isolated indigenous peoples, reached between the Government and indigenous peoples, providing concrete steps for the exercise of their rights.

14. The efforts made by OHCHR to promote and protect minority rights included its leadership in the new United Nations network on racial discrimination and minorities. In March, the Secretary-General endorsed a guidance note on racial discrimination and protection of minorities, in which he called on the United Nations to focus on the most marginalized minorities, whose rights are particularly at risk. In many countries, this translates into a focus on religious minorities, whose rights were the focus of the Forum on Minority Issues in November 2013.

15. In various European countries, the human rights of Roma continued to be at serious risk. In the Republic of Moldova, the Office supported efforts aimed at setting up an equality body as envisaged in the 2012 Equality Law, and assisted the national human rights institution in challenging discriminatory laws in court, and in pressing for desegregation in localities practising separate schooling for Roma. In Serbia, assistance was provided to the authorities in the integration of human rights standards in Roma housing programmes and on the consultation and participation of affected communities in their implementation.

16. Other areas of concern ranged from participation of minorities in decision-making to the promotion of the right to use minority languages. In April 2013, the Government of Kyrgyzstan adopted a policy to promote minority representation in State bodies and to protect minority languages, with advice provided by OHCHR. In Libya, support was provided through the human rights component of the United Nations Support Mission in Libya for the adoption in July of a law on the rights of cultural and linguistic components.

17. OHCHR also initiated an Arabic and English language minority fellowship programme and issued a practical guide for minority rights advocates.

### 3. Gender equality and women's rights

18. OHCHR worked with partners to promote the implementation of recommendations contained in the report of my Office on creating and/or strengthening synergies against violence against women.<sup>3</sup> In July, I signed a letter of agreement with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to systematize collaboration in advancing women's rights and gender equality.

19. In collaboration with UN-Women and the United Nations Development Programme, OHCHR developed a global programme to ensure women's access to justice through comprehensive and coordinated law and justice reforms at the national level. OHCHR, together with UN-Women, convened three validation workshops on the model protocol for the investigation of femicide in Latin America, which aimed at increasing the integration of gender aspects throughout such investigations. As one of the lead entities of the Team of Experts on the Rule of Law and Sexual Violence in Conflict,<sup>4</sup> OHCHR conducted assessment missions to the Central African Republic, Colombia, the Democratic Republic of the Congo and Somalia, and made recommendations to the relevant Governments on strengthening their legal and institutional frameworks to respond to conflict-related sexual violence.

20. In follow-up to Human Rights Council resolution 23/25, in October, OHCHR convened a lessons learned meeting of commissions of inquiry and fact-finding mission staff and experts on the investigation of sexual and gender-based violence. In the Democratic Republic of the Congo, the Joint Human Rights Office supported mobile courts dealing with cases of sexual violence and provided through joint investigation teams military prosecutors with technical support to investigate allegations of sexual violence, and other serious violations, in remote areas of the country. Furthermore, the Joint Human Rights Office supported the establishment of legal clinics to provide free legal advice to victims of sexual violence.

21. OHCHR supported efforts in Guinea-Bissau, Mauritania and Sierra Leone to enhance national capacity to address sexual and gender-based violence. In Guinea-Bissau, advocacy by the human rights component of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) contributed to the adoption in July of laws to combat female genital mutilation and to prevent human trafficking.

22. In partnership with the World Health Organization (WHO), the United Nations Population Fund (UNFPA) and the Partnership for Maternal, Newborn and Child Health, OHCHR promoted the implementation of a technical guidance on a rights-based approach to the reduction of maternal mortality and morbidity, including by building capacity in Malawi, South Africa, Uganda and the United Republic of Tanzania. In July, together with UNFPA and the Government of the Netherlands, OHCHR co-organized an international conference on human rights in the context of the review of the International Conference on Population and Development: beyond 2014, in which participants urged that human rights be placed at the centre of efforts to deliver on implementation of the agenda of the International Conference.

23. OHCHR published jointly with UN-Women a handbook entitled "Realizing women's rights to land and other productive resources".

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<sup>3</sup> A/HRC/23/25.

<sup>4</sup> See Security Council resolution 1888 (2009).

#### **4. Discrimination on the basis of disability**

24. OHCHR, in cooperation with the Human Rights Council task force on accessibility, endeavoured to ensure the use of international sign language interpretation and captioning during certain meetings of the Council and the Committee on the Rights of Persons with Disabilities, and improved the accessibility of buildings to persons with disabilities. OHCHR also finalized a training package on the Convention on the Rights of Persons with Disabilities, which was piloted in Ethiopia, Kenya and South Africa.

