



# General Assembly

Distr.: General  
8 November 2023

Original: English

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## Human Rights Council

### Fifty-third session

19 June–14 July 2023

Agenda items 2 and 10

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

#### Technical assistance and capacity-building

## Improving technical cooperation and capacity-building in the field of human rights

### Report of the United Nations High Commissioner for Human Rights\*

#### *Summary*

The present report, submitted pursuant to Human Rights Council resolution 51/34, contains recommendations on the way forward to improve technical cooperation and capacity-building in the field of human rights. The report is to serve as the basis for the enhanced interactive dialogue on technical cooperation in the field of human rights to be held by the Council at its fifty-third session. In preparing the report, the Office of the United Nations High Commissioner for Human Rights organized an intersessional meeting, held in Geneva on 20 April 2023, entitled “Technical cooperation and capacity-building in the Human Rights Council: Taking stock of the past for a better discharge of this mission in the future”, which included sharing information on national, regional and global experiences, as well as good practices in technical cooperation.

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\* The present report was submitted after the deadline so as to include the most recent information.



## I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 51/34, in which the Council decided to hold, prior to its fifty-third session, an intersessional meeting on the theme “Technical cooperation and capacity-building in the Human Rights Council: Taking stock of the past for a better discharge of this mission in the future”, to allow States, relevant United Nations agencies, funds and programmes, international organizations, national human rights institutions, civil society organizations and other stakeholders to identify and reflect on the achievements made and obstacles faced, and to share best practices and experiences in that regard. Also in the resolution, the Council requested the United Nations High Commissioner for Human Rights to present a report to it at its fifty-third session, recommending the way forward to improve technical cooperation and capacity-building in the field of human rights, taking into account the outcomes of the discussions held during the intersessional meeting, to be followed by an enhanced interactive dialogue.

2. The intersessional meeting was held in Geneva on 20 April 2023.<sup>1</sup> Its outcomes were taken into account in the preparation of this report.

3. In the discussions during the intersessional meeting, the importance of guiding technical cooperation through evidence-based analyses, including situational monitoring and reporting, understanding the root and structural causes of human rights violations and conflict and the recommendations of human rights mechanisms was emphasized. Some participants referred to the close collaboration between the Office of the United Nations High Commissioner for Human Rights (OHCHR) and United Nations entities in designing and implementing technical cooperation programmes on a wide range of issues, which had strengthened national capacities and transformed realities on the ground. Good practices in multilateral and State-to-State cooperation, including South-South, North-South and triangular cooperation projects, that had promoted multi-stakeholder partnerships and alliances among actors from different sectors at the local, regional and global levels, were highlighted. Participants underlined the need to exchange good practices and lessons learned in order to facilitate State-to-State cooperation and reach key national stakeholders, such as national human rights institutions, national statistical offices, the private sector and academia. Furthermore, recognizing that sustainable development and human rights are mutually reinforcing and integral to each other, participants stressed the need to enhance the operationalization of human rights in development cooperation for the achievement of the 2030 Agenda for Sustainable Development, facilitating partnerships among the United Nations system, international financial institutions, national institutions, development partners, civil society organizations and other stakeholders, including the need for stronger foundations to work on the right to a clean, healthy and sustainable environment. Participants highlighted that technical cooperation needed to be inclusive and participatory and to support an open and pluralistic civic space. Thus, programmes and projects should be designed and implemented in consultation with civil society organizations, groups of vulnerable and marginalized persons and other groups at risk of being left behind. A participatory approach to technical cooperation would benefit from civil society’s ability to monitor the advance of human rights and involve different actors. Participants acknowledged the increasing demands for technical cooperation and the limited resources available to respond to those demands. They underlined the need to make technical cooperation more effective, while widening the resources allocated for technical cooperation in human rights.

4. The preparation of the present report was also informed by submissions received from Azerbaijan, Chile, Ecuador, Iraq, Italy, Mauritius, Mexico, Qatar, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Children’s Fund (UNICEF) and the African Court on Human and Peoples’ Rights.

5. The present report contains examples of practices, developed in the context of technical cooperation in human rights programmes, implemented by Member States in cooperation with OHCHR and other United Nations entities, as well as with other international and regional organizations supporting States’ efforts to promote and protect

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<sup>1</sup> See <https://media.un.org/en/asset/k19/k19etutzg>.

human rights. These examples are intended to illustrate good practices and lessons learned in the design and implementation of technical cooperation programmes and projects. In section II of the present report, there is an examination of: (a) the role of OHCHR in providing technical cooperation to promote and protect the effective enjoyment of all human rights; (b) the international delivery and financing of human rights technical cooperation; (c) partnerships for sustainable development grounded in human rights; (d) the mainstreaming of human rights technical cooperation into United Nations work and programmes; and (e) the inclusion of national stakeholders in human rights technical cooperation. Section III contains recommendations on ways to improve technical cooperation in the field of human rights.

## A. Current situation

6. The Human Rights Council is mandated to promote advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of the States concerned.<sup>2</sup> It fulfils its mandate through a variety of mechanisms, instruments and forums such as the universal periodic review, the special procedures and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. The Council also contributes to technical cooperation through the reports it produces, its regular and special sessions and the annual thematic discussions, including those under agenda item 10 (Technical assistance and capacity-building).

7. The monitoring, guidance, findings and recommendations of human rights mechanisms provide a foundation for technical cooperation. For example, the universal periodic review is an important forum for cooperation that promotes dialogue and the exchange of practices among Member States, the United Nations system and national stakeholders. Recommendations received by States under review provide a framework for technical cooperation to address the most pressing human rights challenges and identify those at risk of being left behind.

