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Technical assistance and capacity-building

Report of the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 18/18, in which the Council invited the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights to present a comprehensive report on the Board's work on an annual basis, starting from the twentieth session of the Council. It provides an update on the work of the Board of Trustees of the Fund since the previous report of the Secretary-General on advisory services and technical cooperation in the field of human rights (A/HRC/16/66).

* Late submission.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1–5	3
A. Background	1–2	3
B. Mandate	3–5	3
II. Activities of the Board of Trustees	6–13	4
A. Thirty-fourth session	6–9	4
B. Thirty-fifth session	10–13	4
III. Objectives, activities and results of the Voluntary Fund	14–17	5
IV. Technical cooperation: current trends, challenges and synergies with other United Nations agencies, the work of the Human Rights Council and international treaty bodies and the special procedures	18–31	6
A. Synergies with the Human Rights Council, the treaty bodies and special procedures	18–24	6
B. Synergies within the United Nations, including in the area of development assistance	25–27	6
C. Challenges: a focus on measuring results	28–30	7
D. Reference manual on technical cooperation	31	7
V. Status of funding and donors	32–33	8
Annexes		
I. Voluntary Fund cost plan and expenditures: 2010		9
II. Voluntary Fund cost plan and expenditures: 2011		10
III. Financial status of the Voluntary Fund		11
IV. List of donors and contributors		12

I. Introduction

A. Background

1. The Voluntary Fund for Technical Cooperation in the Field of Human Rights, established by the Commission on Human Rights in its resolution 1987/83, receives voluntary contributions from Governments, organizations and individuals. The objective of the Fund is to provide financial support for international cooperation aimed at building up and strengthening national and regional institutions and infrastructures that will have long-term impact on improved implementation of international human rights standards.¹

2. The Board of Trustees has been operational since 1993 and its members are appointed by the Secretary-General for a three-year renewable term. The mandate of the Board is to assist the Secretary-General in streamlining and rationalizing the working methods and procedures of the technical cooperation programme. It meets twice a year and reports on its work to the Secretary-General and the Human Rights Council. Current members are Sozar Subari (Georgia), Fatima Mbaye (Mauritania), Cecilia Medina Quiroga (Chile), Christopher Dominic Sidoti (Australia) and Deepika Udagama (Sri Lanka). The second terms of office of Monica Pinto (Argentina) and William Schabas (Canada and Ireland) ended in December 2011. Ms. Medina and Mr. Sidoti were appointed by the Secretary-General in January 2012.

B. Mandate

3. Since 2004, the Board of Trustees has refocused its attention from more detailed revision of individual projects to advising the Office of the United Nations High Commissioner for Human Rights (OHCHR) on policy orientation and strategy in strengthening its technical cooperation programme in the field of human rights. Instead of focusing on smaller projects, funds are now injected into the work of existing field presences on the basis of the rationale that much of the activities undertaken by OHCHR field presences fall within the area of technical cooperation. This broader definition of technical cooperation agreed by the Board of Trustees was presented to Members States and reported in the annual reports of the Secretary-General submitted to the Human Rights Council.²

4. The new role played by the Board has been appreciated by OHCHR, which has greatly benefited from the experience and wisdom of the Board members, particularly following the recent reforms in the OHCHR strategic planning process.

5. The present report covers the thirty-fourth and thirty-fifth sessions of the Board. At those sessions, the Board built on its previous experience, and continued to explore various components of the Human Rights Programme on Technical Cooperation, funded by the Voluntary Fund, with a view to providing policy guidance and advice on the technical cooperation activities carried out by OHCHR.

¹ See Commission on Human Rights resolution 1993/87.

² See A/HRC/16/66.

II. Activities of the Board of Trustees

A. Thirty-fourth session

6. The thirty-fourth session of the Board of Trustees was held in Burundi, on 26 and 27 April 2011, and in Kenya, on 28 and 29 April 2011. This was the first time in the history of the Board that a session was organized outside Geneva. The field mission provided the Board with an objective view of the real needs of field presences and a first-hand insight into the use of the Voluntary Fund with regard to achievements, thematic priorities, constraints and challenges.