25. As a result of advocacy by OHCHR, the human rights of persons with disabilities were recognized as an important factor in the outcome document of the high-level meeting of the General Assembly on disability and development<sup>5</sup> and in the conclusions of the round table dedicated to the post-2015 development agenda.

26. As an example, in July, following advocacy by the UNIOGBIS human rights component, the Parliament of Guinea-Bissau approved the ratification of the Convention on the Rights of Persons with Disabilities. The human rights component of the United Nations Integrated Peacebuilding Office in Sierra Leone supported the establishment and operationalization of the National Commission for Persons with Disabilities in Sierra Leone.

#### **5. Discrimination on the basis of age**

27. Rapidly changing demographics are presenting new human rights challenges. Older persons represent a large and growing constituency, often subjected to discrimination, exclusion, marginalization and abuse, and yet for whom no dedicated international protection regime yet exists. The human rights of older persons are expected to advance following the establishment of a special procedures mandate on this specific issue.

28. Jointly with the Department of Economic and Social Affairs, OHCHR supported the fourth session of the Open-ended Working Group on Ageing for the purpose of strengthening the protection of the human rights of older persons, held in New York,<sup>6</sup> and organized a public consultation on the human rights of older persons in Geneva, pursuant to Human Rights Council resolution 21/23. In May 2013, OHCHR, jointly with the European Commission, organized a seminar on preventing abuse and neglect of older persons in Europe. In July, it organized an expert meeting to identify and address protection gaps for the human rights of youth.

#### **6. Discrimination on the basis of sexual orientation and gender identity**

29. In the past five years, there has been a growing awareness of the extent and gravity of human rights violations against individuals based on their sexual orientation and gender identity or expression.

30. In July 2013, OHCHR launched Free & Equal, a global campaign designed to raise awareness of homophobic and transphobic discrimination and violence, and to promote respect for the rights of lesbian, gay, bisexual and transgender (LGBT) persons. With support from United Nations partners, the campaign has created opportunities for more than 10 million people around the world to have access to and share materials via social media. News of the campaign was featured in media outlets with a global readership around the world. In March and April, OHCHR participated in a series of regional meetings and in a

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<sup>5</sup> See General Assembly resolution 68/3.

<sup>6</sup> A/AC.278/2013/2.

global conference in Oslo to examine the most pressing human rights challenges faced by LGBT persons in various parts of the world.

#### **7. Discrimination on the basis of health and harmful traditional beliefs**

31. OHCHR worked to address stigma and discrimination against people living with HIV, including by promoting access to justice and legal assistance, for example in Benin, Ecuador and the Republic of Moldova. The Office also partnered with the Global Fund to Fight AIDS, Tuberculosis and Malaria to integrate human rights into its operations and fund management.

32. In September 2013, OHCHR submitted a report to the Human Rights Council on attacks and discrimination against persons affected by albinism,<sup>7</sup> and, throughout the year, promoted greater awareness of their situation of human.

### **B. Impunity, rule of law and democratic society**

33. Supporting efforts to strengthen the administration of justice remains a priority for OHCHR, with a focus on such fundamental issues as the independence of the judiciary and the protection of the rights of persons deprived of their liberty. OHCHR assisted in the preparation of a report of the Secretary-General containing an analysis of the institutional framework for the protection of all persons deprived of their liberty.<sup>8</sup> OHCHR participated in the ongoing review process of the Standard Minimum Rules for the Treatment of Prisoners, and, in November, organized a training workshop for field presences in Africa on traditional justice systems and human rights.

34. OHCHR continued its advocacy work with States retaining the death penalty, notably for the establishment of a moratorium pursuant to General Assembly resolution 67/176, and for the implementation of international standards guaranteeing the protection of the rights of those facing the death penalty. In June, at the fifth World Congress against the Death Penalty, I urged all States that had resumed executions or continued to impose the death penalty to immediately stop this regression in human rights protection and to impose a moratorium. In June, in New York, OHCHR held a high-level event to discuss the increasing number of wrongful convictions in death penalty cases.

35. OHCHR continued to support a comprehensive approach to combating impunity, strengthening accountability and addressing past violations of human rights through advice and support on transitional justice processes and mechanisms. This included supporting the drafting of transitional justice laws, in particular in Libya, Tunisia and Yemen. It also included support for inclusive and participatory approaches to transitional justice processes, for instance to support the Dialogue, Truth and Reconciliation Commission of Côte d'Ivoire in the organization of national consultations, and the planning of such consultations in Guinea. OHCHR continued to support the work of the Truth and Reconciliation Commission of Thailand, and encouraged the Government to implement the Commission's recommendations.