8. In its resolution 48/141, the General Assembly mandated the United Nations High Commissioner for Human Rights to provide advisory services and technical and financial assistance, at the request of the States concerned and, where appropriate, the regional human rights organizations, with a view to supporting actions and programmes in the field of human rights (para. 4 (d)). OHCHR fulfils this mandate through direct engagement with States, at their request, and with civil society organizations, human rights defenders, businesses and other relevant stakeholders. It also assists in developing the capacities of States and other stakeholders to engage with the universal periodic review and other human rights mechanisms. Also in that resolution, the Assembly mandated the High Commissioner to coordinate the human rights promotion and protection activities throughout the United Nations system (para. 4 (i)). To that end, OHCHR builds partnerships to facilitate the advance of human rights at the country level, including joint work with United Nations country teams, resident coordinators' offices and individual United Nations agencies, funds and programmes, as well as with the Development Coordination Office of the Secretariat.

9. In its resolution 75/233, on the quadrennial comprehensive policy review of operational activities for development of the United Nations system, the General Assembly recognized the United Nations contribution to the promotion of all human rights for sustainable development and called upon all entities of the United Nations development system, in accordance with their respective mandates, to assist Governments, at their request and in consultation with them, in their efforts to respect and fulfil their human rights obligations and commitments under international law, as a critical tool to operationalize the pledge to leave no one behind (para. 28). Similarly, the Secretary-General has emphasized that the international human rights framework provides a critical foundation for sustaining peace, that the work of the United Nations system to advance human rights should help to identify the root causes of and responses to conflict and that it will remain imperative for the peace and security and development pillars to make better use of the existing human rights mechanisms and their recommendations in support of Member States.<sup>3</sup> The

<sup>2</sup> General Assembly resolution 60/251, para. 5 (a).

<sup>3</sup> [A/72/707-S/2018/43](#), para. 21.

General Assembly and the Security Council have encouraged Member States to consider the human rights dimensions of peacebuilding in their participation in the universal periodic review, for example.<sup>4</sup>

10. Technical cooperation in the field of human rights that facilitates long-lasting transformations on the ground requires strong coordination, complementarity, analyses, advocacy and programmatic engagement by all the actors involved, including the United Nations system, donors, international financial institutions, national human rights institutions and data offices, regional organizations, Member States, civil society, rights holders and other national stakeholders. The relevance of complementarity and partnerships was highlighted in the Secretary-General's call to action for human rights and in Our Common Agenda. The Human Rights Council, in its discussions under agenda item 10, is an essential forum for strengthening those partnerships, exchanging experiences with a critical perspective, providing timely and tailored assistance to solve the most pressing human rights issues and preventing the occurrence of human rights violations.

## **B. Normative and policy framework**

11. In the Charter of the United Nations (Arts. 1 and 55), the Universal Declaration of Human Rights (art. 1) and the Vienna Declaration and Programme of Action (paras. 1–7), human dignity and freedoms are placed at the centre of all United Nations efforts, and the nexus between human rights, peace and security, as well as social and economic development, is recognized. The universal, interdependent and indivisible nature of human rights and the realization of human dignity require a comprehensive approach to technical cooperation in human rights that considers all rights, including the right to development and to a healthy environment,<sup>5</sup> is firmly based in an understanding of the root causes of human rights violations and recognizes that the violation of certain rights encompasses the violation of others. Such a comprehensive approach needs to be aimed at strengthening the ability to promote and protect the full spectrum of rights.

12. An approach to technical cooperation in the field of human rights that takes into account the universality, indivisibility and interdependence of those rights facilitates the achievement of the Sustainable Development Goals through the operationalization of all rights in development policies, programmes and projects and ensures that no one is left behind. The 2030 Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in the Universal Declaration of Human Rights, international human rights treaties, the Millennium Declaration and the 2005 World Summit Outcome. It was informed by other instruments such as the Declaration on the Right to Development.

13. A human rights-based approach<sup>6</sup> to sustainable development involves an understanding of the inequalities that lie behind development problems and of the discriminatory practices and marginalization that impede progress and prevent the long-lasting transformations sought. This approach is especially relevant in the face of ongoing, multiple crises and unprecedented levels of economic inequality and debt distress, including the high cost of living and slow progress in recovering from the coronavirus disease (COVID-19) pandemic, which disproportionately affected the world's poorest countries and rights holders.<sup>7</sup> The COVID-19 pandemic underlined the need to strengthen cooperation and partnerships to respond to other current global challenges,<sup>8</sup> such as climate change, and to contribute to the progressive realization of economic and social rights.

<sup>4</sup> General Assembly resolution 70/262 and Security Council resolution 2282 (2016).

<sup>5</sup> See Human Rights Council resolution 48/13.

<sup>6</sup> See <https://unsdg.un.org/resources/human-rights-based-approach-development-cooperation-towards-common-understanding-among-un>; and <https://unsdg.un.org/resources/united-nations-sustainable-development-cooperation-framework-guidance>.

<sup>7</sup> See <https://www.un.org/en/desa/un-secretary-general-calls-radical-transformation-global-financial-system-tackle-pressing>.

<sup>8</sup> See General Assembly resolution 75/1.

14. Technical cooperation for human rights is also an effective mechanism for prevention of conflict. Enhancing capacities to implement human rights enables the identification of the root causes of conflict and addresses grievances around exclusion from decision-making, lack of opportunity and insecurity.<sup>9</sup> Technical cooperation that takes into consideration a risk and opportunity analysis grounded in international human rights law and international humanitarian law improves the capacity of Member States to prevent and manage conflict.<sup>10</sup> To do so effectively, they need to involve civil society, the private sector and regional and international organizations in strengthening preventive efforts.<sup>11</sup>

## **II. Improving technical cooperation and capacity-building in the field of human rights**

15. Technical cooperation in the field of human rights encompasses the design and implementation of initiatives and programmes to support and advance processes aimed at building and strengthening national and regional institutions, legal frameworks, policies and services, and the capacities of stakeholders that will have positive long-term impacts on the implementation of international human rights obligations.<sup>12</sup>

### **A. Role of the Office of the United Nations High Commissioner for Human Rights in providing technical cooperation to promote and protect the effective enjoyment of all human rights**

16. Technical cooperation provided by OHCHR offers solutions to complex problems that countries face at the local, national and regional levels. The Office's presence in the field is crucial to its capacity to deliver technical cooperation that adequately addresses the most pressing human rights issues in a way that is tailored to the specific national and regional contexts and fosters collaboration between Member States, United Nations entities, civil society organizations, human rights defenders and other stakeholders to enhance the enjoyment of human rights.