7. The Board discussed technical cooperation activities by the OHCHR presence in Burundi, activities by the Regional Human Rights Adviser for the Great Lakes, as well as activities by the Human Rights Adviser in Kenya. The Board also met with different national authorities, United Nations partners, diplomatic missions and civil society organizations in Burundi and Kenya. The Board received also an overview of the human rights situation in different parts of Somalia.

8. During the field visit, the Board discussed various transitional justice programmes and mechanisms established in Burundi, Kenya and Somalia. With regard to transitional justice, the Board stressed that the challenge was to ensure that the right issues were being addressed. In this regard, the Board noted that a sustainable approach to institution-building was fundamental to ensure that a strong justice system was in place, taking into consideration the specific situation of each country. The Board was also briefed on the various thematic priorities addressed by the field presences in the countries visited, including thematic strategies relating to combatting impunity and strengthening the rule of law; the promotion and protection of economic, social and cultural rights; the promotion of democracy and good governance; and the strengthening of cooperation with international and regional human rights mechanisms and national human rights institutions.

9. The Board is of the view that its first field visit was very fruitful and should be followed by similar sessions in others countries. This would help to identify priority areas for technical cooperation and best practices.

B. Thirty-fifth session

10. The thirty-fifth session of the Board of Trustees was held in Geneva from 31 October to 3 November 2011. At the session, the Board was updated on the OHCHR 2012-2013 management plan, in particular with regard to thematic priorities and the streamlining of planning.

11. The Board also received an overview on the use of the online performance monitoring system, which was designed to monitor and report on the results of the work of OHCHR. The Board expressed its appreciation with regard to the implementation of the computer-based performance monitoring system, and hopes that a long-term capacity-building programme will enable OHCHR staff to use the system to improve the quality of their planning and monitoring and, ultimately, their impact on the ground.

12. The Board was updated on the implementation of activities funded by the Voluntary Fund in the framework of the OHCHR management plan across all regions, the achievements, the partnerships on the ground with civil society, Governments, United Nations partners and country teams. The Board was informed of the strategies being developed to address the challenges faced, including those in the regions of Africa, the Middle East and North Africa, Asia Pacific, Europe, North America and Central Asia, Latin

America and the Caribbean. The Board was also briefed on the situation of human rights components of United Nations peace missions and on the situation of country offices. It acknowledged the challenges faced in all these different countries and welcomed the achievements made in the field.

13. In closing the session, the Board met with representatives of Member States and briefed them on the deliberations and major outcomes of the session, in a spirit of transparency and in keeping with its tradition. It highlighted the focus of its work, namely that of providing an oversight of priorities in the use of the Voluntary Fund, as well as guidance and advice on OHCHR technical cooperation activities in general.

III. Objectives, activities and results of the Voluntary Fund

14. The overarching objective of the work supported by the Voluntary Fund remains that of promoting institution-building and institutional changes for the benefit of rights-holders. The objective is implemented through various approaches, including operationalizing thematic expertise, ensuring the linkage between protection and technical cooperation, the provision of support and guidance through the human rights components of United Nations peace missions and to United Nations country teams, including the placement of human rights advisers.

15. Technical cooperation in the field of human rights, as supported by the Voluntary Fund, has developed greatly since its establishment, including owing to a greater number of institutions and actors playing a role in human rights. From ad hoc seminars and workshops in early years, the activities sponsored by the Voluntary Fund now cover multi-component institutional capacity-building projects developed as a result of an in-country assessment of needs with the involvement of various stakeholders.