36. In April 2013, in partnership with France and Switzerland, OHCHR co-organized in Yaoundé the third regional conference on transitional justice for francophone Africa. In November, OHCHR supported the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence in organizing, in Kampala, regional consultations on transitional justice in Africa.

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<sup>7</sup> A/HRC/24/57.

<sup>8</sup> A/68/261.



37. In June, OHCHR launched a study on the theme, “Healing the spirit: reparations for survivors of sexual violence related to the armed conflict in Kosovo”, and supported the implementation of the recommendations made in it. In South Kivu in the Democratic Republic of the Congo, the Joint Human Rights Office implemented a project on access to justice and reparations through which 450 beneficiaries were reintegrated and given access to medical and psychosocial assistance.

38. OHCHR supported domestic and regional capacity-building efforts to enhance protection of human rights in the context of counter-terrorism. In my address to the Counter-Terrorism Committee of the Security Council in October, I raised concerns about broadly formulated national counter-terrorism legislation and the abusive use of counter-terrorism legislation by authorities to curb legitimate activity.

39. I also reiterated concerns over allegations received by my Office of serious violations of human rights in the context of counter-terrorism, with attention to the failure to close the Guantanamo Bay detention centre as one example. The failure of many States to undertake public and independent investigations of past involvement in renditions also remains an issue of concern.

40. OHCHR continued to address other complex legal and policy challenges, including issues relating to mass surveillance and the right to privacy in the digital age. While modern communications technology provides a powerful tool for democracy, it has also contributed to a blurring of lines between the public and the private spheres, and has generated unprecedented levels of interference with the right to privacy.

41. I highlighted my deep concern over the lack of transparency surrounding drone strikes and their impact on, in particular, accountability and the ability of victims to seek redress. Member States should be transparent with regard to criteria for deploying drone strikes and ensure that the use of drones complies fully with international law. Where there are plausible indications of a breach of international law, States should conduct independent, impartial, prompt and effective investigations, and provide victims with an effective remedy.

42. As Chair of the Working Group on Protecting Human Rights while Countering Terrorism of the Counter-Terrorism Implementation Task Force, OHCHR, together with the Task Force Office, launched a major training and capacity-building project for law enforcement officials on human rights, the rule of law and prevention of terrorism, which in 2013 covered the Middle East, the North and West Africa regions, and the Sahel.

43. OHCHR contributed to strengthening national capacities to protect victims and witnesses of international crimes and serious violations of human rights. In December 2012, OHCHR organized in Uganda a consultative workshop on technical and practical aspects of establishment of a national witness protection programme that contributed to the finalization of a bill on this issue. In 2013, the Joint Human Rights Office of the Democratic Republic of the Congo continued to provide judicial authorities with advice on appropriate measures to protect victims and witnesses, including in high-profile court cases.

44. OHCHR supported the strengthening of democratic society in, for example, Cameroon, Guinea, Kenya, Madagascar and Togo, where it monitored the human rights situation in the context of elections. In Mexico, OHCHR actively supported the mechanism for the protection of human rights defenders and journalists, following up on individual cases, providing expert assistance and supporting a permanent dialogue between non-governmental organizations and relevant authorities. In December, as part of its efforts to support the strengthening of democratic society, and as requested by the Human Rights Council in its resolution 22/10, OHCHR organized an expert seminar on effective measures and best practices to ensure the promotion and protection of human rights in the context of peaceful protests.

45. OHCHR supported long-standing efforts to establish or strengthen independent human rights institutions in Iraq, Liberia, Mozambique, Myanmar, Samoa, South Sudan, Uruguay and many other States. Furthermore, following advocacy and advice from OHCHR, laws were adopted in Kazakhstan and Tunisia for the establishment of a national preventive mechanism. Such a mechanism became operational in Kyrgyzstan following support from my Office.

46. As we move towards the third phase of the World Programme for Human Rights Education initiated in 2005, I invite all relevant actors, and in particular Governments, to focus their efforts on comprehensive, effective and sustainable human rights education and training programmes, in particular in the light of the proven effectiveness of human rights education in fostering democratic space.

## **C. Poverty and economic, social and cultural rights**

### **1. Human rights and development**

47. The right to development is at the centre of the advocacy of OHCHR for a human rights-based approach to development, for human rights-based policy coherence and a post-2015 sustainable development agenda respectful of all human rights. In December, OHCHR launched a landmark publication, *Realizing the Right to Development*, which reiterates the need for all persons to participate in their own economic, social, cultural and political development and for all human rights and fundamental freedoms to be fully realized.