17. For example, in 2022, OHCHR established a country office in Burkina Faso, building on the close collaboration between the Human Rights Adviser and State authorities and other stakeholders. The country office has provided technical assistance to the National Human Rights Commission, civil society and other counterparts on the development and implementation of strategies and programmes to foster and uphold regional and international human rights standards. For instance, OHCHR established a working group on hate speech within the United Nations country team and organized briefings on the issue for the protection cluster of the humanitarian country team. The Office also organized an awareness-raising session with 33 journalists on hate speech, which led to the establishment of an information-sharing mechanism for journalists.

18. In 2022, the OHCHR Regional Office for the Pacific, in partnership with United Nations entities, organized online and in-person hybrid capacity-building events for judges in Fiji and Papua New Guinea to increase participants' awareness of global and region-specific environmental issues (e.g. climate change), environmental law and legal principles, the nexus between human rights and the environment, climate change litigation and the role of courts in environmental protection.

19. OHCHR has found that, to deliver tailored and effective solutions to challenges and truly enhance the human rights capacities of States and other stakeholders, it is essential for technical cooperation in human rights to be grounded in a thorough and ongoing

<sup>9</sup> World Bank, *Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict* (Washington, D.C., 2018), p. 77.

<sup>10</sup> See [A/72/707-S/2018/43](#).

<sup>11</sup> World Bank, *Pathways for Peace*, pp. 3–7, 276 and 277.

<sup>12</sup> See [A/HRC/52/80](#).

evidence-based analysis of the national and regional contexts, trends, including frontier issues, and root causes of human rights violations.

20. In Cambodia, OHCHR supported the State through legal analysis of draft laws on access to information and the creation of the national committee against torture, to ensure their compliance with human rights standards. In Ecuador, OHCHR provided technical assistance to carry out a baseline analysis of the penitentiary crisis. The findings helped establish priority areas of action and informed the creation of the Public Policy on Social Rehabilitation, which was launched by the President in early 2022.

21. During 2022, in Libya, OHCHR monitored trends in online hate speech and incitement to violence and reported cases to authorities and other stakeholders. The Office also engaged with Facebook, YouTube and Twitter to remove online content that incited violence against women and youth activists.

22. OHCHR operationalizes human rights in peacebuilding efforts and participates in humanitarian clusters, enhancing their capacity to coordinate human rights promotion and protection at the country level. Early warning and early action have allowed OHCHR to provide support for rapid response and adaptability and to prevent violations of human rights through better protection of human rights defenders. OHCHR collaborated with the South African Human Rights Commission to integrate a human rights-based approach into the humanitarian response to the devastating floods in KwaZulu-Natal Province. In Colombia, OHCHR assisted with the formulation of six risk assessments for human rights defenders and five public policy documents on their work in different municipalities of the country.

23. OHCHR also engages with regional organizations to provide technical cooperation. Coordination and collaboration among OHCHR, the United Nations system and regional organizations are vital to enhance the efficiency, effectiveness and coherence of efforts to promote and protect human rights, as well as to adapt technical cooperation to local needs.<sup>13</sup> OHCHR has worked with the inter-American human rights system, the Intergovernmental Commission on Human Rights of the Association of Southeast Asian Nations and other institutions to facilitate information exchange. The Office has undertaken joint technical cooperation activities with those regional institutions to strengthen their capacities to assist States and other stakeholders on diverse human rights issues such as youth rights, combating corruption, capacity-building for the universal periodic review and reporting mechanisms. OHCHR, the African Union, the Court of Justice of the African Union and the African Commission on Human and Peoples' Rights reviewed existing memorandums of understanding<sup>14</sup> and, in 2022, developed a comprehensive outcome document detailing priorities and joint activities to be undertaken to strengthen synergies and to avoid duplication.

## **B. International delivery and financing of human rights technical cooperation**

24. Technical cooperation programmes and projects in human rights, such as those directed at supporting the work of executives, judiciaries, parliaments and national human rights institutions and enhancing their ability to implement and follow up recommendations from human rights mechanisms, are by their nature complex and long-term endeavours. They also require complementary actions, such as supporting rights holders to develop and improve their capacity to exercise rights, formulate claims, hold duty bearers accountable and seek redress. It is therefore important to ensure sufficient and predictable funding for technical cooperation from regular and voluntary contributions to adequately respond to these increased demands and to confront the urgency of enhancing prevention, response and recovery from the multiple crises that the world is facing.

25. The Secretary-General has emphasized the centrality of human rights in the work of the entire United Nations system;<sup>15</sup> technical cooperation is understood as an essential tool

<sup>13</sup> See Human Rights Council resolutions 6/20, 12/15, 18/14, 24/19, 30/3 and 34/17.

<sup>14</sup> A/HRC/52/42, para. 24.

<sup>15</sup> See "The highest aspiration: a call to action for human rights" and Our Common Agenda.

to ensure such centrality. For example, the Secretary-General has recommended further supporting the OHCHR capacity-building programme, as well as the Human Rights Mainstreaming Multi-Donor Trust Fund and the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights through additional contributions.<sup>16</sup>

26. Despite the Secretary-General's calls, the regular budget submission for OHCHR for 2023 only amounted to \$178 million, which represents just over 5 per cent of the total United Nations regular budget. By April 2023, voluntary contributions constituted 64 per cent of the overall budget of OHCHR and supported the development of critical technical cooperation activities. Evidently, the current funding of technical cooperation is insufficient to match the large and increasing demands for support by Member States.