16. At the end of 2011, the Voluntary Fund offered assistance in a wide range of substantive activities undertaken in 34 different countries and territories. Projects are formulated and implemented with the broadest possible participation of all elements of national societies, including civil society and national institutions (the judicial, legislative and executive branches of Government). The projects reflect national development objectives. Assistance includes, inter alia, support at the national level to incorporate international human rights standards into national laws, policies and practices; the establishment of more sustainable national capacities to adhere to these standards; strengthened administration of justice; greater emphasis on the development of human rights education programmes; the establishment of responsive national human rights institutions; the deployment of human rights advisers in United Nations country teams; and the development of national plans of action for the promotion and protection of human rights. Importantly, non-governmental organizations are increasingly involved in technical cooperation activities.

17. Technical cooperation activities implemented through the Voluntary Fund have been increasingly linked with international human rights monitoring mechanisms (see paragraphs 18 to 31 below) following the spirit that human rights protection and promotion activities are intrinsically linked and inform each other (see also annexes I and II below).

IV. Technical cooperation: current trends, challenges and synergies with other United Nations agencies, the work of the Human Rights Council and international treaty bodies and the special procedures

A. Synergies with the Human Rights Council, the treaty bodies and special procedures

18. The Board expressed its appreciation for the continued efforts of OHCHR to increase synergies in the delivery of its technical cooperation with United Nations partners and with the work of the Human Rights Council and international human rights mechanisms.

19. The Board underscored the critical importance of linking the treaty bodies, special procedures and the work of the Human Rights Council to, in particular with regard to the universal periodic review, technical cooperation. In this context, the Board stressed the potential of the technical cooperation programme to help in the implementation of the recommendations made by treaty bodies and special procedures, and at universal periodic review sessions, at the country level.

20. The Board strongly supports the holistic approach of OHCHR to support the implementation of the recommendations of all United Nations human rights mechanisms at the country level in an integrated way, in particular in the framework of the Office's priority to strengthen human rights mechanisms and the progressive development of human rights law.

21. The Board noted that, in recent years, great progress had been made in incorporating the recommendations made by the above-mentioned mechanisms into OHCHR planning and programming at all levels, in accordance with its mandate, objectives and priorities.

22. More specifically with regard to the universal periodic review, the Board welcomes the positive developments of that process and emphasizes the importance for establishing credibility for the review through the implementation of its recommendations.

23. With regard to the funding mechanisms of the universal periodic review, the Board is of the view that the Voluntary Fund for Technical Cooperation in the Field of Human Rights and the Voluntary Fund for Financial and Technical Assistance should not be competing funds, but rather complement each other. To date, the former has, to some extent, been used for universal periodic review follow-up activities and the implementation of review recommendations at the country and regional levels, noting that contributions and pledges to the latter fund remained modest.

24. The Board is prepared to play a role in ensuring that the experience of the Voluntary Fund for Technical Cooperation in the Field of Human Rights is taken into account in the administration of the Universal Periodic Review Voluntary Fund for Financial and Technical Assistance.

B. Synergies within the United Nations, including in the area of development assistance

25. It is increasingly recognized that the strengthening of democratic society, the rule of law and respect for human rights are an investment for development. There is a common understanding that building and strengthening national human rights capacities contribute

to the prevention of human rights violations and conflicts, and ultimately contribute to economic development.

26. The Board noted that OHCHR, together with its partners, has made significant progress in mainstreaming human rights into the work of the United Nations, providing countries with a more coherent source of support and optimising existing resources. It has strengthened cooperation with United Nations agencies, in particular the United Nations Development Programme (UNDP). In October 2011, OHCHR and UNDP launched the undg Human Rights Mainstreaming Mechanism Multi-donor Trust Fund to strengthen the capacity of United Nations country teams to support development of human rights capacities at the country level. A joint strategy to deploy human rights advisers within country team Resident Coordinator offices has been developed to operationalize that process and expand opportunities for technical assistance to countries.