48. In May 2013, OHCHR launched a guide to human rights measurement and implementation. National stakeholders in more than 20 States drew on the guide and engaged in pioneering work for improving the measurement of the impact of their human rights policies and development programmes. In Mexico, for instance, OHCHR promoted the adoption of human rights indicators for the measurement of the right to a fair trial. The Public Attorney of the Federal District adopted indicators on the rights to life, liberty, security and fair trial. In Ecuador, the Office supported efforts to integrate human rights into national development planning and to develop an inequalities atlas, produced by the National Secretariat for Planning and Development.

49. Since the United Nations Conference on Sustainable Development, OHCHR has advocated for human rights, including the right to development, to be fully integrated into the debates on and processes of the post-2015 development agenda. The Office has pursued this objective through research, expert meetings, consultations, advocacy and public events with Member States, civil society and other partners. Consequently, in 2013, the human rights component was recognized in key reports and at high-level events, such as the report of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda<sup>9</sup> and the global thematic and national consultations reports of the United Nations Development Group. During the high-level panel discussion on human rights mainstreaming held by the Human Rights Council at its twenty-second session, the Secretary-General endorsed the recommendation made by the United Nations System Task Team on the Post-2015 Development Agenda that human rights, equality and sustainability should be the three fundamental principles of the post-2015 development agenda.

50. In May 2013, I launched a publication entitled “Who Will Be Accountable? Human Rights and the Post-2015 Development Agenda”.<sup>10</sup> The Office worked on developing

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<sup>9</sup> Available from [www.un.org/sg/management/pdf/HLP\\_P2015\\_Report.pdf](http://www.un.org/sg/management/pdf/HLP_P2015_Report.pdf).

<sup>10</sup> Available from [www.ohchr.org/Documents/Publications/WhoWillBeAccountable.pdf](http://www.ohchr.org/Documents/Publications/WhoWillBeAccountable.pdf).

selection criteria for post-2015 goals, targets and indicators, as well as on measurement options for new goals and targets.

51. In June, to promote human rights further in inter-governmental discussions on the post-2015 agenda, I addressed an open letter to all Member States in which I called for a new universal and balanced development framework that addressed both freedom from fear and freedom from want, without discrimination, and for the post-2015 development framework to be based upon and aligned with international human rights standards and principles.

52. OHCHR strengthened its cooperation with the Directorate General for Development and Cooperation of the European Commission with a view to raising awareness and understanding of the human rights-based approach to development. The Office also worked closely with the authorities in Ecuador, Palestine and Sierra Leone to mainstream human rights in national development plans. In Mauritania, OHCHR initiated and organized the first ever national consultations on human rights in the context of the post-2015 development agenda.

53. The mainstreaming of human rights into United Nations development policies, operations and programming is a core element of the High Commissioner's mandate. As the Chair of the United Nations Development Group human rights mainstreaming mechanism, OHCHR leads inter-agency efforts to integrate human rights more solidly and consistently in development policy and practice.

54. OHCHR published good practices from the field, supported eight in-country mainstreaming projects, provided inputs to the review of the Resident Coordinator's terms of reference and to the One Programme guidance of the United Nations Development Group, initiated work on updating the United Nations system's guidance for Resident Coordinators on human rights, began supporting the leadership of Resident Coordinators on human rights, and contributed to the United Nations system's advocacy for human rights in the post-2015 development agenda. The United Nations Development Group human rights mainstreaming mechanism has generated considerable interest in the mainstreaming efforts of the United Nations and heightened the visibility of human rights at the global, regional and local levels.

## **2. Economic, social and cultural rights**

55. OHCHR remains committed to redressing the relative neglect of economic, social and cultural rights. The Office has developed basic tools and guidance on these rights and has sharpened its focus on their monitoring and technical support. It has actively supported the mainstreaming of economic, social and cultural rights into the United Nations system in close cooperation with the United Nations Human Settlements Programme, the Food and Agriculture Organization of the United Nations, WHO and UN-Water, as well as through inter-agency mechanisms such as the Inter-Agency Standing Committee and the Secretary-General's High-level Task Force on the Global Food Security Crisis.

56. Greater efforts to protect and promote economic, social and cultural rights are essential, particularly in the light of the challenges posed to their enjoyment, such as the raft of austerity measures imposed in many countries as the preferred response to the financial and economic crises, climate change and the increasing pressure on scarce resources. In July 2013, I submitted to the Economic and Social Council a report on the impact of

austerity measures on economic and social rights, particularly on the rights to work and social security.<sup>11</sup>

57. In July and August, OHCHR organized two major expert consultations to discuss emerging issues with regard to economic and social rights: on the right to health in armed conflict, and on the right to social security.

