



ماعت للسلام والتنمية وحقوق الإنسان  
Maat For Peace, Development, and Human Rights

# "To Complete the Path" Participation in Defining the Strategic Direction of the Office of the High Commissioner for Human Rights

prepared by: Ali Mohamed  
Edited by: Sherif Abdelhamid



UNITED NATIONS OFFICE  
OF THE HIGH COMMISSIONER  
FOR HUMAN RIGHTS

HAUT COMMISSARIAT  
DES NATIONS UNIES  
AUX DROITS DE L'HOMME

## PALAIS WILSON

BÂTIMENT EDIFIÉ EN 1872 - 1875  
SUR UN TERRAIN DE LA VILLE DE GENÈVE  
ET TRANSFORMÉ EN 1905.

SIÈGE DE LA SOCIÉTÉ DES NATIONS  
DE 1920 A 1937.

REBAPTISÉ "PALAIS WILSON" EN 1924  
EN L'HONNEUR DU PRÉSIDENT AMÉRICAIN WILSON.

AUJOURD'HUI PROPRIÉTÉ DE LA CONFÉDÉRATION SUISSE  
QUI L'A ENTIÈREMENT RESTAURÉ EN 1998.



## Contents

<b>Preface</b> .....	2
<b>Methodology</b> .....	3
<b>Section 1: Obstacles to Reforming the OHCHR</b> .....	4
<b>Section 2: Evaluating the Pillars and Areas of the OHCHR's Work</b> .....	9
<b>Section 4: Emerging Challenges in the Human Rights Field</b> .....	20
<b>Recommendations:</b> .....	21

## Preface

The Office of the United Nations High Commissioner for Human Rights (hereinafter referred to as “OHCHR”) was established by Resolution 48/141 of the United Nations General Assembly, upon a recommendation from the World Conference on Human Rights in Vienna in 1993. Under this resolution, it was decided that the High Commissioner for Human Rights would be the principal human rights official of the United Nations. The United Nations High Commissioner for Human Rights is accountable to the Secretary-General. The High Commissioner is responsible for ensuring that all people worldwide enjoy civil, cultural, economic, political and social rights; carrying out the functions specifically assigned to him by the policy-making bodies in the United Nations system in the field of human rights, and advising these bodies on the policies of the United Nations in the area of human rights promotion and protection.

In light of the preparations for the celebration of the 75th anniversary of the Universal Declaration of Human Rights, which are being led by the Office of the High Commissioner for Human Rights, the OHCHR – also known as the Office for Human Rights - launched a participatory process to define the strategic direction of the Office for the period 2024 to 2027. In this context, the Office welcomed the dialogue with key stakeholders to strengthen the work collectively, in order to increase the impact on the realization of human rights and promote the achievement of the goals of sustainable development.

Upon this approach, the OHCHR’s contribution to supporting Member States’ implementation of the 2030 Agenda for Sustainable Development and fulfilling the promise of "leaving no one behind" is determined. The strategic planning process will take place throughout 2023 and will conclude with the launch of the OHCHR's Management Plan 2024-2027 in early 2024. Bearing in mind that 2023 is the year of the celebration of the 75th anniversary of the Universal Declaration of Human Rights, an important opportunity to assess progress in the work of the OHCHR and the challenges that prevent the promotion and protection of human rights, including the principles contained in the Universal Declaration of Human Rights, and giving greater importance to emerging challenges to human rights and issues in which the Commission is supposed to play a greater role during the coming period.

Based on the foregoing, Maat for Peace, Development and Human Rights prepared this study entitled **"To Complete the Path... Participation in Defining the Strategic Direction of the Office of the High Commissioner for Human Rights."** This study focuses on the obstacles facing the work of the OHCHR and impedes the implementation of the Universal Declaration



of Human Rights in addition to assessing the progress made in the six thematic pillars that make up the OHCHR action plan. Maat also suggests some other pillars in response to the OHCHR's call for contribution in the online questionnaire, and finally, identifies emerging human rights trends.