27. The Board expressed its appreciation about the development of the joint strategy, and noted that OHCHR had received a great number of requests from Resident Coordinators for the deployment of human rights advisers in their respective country teams. As at December 2011, some 10 requests remain unanswered owing to lack of resources, given that the Multi-donor Trust Fund had not received sufficient funds. While it is hoped that the Human Rights Mainstreaming Mechanism will become a source of funding for a significant number of human rights advisers, it is not certain when this funding will be available, and it is unlikely that it will cover all needs. The Board therefore considers that support for human rights advisers by the Voluntary Fund remains crucial.

C. Challenges: a focus on measuring results

28. A key challenge inherent to above-mentioned technical cooperation activities is measuring impact at the country level. In this context, the Board commends OHCHR on its performance monitoring system.

29. The performance monitoring system is an important contribution to the commitment of OHCHR to become a fully results-based organization, transparent and accountable to all stakeholders. In order to advance towards this goal, OHCHR has invested in the establishment of a computer-based performance monitoring system, which allows for consistent, evidence-based reporting on the achievement of results. The system links planning, monitoring and the production of reports, and facilitates the definition of results, selection of relevant indicators and the establishment of targets for technical assistance, as well as ongoing, evidence-based assessment of results during the implementation of activities. The system thus facilitates decision-making by members of OHCHR management on issues relating to the performance of technical cooperation projects, supports the creation and maintenance of an institutional memory on assistance provided, and facilitates the sharing of experiences and lessons learned.

30. The Board strongly recommends that OHCHR and its field presences start making the performance monitoring system an integral part of their programming work.

D. Reference manual on technical cooperation

31. The Board noted that OHCHR is currently developing a reference manual on technical cooperation, which aims at providing guidance to its field presences and staff on the approach of OHCHR to technical cooperation in the light of recent trends, such as a holistic approach to follow up on recommendations made by international human rights mechanisms. The Board expressed its expectation that the manual will serve as an important guidance tool in the implementation of technical cooperation activities.

V. Status of funding and donors

32. OHCHR has continuously strengthened its provision of technical cooperation. Expenditures under the Voluntary Fund for the period 1 January 2010 to 31 December 2011 amounted to \$ 37.3 million, reflecting the constant increases of recent years. The increase in expenditure has not, however, been matched by an increase in contributions; indeed, for the same period, contributions only amounted to \$33.78 million. Funds accumulated from previous years allowed OHCHR to implement many of its projects in 2011. By the end of 2012, the financial situation of the Fund could become a subject of serious concern for the Office. Many projects have already suffered from cash-flow problems since the beginning of 2011; if trends continue, OHCHR might be limited in its capacity to deliver technical cooperation (see annex III).

33. The Board appreciates the continuous support from the Member States for the Voluntary Fund. It is of the view that the ongoing global financial crisis should not alter the commitment to human rights, and encourages Member States to maintain and increase their contribution to the Fund. The Board encourages contribution from a wide range of donors, including from countries that benefit from the Fund, as even modest contributions are an important sign of support. The Board wishes also to remind inter-governmental and non-governmental organizations and individuals that their contribution to the Fund is also encouraged (see annex IV).

Annex I

Voluntary Fund cost plan and expenditures: 2010

OHCHR EXTRABUDGETARY RESOURCES (31 December 2010)

Voluntary Fund for Technical Cooperation - Status of cost plan and expenditure for 2010