58. OHCHR provided support regarding the right to adequate housing and land-related rights in various States, including Cambodia, Colombia, Fiji, Kazakhstan, Kyrgyzstan, Papua New Guinea, Serbia, Tajikistan and Turkey. In Haiti, the human rights component of the United Nations Stabilization Mission in Haiti is raising awareness on protection issues in camps hosting internally displaced persons and on illegal forced evictions. The Office also provided support on the rights to health and to water in the Republic of Moldova, and on the right to food in Guatemala and in southern African countries. OHCHR supported capacity-building in the monitoring of economic, social and cultural rights in Haiti, Palestine, Slovenia and Tunisia and for the judicial protection of economic, social and cultural rights in Chile and Guatemala. It also supported the inclusion of economic and social rights in the development planning process in Uganda and the development of human rights indicators, including for economic, social and cultural rights, in Albania, Bolivia (Plurinational State of), Kazakhstan, Mexico, Paraguay and Serbia.

#### **D. Migration**

59. Over the past four years, OHCHR has significantly stepped up its work on human rights issues related to migration. In the period under review, the Office continued to promote the integration of human rights norms and standards in all aspects of migration policy at the national, regional and international level. Through its field presences, OHCHR also increasingly engaged in migration-related work by promoting relevant international human rights instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as training activities, advocacy, technical assistance, monitoring and protection.

60. In September, at the request of the Secretary-General, OHCHR issued an analytical report entitled “Migration and Human Rights: Improving human rights-based governance of international migration”,<sup>12</sup> in which it identified important elements of a forward-looking global agenda on migration and human rights.

61. In September, OHCHR held in Geneva a high-level meeting on migration and human rights with the aim of drawing attention to the human rights of migrants within the context of the forthcoming international discussions on migration.

62. I welcome the adoption by the General Assembly, in October, of the Declaration of the High-level Dialogue on International Migration and Development,<sup>13</sup> in which the Assembly reaffirmed the need to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their status. During the Dialogue, I called for a paradigm shift on migration, highlighting the need for the international community to put in place human rights-based responses to migration, including a presumption against immigration detention and ensuring that all border governance measures comply with human rights standards and principles.

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<sup>11</sup> E/2013/82.

<sup>12</sup> Available from

[www.ohchr.org/Documents/Issues/Migration/MigrationHR\\_improvingHR\\_Report.pdf](http://www.ohchr.org/Documents/Issues/Migration/MigrationHR_improvingHR_Report.pdf).

<sup>13</sup> General Assembly resolution 68/4.

63. OHCHR has remained an active member of the Global Migration Group, including in the context of the Group's internal review process. Through its input, OHCHR sought to enhance and strengthen inter-agency coordination of migration and to bolster the Group's mandate to promote the wider application of all relevant instruments and norms relating to migration. OHCHR is currently the chair of the working group on migration, human rights and gender recently established by the Group, and leads a number of activities within the "human rights and gender equality" stream of the Group's multi-annual work plan. OHCHR also continued its efforts to heighten attention to human rights within the work programme of the Global Forum on Migration and Development.

64. OHCHR advocated for the inclusion of the human rights of migrants within the post-2015 development agenda, including in the context of the thematic consultations on population dynamics and on inequalities, and relevant technical briefs submitted to the open working group. The Office's input highlighted that migrants should be visibly integrated into the new agenda as full and equal subjects of development.

65. OHCHR provided technical assistance to States and regional and subregional organizations on the application of a rights-based approach to addressing trafficking. In Ukraine, in March 2013, OHCHR officially launched the Recommended Principles and Guidelines on Human Rights and Human Trafficking. In May, four training courses on countering trafficking were held in Belarus, which brought together law enforcement officials from 13 Member States. OHCHR also engaged with the Inter-agency Coordination Group against Trafficking in Persons to promote the United Nations Global Plan of Action to Combat Trafficking in Persons.<sup>14</sup>

## **E. Violence and insecurity**

### **1. Human rights, peace and security**

66. Progress was achieved in making human rights issues and considerations a guiding element of United Nations peacekeeping operations. I have appreciated the continued opportunity to brief the Security Council on human rights protection in armed conflict and on specific country situations. This critical interaction seems to confirm the growing recognition by the Council of the centrality of human rights to the peace and security agenda.

67. OHCHR worked further to ensure the strengthening of human rights mandates of peace operations in the resolutions adopted by the Security Council. It contributed to system-wide country-specific task forces, and undertook advocacy with States for the firm integration of human rights into efforts to restore peace and security. We encouraged greater efforts to prevent the exposure of men, women and children to serious human rights violations in situations of violence and conflict, including more sustained efforts to pursue accountability of perpetrators and redress for victims.