27. By the end of 2022, the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights had provided resources for technical cooperation programmes aimed at building strong human rights frameworks in 69 regions, countries and territories through human rights advisers, country presences, human rights mainstreaming projects and human rights components in peace missions. The Board of Trustees of the Fund, however, noted the growing demand from Member States for assistance in adopting a human rights-based approach to policies and programmes, as well as the need to expand the work of OHCHR in the field to sustain the achievements made and respond adequately to the needs of States and other stakeholders in terms of capacity development in human rights.<sup>17</sup>

28. The Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review also encountered limitations in providing seed funding to activities that can help mobilize additional resources and build partnerships, in particular with the wider United Nations system, to support the implementation of recommendations emanating from the universal periodic review. In 2022, contributions to the Voluntary Fund increased in comparison with the previous year;<sup>18</sup> however, the level of funding is not enough to respond to the growing number of proposals submitted, in particular with the start of the fourth cycle of the universal periodic review.<sup>19</sup> In 2023, the Fund received 33 project proposals but has only been able to fund eight projects and planned regional events for the exchange of good practices. The holding of those events depends on the further availability of funding.

29. The future deployment of universal periodic review focal points in OHCHR regional offices and United Nations country teams will strengthen technical cooperation in human rights through the integration of universal periodic review recommendations.<sup>20</sup> Additional voluntary contributions and a widening of the donor base are necessary to design multi-year projects for the implementation of universal periodic review recommendations and to further strengthen the regional OHCHR presence.

30. The Human Rights Mainstreaming Multi-Donor Trust Fund supports the United Nations development system's efforts to respond to the call by Member States to assist country initiatives to help them fulfil their human rights obligations and to operationalize the pledge to leave no one behind. Since its creation in 2010, the Fund has supported inter-agency initiatives contributing to enhanced policy coherence and the provision of support to resident coordinators and United Nations country teams to put human rights at the centre of their work through the human rights adviser programme, remote support to United Nations country teams such as through surge initiative<sup>21</sup> economists and the design and implementation of 39 country seeding change projects.<sup>22</sup> However, the Fund

<sup>16</sup> [A/HRC/49/68](#), paras. 56 and 57.

<sup>17</sup> See [A/HRC/52/80](#).

<sup>18</sup> In 2022, seven countries contributed to the Voluntary Fund, with a total amount of \$246,786.63 ([A/HRC/53/57](#), table 3).

<sup>19</sup> See [A/HRC/53/57](#).

<sup>20</sup> See Human Rights Council resolution 51/30; and [A/HRC/53/57](#), para. 64.

<sup>21</sup> The surge initiative, established in 2019, provides field-facing technical cooperation with an emphasis on operationalizing economic, social and cultural rights, accelerating the implementation of the 2030 Agenda and preventing conflict. See <https://www.ohchr.org/en/sdgs/seeding-change-economy-enhances-human-rights-surge-initiative>.

<sup>22</sup> See <https://mptf.undp.org/fund/hrm00>.

has been critically underresourced, putting the continuation of this key inter-agency initiative at risk. In 2023, seven human rights adviser posts were put on hold and eight requests for the deployment of new human rights advisers had to be declined owing to a lack of funds.

31. Other sources of funding for technical cooperation in human rights come from overlapping mandates, including the Central Emergency Response Fund and the Peacebuilding Fund. The latter, through the integration of human rights as a core part of peacebuilding, has supported projects on the human rights dimensions of peacebuilding in different regions.<sup>23</sup> Further reflections to advance the Peacebuilding Fund's human rights-related efforts are an opportunity to enhance coordination within the United Nations system, and the complementarity between funding bodies.

32. The provision of advisory services, technical assistance and capacity-building<sup>24</sup> is the foundation of the work of the Human Rights Council in the area of technical assistance and capacity-building. The mandated activities in this area constitute an opportunity to exchange best practices and collaborate among States, as well as to strengthen the funding allocated for specific technical cooperation programmes and OHCHR activities in the field.

33. Opportunities exist to fund technical cooperation from development funds. For example, official development assistance provided by members of the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD) directly supports human rights capacity-building. As highlighted during the intersessional meeting of the Human Rights Council held on 20 April 2023, the members of the Development Assistance Committee have identified the global human rights regime as a normative and operational framework for development actors.<sup>25</sup> The Committee's Network on Gender Equality and Network on Governance has provided guidelines and tools, including the gender equality policy marker, to deepen the impact of development cooperation on reducing inequality and reinforcing democratic rights and freedoms, a practice that needs to be expanded to other aspects of human rights.

34. In 2021, the Development Assistance Committee allocated more than \$1 billion in official development assistance to technical assistance projects in the areas of human rights, women's rights and ending violence against women.<sup>26</sup> Total net official development assistance flows from States members of OECD amounted to \$177.6 billion in 2021, representing 0.33 per cent of donors' combined gross national income, suggesting that further assistance could be directed to human rights. Increasing official development assistance flows to 0.7 per cent, to meet target 17.2 of the Sustainable Development Goals, would allow for the strengthening of technical assistance in human rights.<sup>27</sup> The implementation of projects to support the fulfilment of human rights provides an opportunity for collaboration among international actors to strengthen complementarity and effectiveness. Establishing a link between recommendations received by States as part of the universal periodic review and the peer reviews carried out under the Development Assistance Committee could enhance the incorporation of human rights into development cooperation.

### C. Partnerships for sustainable development grounded in human rights

35. The 2030 Agenda represents the current global policy consensus on sustainable development. Over 90 per cent of the 169 targets of the Sustainable Development Goals reflect the content of corresponding international human rights and labour standards.<sup>28</sup> In the

<sup>23</sup> See <https://www.un.org/peacebuilding/content/project-approvals>.