V. F. for Technical Cooperation (AHA)	Cost plan 2010 (USD)			Expenditure (USD)
	Activities	Staff costs	Total	Total
Field Operations & Technical Cooperation				(31/12/2010)
(a) Human Rights Advisors (19):				
- Activities implemented by OHCHR HROs to the UNCT in:				
- Russian Federation	517,314	546,617	1,063,931	847,438
- South Caucasus, Georgia	369,628	859,261	1,228,889	827,931
- Moldova	59,257	196,580	255,837	245,919
- Ukraine	33,900	114,403	148,303	-
- Yemen	69,608	176,642	246,250	2,827
- Zimbabwe	40,508	34,780	75,288	-
- Rwanda	101,700	194,866	296,566	296,230
- Great Lakes (Burundi)	169,578	225,878	395,456	368,150
- Kenya	618,816	365,295	984,111	996,089
- Niger	57,687	280,335	338,022	357,113
- Guinea	167,466	351,249	518,715	465,176
- Madagascar	89,799	109,244	199,043	-
- Ecuador	167,805	348,849	516,654	496,437
- Nicaragua	57,348	194,192	251,540	217,609
- Paraguay	235,492	386,008	621,500	233,685
- Honduras	123,771	417,987	541,758	537,284
- Papua New Guinea	163,755	242,308	406,063	426,151
- Sri Lanka	204,982	260,777	465,759	411,677
- Indonesia	158,652	69,798	228,450	200,170
sub-total HR Advisors:	3,407,066	5,375,069	8,782,135	6,929,886
(b) Support to Peace Missions				
- Activities implemented by UN Peace Missions (8) Human Rights Units in:				
- Haiti	213,457	-	213,457	-
- Afghanistan	385,141	571,003	956,144	720,794
- Timor Leste	643,316	30,022	673,338	673,386
- Côte d'Ivoire	172,099	-	172,099	172,212
- Liberia	70,105	-	70,105	70,105
- Sierra Leone	234,831	216,097	450,928	425,727
- Somalia	162,729	153,924	316,653	270,665
- Darfur, Sudan (Swiss funding)	127,332	77,176	204,508	168,055
- Sudan	406,574	-	406,574	350,988
sub-total Peace Missions:	2,415,584	1,048,222	3,463,806	2,851,932
(c) Country Offices/Standalone Office (6)				
- Mauritania	460,136	420,674	880,810	377,191
- Togo	808,312	683,087	1,491,399	1,355,913
- Occupied Palestinian Territory	638,284	2,036,850	2,675,134	2,234,401
- Bolivia	635,387	997,242	1,632,629	1,608,754
- Mexico	420,722	1,303,531	1,724,253	1,635,301
- Kosovo	188,032	718,025	906,057	618,516
sub-total Country Offices:	3,150,873	6,159,409	9,310,282	7,830,076
Sub-Total	8,973,523	12,582,700	21,556,223	17,611,894
Total (including 13% PSC)	21,556,223			

Annex II

Voluntary Fund cost plan and expenditures: 2011


OHCHR EXTRABUDGETARY RESOURCES (31 December 2011)

Voluntary Fund for Technical Cooperation - Status of cost plan and expenditure for 2011