68. OHCHR continued to monitor situations of human rights and to investigate human rights violations in often challenging conditions. In March 2013, owing to lack of access to the Syrian Arab Republic, OHCHR deployed a team to neighbouring countries to collect information on human rights violations committed in the context of the conflict. In January and June, OHCHR released two casualty figure analyses, which were part of a unique effort to obtain an estimation of the number of casualties in the conflict since March 2011.

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<sup>14</sup> General Assembly resolution 64/293, annex.

69. In February 2013, I deployed a fact-finding mission to Mali to investigate gross human rights violations.

70. In July 2013, I deployed a fact-finding mission to the Central African Republic to look into human rights violations committed since December 2012. In September, I presented the findings in a report to the Human Rights Council.<sup>15</sup> In the light of the deteriorating situation, an OHCHR monitoring team conducted a mission to the country in December to support the work of the human rights component of the United Nations Integrated Peacebuilding Office in the Central African Republic.

71. In 2013, OHCHR human rights teams were also deployed to Rakhine, Myanmar to monitor the situation and to advise the United Nations country team with regard to inter-communal violence and the treatment of internally displaced persons. In July, at the request of the United Nations Resident Coordinator, a human rights officer was temporarily deployed to Nigeria.

72. My Office supported international commissions of inquiry and fact-finding missions mandated by the Human Rights Council in the Syrian Arab Republic and the Democratic People's Republic of Korea, and provided them with advice on investigation methodology and tools for recording, analysing and archiving information.

73. Building on 20 years of experience in supporting almost 40 commissions of inquiry and fact-finding missions, including those mandated by the High Commissioner, OHCHR issued a publication containing guidance on and practice in international commissions of inquiry and fact-finding missions to support the work of States, commissions of inquiry and fact-finding missions and other relevant actors. In November, in cooperation with the Government of Switzerland, OHCHR brought together former members and staff of commissions of inquiry and fact-finding missions, Member States, non-governmental organizations and academic institutions to share their experiences and lessons learned with the aim of increasing the effectiveness and impact of such bodies.

74. A new version of the internal OHCHR human rights case database was developed; it is a case management system designed to systematize, harmonize and improve the collection, documentation, analysis and reporting of violations of human rights and international humanitarian law. In 2013, it was rolled out in the United Nations Mission in South Sudan, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the United Nations Operation in Côte d'Ivoire, and is thus now used by 14 OHCHR human rights field presences.

75. OHCHR continued to support the development of national capacity on human rights monitoring by means of training for civil society organizations, for instance from Maldives and Sri Lanka.

76. In Guatemala, OHCHR provided technical assistance in building a methodology to map social conflicts, in particular those related to the protection of indigenous lands rights, including by analysing root causes, common patterns and the responsibility of the State.

77. In 2013, as part of its responsibilities to develop human rights policy and training for United Nations peacekeeping operations and political missions, OHCHR collaborated with the Department of Peacekeeping Operations, the Department of Political Affairs and the Department of Field Support to develop guidance and training on integrating human rights into all aspects of mission work and to contribute to the conceptualization, planning and staffing of the human rights components of new peace missions in Mali and Somalia, and to the strengthening of the human rights capacity in the Central African Republic.

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<sup>15</sup> A/HRC/24/59 and Corr.1.

78. OHCHR contributed to the implementation of the policy on human rights screening of United Nations personnel, endorsed by the Secretary-General to ensure that the Secretariat does not recruit or deploy any senior staff member who has violated international human rights or humanitarian law. OHCHR co-chairs, jointly with Office of Human Resources Management, the Secretariat-wide working group on screening of United Nations personnel, and actively participated in the review process of the policy by accumulating lessons learned, including challenges and initial results.

79. Two years after its adoption, the human rights due diligence policy on United Nations support to non-United Nations security forces has proved its value as a tool to assist principled and effective engagement in situations where risks of serious human rights violations by regional and national security forces with which the United Nations is partnering are high. The policy has garnered strong support from Member States and civil society actors, and has been frequently referred to by the Security Council. OHCHR supported the implementation of this critical policy by developing additional guidelines, advising United Nations peace missions, United Nations country teams and individual United Nations entities on the development of procedures and risk assessments, and by facilitating lessons learning.

## **2. Engagement in humanitarian action**

80. In May, the United Nations High Commissioner for Refugees and I presented a joint paper to the Inter-Agency Standing Committee on the protection of human rights in humanitarian crises, bearing in mind the conclusions made in the report of the Secretary-General's Internal Review Panel on United Nations action in Sri Lanka. The Committee consequently included human rights protection as one of its five priorities for the period 2013-2015. Furthermore, human rights protection has been included as a standing item of the agenda of the Committee Working Group for 2014-2015.