<sup>24</sup> General Assembly resolution 60/251, para. 5 (a).

<sup>25</sup> See World Bank and OECD, *Integrating Human Rights into Development: Donor Approaches, Experiences and Challenges*, 3rd ed. (Washington D.C., 2016).

<sup>26</sup> OECD, "Creditor reporting system", OECD. Stat database, available at <https://stats.oecd.org/Index.aspx?DataSetCode=CRS1>.

<sup>27</sup> *The Sustainable Development Goals Report 2022* (United Nations publication, 2022), p. 60.

<sup>28</sup> A/HRC/51/9, para. 3. See also [https://www.ohchr.org/sites/default/files/Documents/Issues/Development/SR/AddisAbaba/SDG\\_HR\\_Table.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Development/SR/AddisAbaba/SDG_HR_Table.pdf); and the Danish Institute for Human Rights, "The human rights guide to the Sustainable Development Goals".



2030 Agenda, Member States reiterated the universality, indivisibility and interdependence of human rights, encompassing the full range of human rights. The 17 Sustainable Development Goals are a commitment to achieving equality and non-discrimination, leaving no one behind and reaching the furthest behind first. Technical cooperation in human rights should support the operationalization of the full spectrum of human rights, including the right to development and the right to a clean, healthy and sustainable environment, into Member States' economic policies and efforts to achieve the 2030 Agenda.

36. The Human Rights Council has adopted resolutions on the promotion and protection of human rights and the implementation of the 2030 Agenda.<sup>29</sup> At the intersessional meetings organized pursuant to those resolutions, the relevance of using the outputs of the universal periodic review, the treaty bodies and the special procedures to guide the planning, follow-up and reporting on achievement of the Sustainable Development Goals was highlighted. The Universal Human Rights Index,<sup>30</sup> which links the recommendations of the human rights mechanisms with the Sustainable Development Goals, constitutes a key step in that direction. Recently, the Council, in its resolution 52/14, requested OHCHR to increase its support, technical assistance and capacity-building for States, at their request, to implement approaches that integrate the promotion and protection of human rights and the realization of 2030 Agenda.

37. Further examples show that OHCHR has supported Member States in strengthening the interconnection between human rights, development and economic policies, in particular through the provision of advice to ensure the progressive realization of economic, social and cultural rights. In Jordan, OHCHR and the Human Rights Adviser collaborated with the United Nations country team and the Economic and Social Council of Jordan to place people at the centre of public financial policies through engagement with various State and non-State stakeholders, including through the development of a policy brief entitled "Domestic revenue collection: A human rights-based approach to tackling inequalities". In the policy brief, the importance of mobilizing the resources necessary to invest in economic, social and cultural rights and to position public expenditure to prioritize people's needs and rights was highlighted. The development of the policy brief followed up on recommendations emanating from the universal periodic review, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child, the Committee on the Rights of Persons with Disabilities and the Committee against Torture.

38. Technical cooperation in human rights also facilitates the fulfilment of the commitment to leave no one behind. The incorporation of a human rights-based approach to development allows for the inequalities that lie behind development problems to be addressed and for redress to be sought for the discriminatory practices and marginalization that impede progress and prevent the long-lasting transformations sought. In response to a request from the Ministry for Human and Minority Rights and Social Dialogue of Serbia, the Human Rights Adviser, supported by the surge initiative, led the development of a guidance tool on leaving no one behind through an inclusive and participatory process. The tool provides specific advice on how to ensure that the most marginalized and excluded groups, including disadvantaged women and girls, are identified, recognized and meaningfully involved. This example shows that addressing those left behind is a mechanism to prevent further violations of human rights.<sup>31</sup> The tool has been included in the action plan for the implementation of the new anti-discrimination strategy.

39. OHCHR has also delivered assistance aimed at building economies that promote people's rights and well-being, which is a critical element for achieving long-lasting development progress. In Kenya, OHCHR provided technical cooperation through a comprehensive human rights-based budget analysis of the national budgets for the 2021/22 and 2022/23 fiscal years, which examined social sector allocations and expenditure trends in recent financial years. It was followed by a dialogue between the United Nations country

<sup>29</sup> Resolutions 37/24, 43/19, 52/8 and 52/14.

<sup>30</sup> Available at <https://uhri.ohchr.org/en/>.

<sup>31</sup> OHCHR, United Nations country team in Serbia and Ministry for Human and Minority Rights and Social Dialogue of the Republic of Serbia, "The tool for the introduction of the 'leave no one behind principle' into legislative and strategic acts of the Republic of Serbia" (Belgrade, 2022).

team and the Parliamentary Caucus on Sustainable Development Goals and Business to reinforce their capacity on human rights-based approaches to budgeting and discuss strategies on ring-fencing social sector allocations at a time of shrinking fiscal space and risks of austerity measures, for example in view of the country integrated development plans. Efforts are also under way to support county-level development and budget processes, to promote citizen participation through civil society and community participation and to advocate for allocations to meet key development priorities.

40. Furthermore, technical cooperation that addresses all human rights strengthens root and structural cause analyses by identifying economic and other inequalities and discrimination as potential triggers of failed development, instability, conflict and violence. In 2022, a human rights-based analysis of the root causes of the conflicts between herders and farmers in Chad helped to create an understanding of the violent conflicts over access to food resources (in particular land and water) that led to intra- and intercommunity violence and numerous human rights violations. It found that demographic pressure, the socioeconomic impacts of COVID-19 and the effects of climate change were exacerbating the confrontations. The analysis of the conflicts between these two communities in the country was focused on the right to food as the root cause; sociocultural, judicial, budgetary and other structural issues were examined and recommendations were made. The main recommendations were included in the final outcomes adopted at the National Inclusive and Sovereign Dialogue held in 2022.