V. F. for Technical Cooperation (AHA)	Cost plan 2011 (USD)			Expenditure (USD)
	Activities	Staff costs	Total	Total
Field Operations & Technical Cooperation Division				
(a) Human Rights Advisers in UNCT (17):				
- Activities implemented by OHCHR HRAs to the UNCT in:				
- Russian Federation	985,756	462,443	1,448,199	1,306,905
- South Caucasus, Georgia	397,540	725,711	1,123,251	835,303
- Moldova	85,139	197,917	283,056	272,081
- Ukraine	36,160	139,360	175,520	20,679
- Yemen	72,772	156,288	229,060	40,567
- Zimbabwe	124,244	107,818	232,062	75,264
- Rwanda	64,195	227,470	291,665	215,775
- Great Lakes (Burundi)	194,638	193,140	387,778	372,866
- Kenya	534,292	414,354	948,646	737,320
- Niger	128,421	360,590	489,011	464,066
- Chad	101,841	403,834	505,675	365,177
- Madagascar	110,797	184,000	294,797	284,486
- Ecuador	228,775	360,749	589,524	517,997
- Paraguay	263,308	304,125	567,433	541,423
- Honduras	12,430	-	12,430	9,819
- Papua New Guinea	137,860	301,774	439,634	404,711
- Sri Lanka	219,678	248,502	468,180	395,562
sub-total HR Advisers:	3,697,846	4,788,075	8,485,921	6,860,001
(b) Human Rights Components of UN Peace Missions (11)				
- Activities implemented by UN Peace Missions Human Rights Units in:				
- Haiti	206,564	-	206,564	191,216
- Afghanistan	352,792	364,730	717,522	584,822
- Timor Leste	662,725	28,273	690,998	560,540
- Côte d'Ivoire	180,800	-	180,800	177,410
- Liberia	73,467	-	73,467	73,467
- Sierra Leone	256,397	185,416	441,813	406,509
- Somalia	228,120	180,698	408,818	252,515
- Darfur, Sudan (Swiss fuding)	104,428	90,965	195,393	114,331
- Sudan	427,612	-	427,612	330,697
- Guinea Bissau	22,600	-	22,600	-
- Central African Republic	31,778	-	31,778	-
sub-total Peace Missions:	2,547,283	850,082	3,397,365	2,691,507
(c) Country/Standalone Offices (6)				
- Mauritania	522,750	694,260	1,217,010	1,103,826
- Togo	867,968	757,239	1,625,207	1,477,667
- Occupied Palestinian Territory (standalone office)	848,150	2,262,957	3,111,107	2,886,697
- Bolivia	566,868	990,042	1,556,910	1,334,547
- Mexico	804,063	1,795,795	2,599,858	2,534,723
- Kosovo (standalone office)	158,993	724,912	883,905	763,666
sub-rotal Country /Standalone Offices:	3,768,792	7,225,205	10,993,997	10,101,126
Sub-Total	10,013,921	12,863,362	22,877,283	19,652,634
Total (including 13% PSC)	22,877,283			86%
For information, expenditure 2010 and closed projects = 17,611,894				

Annex III

Financial status of the Voluntary Fund

		Office of the High Commissioner for Human Rights Voluntary Fund for Technical Cooperation (AHA)	
		Statement of Income and Expenditure for the period 1 January 2010 - 31 December 2011	
		USD \$	
I. Income			
Voluntary contributions received in 2010			15,860,966
Voluntary contributions received in 2011			16,405,775
Miscellaneous and interest income			1,520,893
Total income			33,787,634
II. Expenditure */			
Staff Costs			18,431,888
Experts and consultants' fees and travel			1,462,011
Travel of Staff			1,752,313
Travel of representatives			102,308
Contractual Services			1,444,739
General operating expenses			2,175,566
Supplies & Materials			1,172,778
Grants, contributions and seminars			6,468,807
Loss on exchange			0
Programme Support Costs			4,291,349
Total expenditure			37,301,759
Net excess/(shortfall) of income over expenditures for the period			-3,514,125
Fund balance beginning of period 1.01.2010			19,331,601
Miscellaneous adjustments and savings			2,884,968
Transfer/refund to donors			(782,249)
Total fund balance as at 31.12.2011			17,920,195
Footnotes:			
(*) Includes disbursements and obligations.			

Annex IV

List of donors and contributors

 Voluntary Fund for Technical Cooperation (VFTC) 	
Voluntary contributions in 2011* (as at 31 December)	
Donor	US\$
Afghanistan	1,861
Austria	228,898
European Commission Union	1,884,391
Finland	224,000
Ford Foundation	50,000
Germany	592,593
Greece	19,711
India	50,000
Italy	60,000
Japan	280,000
Korea, Rep. of	285,000
Liechtenstein	21,692
Netherlands	4,249,979
Norway	2,755,327
Organisation Internationale de la Francophonie	73,675
Panama	2,500
Russia	400,000
Slovenia	42,918
Spain	752,394
Sweden	1,459,428
Switzerland	1,529,409
UNDP - Niger	70,000
United States of America	1,372,000
TOTAL	16,405,775
<small>* Include funds earmarked by donors to the VFTC and/or to OHCHR activities financed through the VFTC, as well as unearmarked funds allocated to the VFTC by OHCHR.</small>	