81. OHCHR also contributed to the Transformative Agenda protocols, and committed a number of staff to the inter-agency rapid response mechanisms. OHCHR staff members are applying the new arrangements for the humanitarian programme cycle to the 2014 strategic planning for humanitarian responses to a number of crises.

82. OHCHR field presences continued to lead protection clusters in Haiti, Mauritania and Palestine, and to co-lead in the Pacific. They also actively engaged in supporting humanitarian coordinators and country teams, as well as protection clusters or protection forums, through the work of human rights field presences (in Mali and Yemen) or rapid response teams (in the Central African Republic, Mali and Myanmar). In November, OHCHR sent a team to the Philippines to support the United Nations Resident Coordinator and the country team in the aftermath of typhoon Yolanda.

## **F. Human rights mechanisms and development of international law**

### **1. Treaty bodies**

83. Following the extension of the intergovernmental process for strengthening the human rights treaty body system, ultimately until February 2014, OHCHR continued to provide support to the co-facilitators of the process. In addition to facilitating informal consultations with all treaty bodies, civil society and the Human Rights Council, OHCHR organized, in April 2013, a workshop on developing the capacity of States to report to treaty bodies and to follow-up on concluding observations. In order to foster synergy between the treaty bodies and the intergovernmental process, the annual meeting of the chairpersons of treaty bodies was organized in New York, in May. Furthermore, my Office finalized a comprehensive cost assessment of the treaty body system as requested by the

General Assembly. It constitutes an unprecedented effort to detail the complexity, workload and full cost of this principal axis of the United Nations human rights system.

84. In 2013, OHCHR facilitated the review of 130 State party reports by the various treaty bodies, the adoption of views and decisions of more than 100 individual communications, and six country visits by the Subcommittee on the Prevention of Torture. OHCHR continued to provide technical assistance to support reporting, ratification, institution-building and follow-up to recommendations of treaty bodies, both at headquarters and through field presences.

## **2. Humanitarian funds**

85. As of April 2013, the Special Fund established by the Optional Protocol to the Convention against Torture is administered by the joint secretariat of the United Nations Voluntary Fund for Victims of Torture and the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery with a view to increasing cost-effectiveness, pooling expertise and sharing best practices. In 2013, 332 grants were awarded through these funds in almost 90 countries. While there is tangible impact on beneficiaries as a result of support from these funds, I am concerned at the decreasing level of contributions made to them.

## **3. Human Rights Council**

86. In 2013, the Human Rights Council continued to address various urgent and chronic human rights situations. It extended further the mandate of the commission of inquiry on the Syrian Arab Republic and, following an urgent debate, requested in its resolution 23/1 the commission to urgently inquire into the events in Al Qusayr and to report to the Council at its twenty-fourth session. At its twenty-second session, the Council established a commission of inquiry on the Democratic People's Republic of Korea to investigate the systematic, widespread and grave human rights violations committed in the country. I regret to report that neither of these missions has been granted access to the countries concerned.

87. OHCHR continued to organize a large number of panel discussions on a broad array of issues, significantly enriching the Council's deliberations. In addition to the regular annual panel discussions, the Council held panel discussions on the impact of corruption, the contribution of parliaments to the work of the Council and its universal periodic review mechanism, business and human rights, democracy and the rule of law, the human rights of children of parents sentenced to the death penalty or executed, and the twentieth anniversary of the Vienna Declaration and Programme of Action.

## **4. Universal periodic review**

88. By November, all 42 States to be reviewed in 2013 in the second cycle of the universal periodic review had undergone the process. This full participation highlighted the importance attached to the universality of the process, with a welcomed continuation of high-level participation and interest commensurate to the opportunities that the review mechanism offers.

89. The second cycle demonstrated a strong engagement of Member States, most of which sent high-level delegations to present and discuss their record before the Human Rights Council. A growing number of States initiated consultations, including with civil society, to monitor progress in the implementation of their commitments, and a number of States established permanent mechanisms to lead and coordinate the review process. The reports under review provided a description of human rights issues and developments, the progress achieved in the implementation of recommendations made during the first cycle,



and constraints and challenges. Several States also reported on recommendations that they had not initially supported during the previous review, a practice that should be encouraged.

90. Furthermore, the universality of coverage of the review mechanism has enabled or even strengthened the interaction with the United Nations human rights machinery of States that had relatively little experience in that regard. Pacific Island States addressing the Human Rights Council, shared their concerns and priorities, and contributed to raising awareness on issues that are not systematically part of the human rights debate, such as the impact of climate change on the enjoyment of human rights.

91. These various developments have confirmed and consolidated the universality of the universal periodic review process, which remains one of the main features of the United Nations and the establishment of the Human Rights Council.