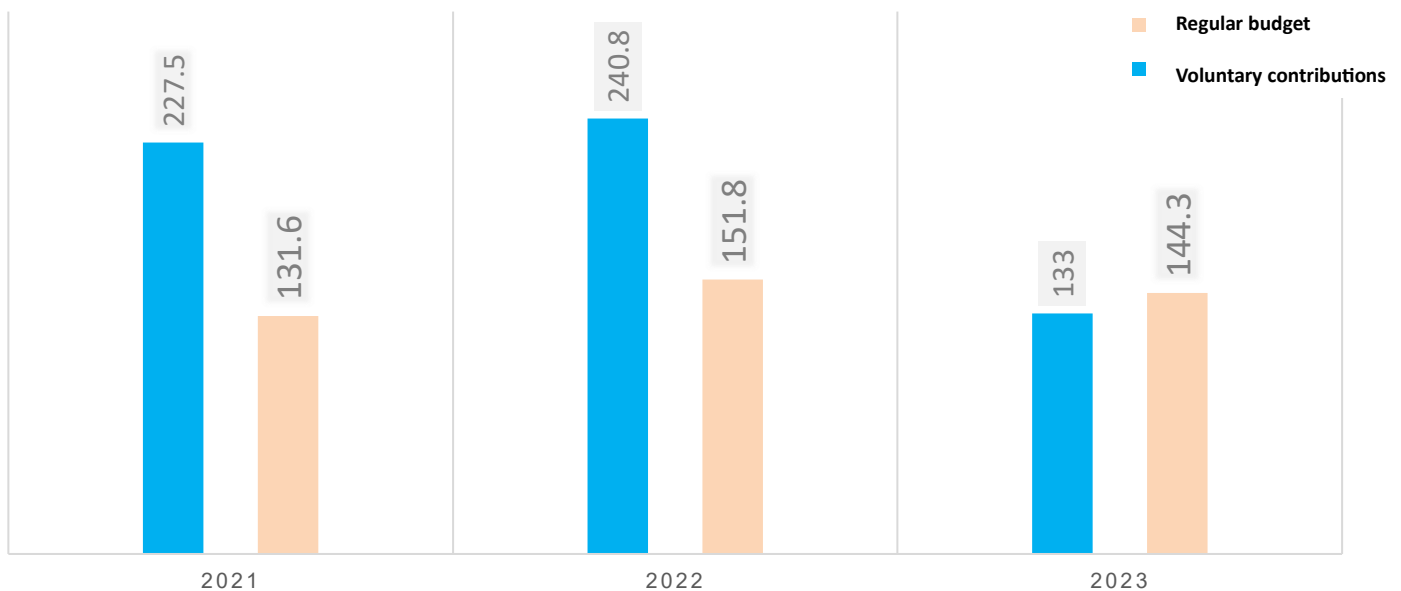
## Methodology

In this study, Maat relied on the questionnaire released by the OHCHR on the Internet, in addition to its strategic action plan for 2018-2021. Maat also reviewed the OHCHR's action plan for the period 2022-2023. To evaluate the pillars of the OHCHR, Maat relied on an indicator to measure the degree of effectiveness in implementing the six thematic pillars constituting the scope of the OHCHR work in the last period. Maat determined the degree of effectiveness as "medium" in terms of the pillars and areas of work that, despite the efforts made by the OHCHR, still have some gaps and need further steps to improve its role therein. Maat determined the degree of effectiveness as "weak" in terms of the pillars and areas of work in which the Commission played a limited role. To evaluate the pillars and areas of work, Maat relied on the opinions of the UNHCR staff themselves in the opinion polls conducted by the Secretariat to measure job satisfaction within the United Nations entities.

## Section 1: Obstacles to Reforming the OHCHR

### 1. OHCHR Financial Resources

Human rights gets less than 4% of UN's regular budget; thus, the UN human rights pillar suffers from underfunding while its reliance on voluntary contributions is increased. Such voluntary contributions are vital to the work of the Office of the High Commissioner; however, they come with pressure from donor countries that require not prejudicing their interests. There is a wide gap between the resources needed by the OHCHR and the resources available thereto. The budget of the OHCHR for the year 2023 amounted to about \$277 million, of which \$133 million represents voluntary contributions until April 2023,<sup>1</sup> which is more than 48% of the total budget (Fig. 1).



It is clear from the above-shown figure that the Office budget reached more than \$391 million in 2022, including \$240.8 million in voluntary contributions, making up 61.5% of the total budget. In 2021, the budget reached \$359.3 million, including \$63.3% million. The regular budget in the last three years has not clearly exceeded the voluntary contributions made by Member States. The lack of resources leads to more reliance on voluntary contributions, which may impose more pressure on the OHCHR work.

For example, voluntary contributions may impose certain limitations on the work of the UN Special Procedures, which receives the most extra-budgetary contributions. Between

<sup>1</sup> Who Funds OHCHR?, <https://www.ohchr.org/en/about-us/funding-and-budget/our-donors>

2015 and 2019, 40% of the Special Procedures' budget came from extrabudgetary funding from a few countries, non-governmental organizations and private institutions. Some of the Special Procedures experts have confirmed that they had received direct financial payments - outside the UN system, amounting to approximately \$11 million from organizations such as the Ford Foundation and the Open Society Foundations. In this context, it should be noted that the Code of Conduct for Special Procedures Mandate-holders, adopted by the Human Rights Council in 2007, prohibits experts from accepting any 'gifts or rewards' from governmental or non-governmental entities to support them carrying out their activities. However, special procedures mandate holders continued to accept direct funding from governments or NGOs for the activities they undertake under each mandate.

In a related context, some opposition groups argued that the problem is not in the amount of the OHCHR financial resources but rather is in how the available resources are spent.