41. Despite all these achievements, challenges remain for technical cooperation to guarantee that sustainable development is rooted in human rights. Achieving the Sustainable Development Goals will require a significant scaling up of the technical cooperation provided by OHCHR and other actors that have incorporated a human rights-based approach to development. OHCHR will also need to scale up its capacity to provide technical assistance in building economies that promote people's rights and their well-being.

#### **D. Mainstreaming of human rights technical cooperation into United Nations work and programmes**

42. The sustainability of transformations towards peaceful, prosperous, inclusive and resilient societies requires placing human rights at the centre of any initiative. Mainstreaming technical cooperation into human rights strengthens the actions undertaken by the United Nations system to support Member States and other stakeholders. The mainstreaming process demands an identification and understanding of the deep interconnections between human rights violations and problems that afflict society, including poverty, inequality, widespread violence and crises such as the climate crisis.

43. The reform of the United Nations development system<sup>32</sup> introduced the new generation of common country analyses as the basis for the United Nations Sustainable Development Cooperation Framework. This facilitated the incorporation of human rights into projects and programmes to achieve the Sustainable Development Goals, including leaving no one behind, and also promoted better partnerships among OHCHR, the Development Coordination Office and other development partners. By 2022, human rights and leaving no one behind were integrated into 20 per cent and 40 per cent of country-level joint programmes, respectively.<sup>33</sup>

44. In Azerbaijan, the United Nations Sustainable Development Cooperation Framework for the period 2021–2025 built on the common country analysis on leaving no one behind to identify groups left behind in the country (children, women and other groups, including persons with disabilities and internally displaced persons living in rural areas), as well as the root causes of discrimination against these groups, to better address these issues. A joint working group created in 2022 between the Ombudsman and the Resident Coordinator will support the integration of human rights, the rule of law, gender equality, the prevention of discrimination, and good governance into the Cooperation Framework. The Cooperation

<sup>32</sup> See General Assembly resolution 72/279.

<sup>33</sup> E/2023/62, annex II.

Framework of Tunisia for the period 2021–2025 included specific measures for enhancing the capacity of civil society and people, in particular the most marginalized, to participate in decision-making. The aim is to engage civil society in defining and implementing reforms and to equip civil society actors with tools and capacities for the equitable and participatory governance of natural resources and environmental issues.

45. Recommendations, findings and guidance on human rights mechanisms are also increasingly being taken into account in the common country analyses and United Nations Sustainable Development Cooperation Frameworks. By 2022, 92 per cent of common country analyses incorporated recommendations from the universal periodic review, 83 per cent from the treaty bodies and 69 per cent from the special procedures. In the same year, 71 per cent of the Cooperation Frameworks incorporated recommendations from the universal periodic review, 66 per cent from the treaty bodies and 50 per cent from the special procedures. This promotes coherence and efficiency, while recognizing Member States' needs for assistance as reflected in the recommendations. There are numerous examples that show the usefulness of this approach.

46. As part of the preparations for the 2021 common country analysis in the Lao People's Democratic Republic, the United Nations country team undertook an assessment of human rights risks, based mainly on the recommendations of the human rights mechanisms, including with respect to the rights of ethnic minorities, freedom of expression and assembly, and freedom of religion. The recommendations from the universal periodic review that had been accepted by the Government were included in the common country analysis and integrated into technical cooperation under the United Nations Sustainable Development Cooperation Framework. The Cooperation Framework of Guatemala for the period 2020–2025 integrated the recommendations provided by the Committee on the Elimination of Racial Discrimination in 2019. That led to the creation of task forces and other mechanisms to involve representatives of Indigenous communities in the design and monitoring of United Nations programmes and in project steering committees, establishing a permanent forum for dialogue on the elimination of racial discrimination.

47. More efforts are needed, however, to ensure that the incorporation of human rights into common country analyses is then transferred to the strategic priorities of United Nations Sustainable Development Cooperation Frameworks,<sup>34</sup> and that both instruments consider recommendations of human rights mechanisms. Access to disaggregated data on the local context and additional expertise on human rights indicators and data analysis is critical to the implementation of a human rights-based approach on the ground. An online tool with two checklists was launched in 2022 by the Human Rights Focal Point Network of the United Nations Sustainable Development Group. It is aimed at helping resident coordinator's offices and United Nations country teams to integrate human rights, the principle of leaving no one behind, and gender equality and women's empowerment into common country analyses and Cooperation Frameworks. These tools have great potential to further integrate human rights into development programming and increase technical cooperation in human rights.

48. The mainstreaming of human rights technical cooperation should also be included at the level of joint programmes. During the intersessional meeting of the Human Rights Council held in 20 April 2023, the Resident Coordinator for the Philippines demonstrated how he had facilitated the building of consensus and partnerships to enable the implementation of Council resolution 45/33. Making use of his convening role, the Resident Coordinator brought together the capacities of the country team for technical cooperation and the establishment of the United Nations Joint Programme on Human Rights to provide technical cooperation with a problem-solving perspective that promoted partnerships, inclusiveness and participation, and accountability.

49. Mainstreaming human rights technical cooperation should also be considered in preventive and recovery initiatives as it enables the recognition of drivers of conflict and risk

<sup>34</sup> While 66 per cent of the common country analyses incorporate human rights assessments, the strategic priorities of only 40 per cent of Cooperation Frameworks address the most pressing human rights issues identified.

factors. Human rights have been demonstrated to be effective tools to solve conflicts, help build resilient societies and prevent grievances from arising. It is contingent, however, on establishing a culture of respect for human rights, good governance and the rule of law, and a vibrant civic space and free press.<sup>35</sup> Examples include Sri Lanka, where the Human Rights Adviser assisted the United Nations country team in applying the human rights due diligence policy on United Nations support to non-United Nations security forces in all activities involving the security forces or entities with security components and supported the Human Rights Commission of Sri Lanka in screening candidates for peacekeeping operations.