92. OHCHR continued to prepare the documentation that informs the review debates and to support parties involved in the review. Requests to OHCHR to provide information, advice, technical cooperation and other forms of assistance in follow up on the review grew steadily, emanating from all regions. The two universal periodic review trust funds enabling States to prepare for and participate in the review, and to implement review outcomes,<sup>16</sup> have been increasingly supported by donors and used by States and other stakeholders.

93. With the support of all Member States, the universal periodic review mechanism must face the challenge of following up on an increasing number of recommendations and ensure impact on the human rights situation on the ground.

## 5. Special procedures

94. As at November, 51 special procedures mandates were supported by OHCHR, including new mandates on the rights of older persons, the situation of human rights in Mali, and the Central African Republic. During the period under review, special procedures mandate holders conducted 75 country visits. The number of States that had issued standing invitations for special procedures rose to 94, although, regrettably they were not always honoured. As at November 2013, special procedures had issued 497 communications to 115 States, 81.9 per cent jointly by two or more mandates. The response rate to communications remained low, at 42.9 per cent.

95. Throughout the year, the special procedures continued their efforts to give a voice to victims and to ensure that civil society concerns are heard within the United Nations and by the broader public. The thematic and country expertise of the special procedures system helps to shed light on a wide range of human rights issues arising from new developments against a backdrop of international human rights law. Through that work, they complement my Office's efforts under the various thematic priorities. I reiterate my call to all Member States to cooperate with the special procedures and to protect those cooperating with the United Nations system from an unacceptable exposure to acts of reprisal.

96. OHCHR continued to lend full support to special procedures mandate holders, including by contributing to research and reports, and visits and consultations. It also continued to encourage and support greater coordination and harmonization of working methods among special procedures mandates, including through the Coordinating Committee.

97. A total of 27 special procedures mandate holders will be appointed in 2014; it is critical to ensure the quality of the selected candidates in accordance with the procedures and criteria established by the Human Rights Council.

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<sup>16</sup> See A/HRC/24/56.

## 6. Progressive development of international law

98. During my term as High Commissioner, substantial progress has been registered in the normative development of economic, social and cultural rights. The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights entered into force in May, constituting a historical development that reaffirmed the justiciability of economic, social and cultural rights.

99. In 2013, several treaty bodies supported by OHCHR adopted general comments and recommendations addressing economic, social and cultural rights. The Committee on the Rights of the Child adopted a general comment on the right of the child to health, while the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families adopted a general comment on the rights of migrant workers in an irregular situation. The Committee on the Elimination of Discrimination against Women adopted general recommendations on the economic consequences of marriage, family relations and their dissolution, and on women in conflict prevention, conflict and post-conflict situations. The Committee on the Elimination of Racial Discrimination adopted a general recommendation on combating racist hate speech.

100. In collaboration with the Working Group on the issue of human rights and transnational corporations and other business enterprises, OHCHR convened the second annual Forum on Business and Human Rights in December, which gathered more than 1,700 participants. In August, in Medellin, Colombia, it supported the organization of the first Regional Forum on Business and Human Rights. OHCHR advocated for the promotion of the Guiding Principles on Business and Human Rights within the United Nations, following the recommendations of the Secretary-General,<sup>17</sup> and provided interpretive guidance on the application of the Guiding Principles to stakeholders.

## III. Conclusions

101. **OHCHR has continued to build in significant and vital ways on the advances made since it was established more than 20 years ago. In the exercise of its mandate, OHCHR has further ensured that the centrality of human rights to the work of the United Nations system as a whole is recognized as it significantly contributed to the promotion of the full realization of all human rights for all.**

102. **My Office has provided strong substantive support to the United Nations human rights mechanisms with a view to maximising their efficiency and responsiveness to all human rights violations.**

103. **OHCHR has become an increasingly authoritative advocate for victims of human rights violations across the globe. It is a voice for the voiceless, reminding States of their commitments under international human rights law.**

104. **In an increasingly complex world, we need to do our utmost to revive the spirit of the Vienna Declaration, which articulated with unequivocal clarity the inherent nature of the dignity and human rights that belong to all human beings, regardless of their differences, and the universal, indivisible, interdependent and interrelated nature of all human rights. We also need to fulfil the promises made in the Durban Declaration and Programme of Action and the Durban Review outcome document, and advance in the global struggle against racism and xenophobia.**

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<sup>17</sup> See A/HRC/21/21.

105. We must recall the imperative of dignity set forth in the Declaration on the Right to Development, and return to the vision of the Universal Declaration of Human Rights, mandating, as it did, a solid and international order in which all the rights and freedoms in the Declaration can be fully realized.

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