50. OHCHR, in collaboration with the Department of Political and Peacebuilding Affairs, the Department of Peacekeeping Operations and other actors, also enhanced the integration of human rights into resolutions on the renewals of the mandates of 12 peace missions and coordination between key actors. As part of the Group of Five for the Sahel compliance framework project, OHCHR continues to conduct capacity-building sessions officers of the Joint Force of the Group of Five for the Sahel on international human rights law and international humanitarian law.<sup>36</sup> The work has demonstrated the value of human rights in providing practical and effective advice to prevent and address human rights and international humanitarian law violations by security forces. In addition, the Human Rights Office of the United Nations Assistance Mission in Iraq has worked with the Government and civil society to raise awareness of and protect human rights.

51. In humanitarian settings, the inclusion of human rights in humanitarian assessments has demonstrated the effectiveness of human rights to prevent and protect those affected by violent conflict, the effects of climate crisis, and poverty and exclusion.<sup>37</sup> In Haiti, for example, OHCHR has led the protection sector, together with the Office for the Protection of Citizens, which is the national human rights institution, since 2018. OHCHR was able to effectively mainstream a human rights-based approach into protection and humanitarian intervention, in particular in areas affected by armed violence. In 2021, OHCHR led a protection assessment in gang-controlled areas that highlighted, inter alia, the use of sexual violence by armed gang members to terrorize the local population, exacerbated by a political vacuum and an increase in the proliferation of weapons. This assessment was issued as a protection update by the Global Protection Cluster.

## **E. Inclusion of national stakeholders in human rights technical cooperation**

52. Assistance delivered to implement the recommendations of human rights mechanisms and actions to comply with ratified international human rights instruments could also be understood as a State's acceptance and recognition of areas where improvement is needed. Moreover, when different State entities, including legislative authorities, the judiciary and national human rights institutions, request technical cooperation to address their needs, this could be seen as a way of building ownership for the whole-of-society response required to address complex human rights challenges.

53. In Costa Rica, the Human Rights Adviser supported the judiciary in holding meetings to conduct a participatory assessment of access to justice by Indigenous Peoples in 11 Indigenous territories (Abrojo Montezuma, Altos de San Antonio, Boruca, Cabagra, China Kichá, La Casona-Coto Brus, Maleku, Rey Curré, Salitre, Terraba and Ujarrás). The meetings were attended by more than 300 Indigenous leaders and authorities; the assessment will form the foundation of the judiciary's institutional policy on access to justice for Indigenous Peoples.<sup>38</sup> In Lesotho, the Human Rights Adviser assisted the Ministry of Education in holding two public consultations with civil society and the private sector on the

<sup>35</sup> A/HRC/30/20, para. 9.

<sup>36</sup> See <https://www.ohchr.org/en/countries/africa-region/project-supporting-g5-sahel-joint-force-implementation-human-rights-and-international-humanitarian>.

<sup>37</sup> Office of the United Nations High Commissioner for Refugees (UNHCR), "Human rights engagement strategy: The case for inclusion" (Geneva, 2019); and UNHCR, "Compilation of good practices on engaging with human rights systems" (2022).

<sup>38</sup> A/HRC/53/57, para. 14.

Lesotho Inclusive Education Policy, which promotes the provision of quality education to all learners, including learners with disabilities, on an equitable basis.<sup>39</sup> In Somalia, the Human Rights and Protection Group of the United Nations Assistance Mission in Somalia, in collaboration with a non-governmental organization, trained members of the South-West State Parliament and parliamentary staff in the promotion and protection of human rights. The training contributed to deepening the engagement between the local parliamentarians and the Ministry of Women and Human Rights Development and to providing tools for attendees to build local capacity in human rights. UNICEF reported that it had been working with women parliamentarians in Kyrgyzstan for the previous nine years to advocate and support the passage of legislative amendments. This resulted in the reform of the Criminal Code to increase the legal age of marriage to 18 and raise the level of penal sanction for bride kidnapping.

54. During 2022, several countries, including Guyana, Malaysia and Mozambique, established national mechanisms for reporting and follow-up. OHCHR has provided technical cooperation to enhance the capacity of this type of mechanisms to engage with international human rights mechanisms, coordinate reporting and follow-up and carry out consultations and information-sharing with relevant national actors and the public. For example, OHCHR supported the Governments of Kyrgyzstan and Tajikistan to prepare and submit reports to treaty bodies. In Mauritius, the Office, in collaboration with the Resident Coordinator and the Ministry of Foreign Affairs, Regional Integration and International Trade, held a training programme on the right to participate in public affairs and the United Nations participation guidelines, which included the national mechanism for reporting and follow-up. UN-Women assisted in the creation of a concluding observations monitoring framework in Nepal, which has enabled the National Women's Commission to collect data on the implementation of the concluding observations of the Committee on the Elimination of Discrimination against Women across the Government.

55. National human rights institutions that comply with the principles relating to the status of national human rights institutions for the promotion and protection of human rights (the Paris Principles) play a critical role in preventing human rights violations, accessing those furthest behind and assisting States to better meet human rights commitments.<sup>40</sup> In Qatar, the National Human Rights Committee supported the preparation of draft development strategies and incorporated proposals to respect and promote human rights within those strategies, such as taking into account the rights of vulnerable groups such as women, children, people with disabilities and older persons, while emphasizing the inclusion of social protection.

56. National human rights institutions, as national actors acting on the mandate conferred by national authorities, have the ability to assess needs and request technical cooperation to improve the human rights situation in a country. Technical cooperation provided in response to their needs assessments builds national ownership. Consequently, creating and strengthening national human rights institutions constitutes a critical task.<sup>41</sup> For instance, as part of the implementation of universal periodic review recommendations in Belize, OHCHR assisted the Ministry of Foreign Affairs, Foreign Trade and Immigration in conducting a participatory dialogue regarding the establishment of a national human rights institution in line with the Paris Principles. The process led to a proposal to the Government regarding gradually strengthening the Office of the Ombudsman into a fully fledged national human rights authority. OHCHR provided technical advice on the transition and the plan was to be submitted to the government Cabinet for consideration during 2023.<sup>42</sup>

57. Technical cooperation to strengthen national human rights institutions is also provided by the Global Alliance of National Human Rights Institutions, the United Nations Development Programme and OHCHR, under the TriPartite Partnership to Support National Human Rights Institutions. In 2022, the Partnership organized a global symposium aimed at

<sup>39</sup> *Ibid.*, para. 20.

<sup>40</sup> See [A/HRC/18/24](#), [A/HRC/30/20](#) and [A/HRC/39/24](#).

<sup>41</sup> Target 16.a of the Sustainable Development Goals.

<sup>42</sup> [A/HRC/53/57](#), para. 12.

providing a platform for national human rights institutions to share good practices and experiences on the protection of environmental human rights defenders.<sup>43</sup>

58. Civil society organizations and other actors, including human rights defenders and journalists, monitor and assess human rights situations, bridge different sectors of society and leverage transformations by supporting States to fulfil their human rights obligations and enabling rights holders to claim their rights. As addressed in the intersessional meeting of the Human Rights Council held on 20 April 2023, strengthening civil society organizations and supporting human rights defenders, journalists and activists is an important element of technical cooperation programmes. They should be consulted from the early stages of the design of technical cooperation programmes and their participation should be pursued in conjunction with the protection and expansion of civic space.<sup>44</sup> For example, Italy, in its engagement with other countries through the activities of the Ministry of Foreign Affairs and International Cooperation and its diplomatic network, has emphasized a high degree of interaction with civil society.

59. In the Bahamas, OHCHR facilitated sessions with civil society organizations to strengthen their capacities in relation to human rights reporting and engaging with international human rights mechanisms. During 2019, OHCHR conducted a diagnosis of the Mechanism for the Protection of Human Rights Defenders and Journalists in Mexico. OHCHR is working with the Government of Mexico to advance the completion of the recommendations on enhancing the Mechanism.<sup>45</sup>

60. Partnerships with the private sector are a good practice in view of the critical role that it plays in society. Such partnerships also promote the coherence and complementarity of the initiatives carried out to advance human rights and connect local and global good practices. In Liberia, support was provided for the development of the country's national action plan on business and human rights. In addition, OHCHR convened a technical working session, which was led by the National Steering Committee on Business and Human Rights and co-chaired by the Ministries of Justice and Labour. The session was attended by representatives of civil society organizations and the Independent National Commission on Human Rights and resulted in the finalization of a draft national action plan on business and human rights. In Chile, OHCHR supported the implementation of the first national plan for human rights and business and, in partnership with other United Nations entities and development actors, provided technical assistance to the State to carry out consultations with citizens for drafting the second version of the action plan.

### III. Recommendations

61. **Technical cooperation in the field of human rights plays a critical role in renewing efforts to achieve the Sustainable Development Goals by 2030, preventing crises, building more resilient societies and sustaining peace, as well as supporting efforts by the United Nations to reflect this understanding throughout its partnerships and joint programming.**

62. **In this regard, it is critical to support efforts by OHCHR to expand and strengthen its capacities to deliver technical cooperation on the ground and meet the range of demands for assistance.**

63. **On the basis of the above findings, the Office recommends that Member States support a holistic approach to technical cooperation that:**

(a) **Takes into account the universality and indivisibility of all human rights – civil, political, economic, social, cultural – as well as the right to development and the right to a healthy environment;**

<sup>43</sup> See <https://ganhri.org/cop27-symposium-open-letter/>.

<sup>44</sup> See [A/HRC/18/24](#), [A/HRC/30/20](#) and [A/HRC/39/24](#).

<sup>45</sup> See [https://hchr.org.mx/wp/wp-content/themes/hchr/images/doc\\_pub/190725-Diagnostico-Mecanismo-FINAL.pdf](https://hchr.org.mx/wp/wp-content/themes/hchr/images/doc_pub/190725-Diagnostico-Mecanismo-FINAL.pdf).

- (b) **Addresses the root causes of human rights violations and abuses;**
- (c) **Assists countries in removing the structural obstacles that lie behind inequalities, discrimination and marginalization.**

64. **The Office also recommends ensuring that the design of technical cooperation in the field of human rights:**

- (a) **Is guided by evidence-based analyses of the context in identifying key issues, priorities for engagement and relevant actors to work with;**
- (b) **Includes a clear formulation of the short-, medium- and long-term results sought, including on the basis of disaggregated data, and the allocation of roles and responsibilities to achieve these;**
- (c) **Is guided by sustainability, by providing tailored solutions to national and regional human rights situations.**

65. **The Office further recommends promoting the adoption of a human rights-based approach to development, peace and security, and humanitarian programming, including by:**

- (a) **Explicitly linking programme and project outcomes and outputs to the national implementation of country-specific recommendations made by international human rights mechanisms;**
- (b) **Enhancing the capacity of key national actors, including national human rights institutions, national follow-up and reporting mechanisms, civil society organizations and human rights defenders, to participate in the design and implementation of technical cooperation programmes.**

66. **The Office recommends increasing its funding for technical cooperation allocated from the regular budget and from voluntary contributions, through predictable, multi-year and long-term funding, including by:**

- (a) **Considering addressing this situation in deliberations and resolutions tabled at the Human Rights Council under item 10, including through requests for additional financing for specific technical programmes and strengthening of OHCHR activities in the field;**
- (b) **Expanding the donor base for the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review.**

67. **The Office also recommends strengthening its capacity to support the exchange of best practices to realize human rights and collaboration among Member States in the design and implementation of policies, programmes and projects. To this end, the Human Rights Council may wish to consider facilitating and supporting the development of specific tools to enable this exchange (such as forums to share good practices and a database of international cooperation agency focal points on specific human rights areas).**

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