## 2. Whistleblower Retaliation within the OHCHR

The OHCHR has to address the "whistleblowers" issue widely in order to ensure accountability in its office. Whistleblowers are subjected to arbitrary practices, including arbitrary dismissal and the threat thereof in the event of failure to remain silent, which are practices contradicting the UNHCR Code of Conduct.<sup>2</sup> Maat has viewed various testimonies of a group of these whistleblowers who left the Office, and although some of them were acquitted, they did not obtain reparation for the harm they suffered.<sup>3</sup> For example, A. R., who worked in the Geneva-based Office was arbitrarily dismissed from her job on 9 November 2021 after she raised concerns about the lack of an independent investigation into her concerns about the Office's handing over the names of Uyghur human rights defenders to the Chinese government prior to a session of the Human Rights Council, where these human rights advocates were supposed to go to the Council to provide their statements about the violations they have been subjected to.<sup>4</sup> On May 19, 2023, D. I., the President of the President of the World Uyghur Congress, confirmed in his testimonies that Maat reviewed, that he was about to go to the Human Rights Council to testify about the human rights violations to which the Uyghurs are subjected. However, the Chinese police arrested members of his family after the Commission handed them a list of names of activists who will speak during the session of

---

<sup>2</sup> Code of Conduct for OHCHR staff, [https://www.unwatch.org/wp-content/uploads/2009/12/Code\\_conduct\\_OHCHRStaff.pdf](https://www.unwatch.org/wp-content/uploads/2009/12/Code_conduct_OHCHRStaff.pdf)

<sup>3</sup> New exposé highlights need for urgent UN whistleblower protection reform, <https://shorturl.at/eTU02>

<sup>4</sup> Witness Statement: Emma Reilly, <https://rb.gy/rjif8>

the Human Rights Council.<sup>5</sup> In March 2022, the judge of the United Nations Dispute Tribunal (UNDT) was replaced in the case of **R.** before issuing his judgment, which was described in some reports as a flagrant violation of the independence of the judiciary.<sup>6</sup>

According to the **testimony of R.** that was reviewed by Maat, Nada Al-Nashif, the Deputy High Commissioner for Human Rights, warned that the OHCHR has an absolute right to hand over the names of any human rights activists to their governments, without informing them.<sup>7</sup> Emma Reilly is one of many cases among the OHCHR staff who suffered due to doing their jobs. Among other examples is the case of **M. B.**, who worked in the Office of the High Commissioner for Human Rights in Geneva, and exposed corruption and violations committed by peacekeeping forces in an African country, then was subjected to arbitrary dismissal from the Office after providing evidence of sexual abuse of children by France's peacekeeping forces as well as African Union forces in the Central African Republic.<sup>8</sup> The Office of the High Commissioner refused to renew her contract, and she was blacklisted to be prevented from working for the United Nations.<sup>9</sup>

In a related context, the whistleblowing policies give the UN Ethics Office the responsibility to conduct a “preliminary review of allegations of an employee who is subjected to abuse while working for UNHCR or any other United Nations entity, however, the results of this “initial review” cannot be appealed. This is surprising, given the fact that all the international human rights treaties promoted by the Commission allow appeal procedures as a step towards strengthening the rule of law. Without due legal protections and safeguards that give whistleblowers an opportunity to report violations, the United Nations and UNHCR will remain immune from criticism and it will to punish the whistleblower and ignore the serious violations being reported. David Kaye, former UN Special Rapporteur on Freedom of Opinion and Expression, supports this argument and finds that UN whistleblowing mechanisms lack real independence and presents a set of recommendations for reform.<sup>10</sup>

---

<sup>5</sup> See, <https://twitter.com/GenevaSummit/status/1659574644037537794>

<sup>6</sup> Ibid

<sup>7</sup> Name and shame, UNINTEGRITY, <https://unintegrity.org/name-and-shame/>

<sup>8</sup> The UN Whistleblower Protection System Does Little to Protect Whistleblowers in Policy or Practice, <https://whistleblowingnetwork.org/Our-Work/Spotlight/Stories/A-Gross-Institutional-Failure-The-UN-Whistleblower>

<sup>9</sup> Ibid

<sup>10</sup> New exposé highlights need for urgent UN whistleblower protection reform, <https://rb.gy/b97uz>

### 3. Favoritism of some NGOs

Serving as the secretariat of the Human Rights Council, OHCHR is responsible for preparing lists of speakers during interactive dialogues and public debates from non-governmental organizations having consultative status with the UN Economic and Social Council.

### 4. Lack of Appointment and Promotion based on Competence

Under the Charter of the United Nations, the appointment of staff within the UN system must be based on merit and competence and with due regard to the preservation of geographical diversity. Staff members are expressly prohibited from receiving instructions from governments. However, according to information, senior posts are exclusive to the most powerful governments in the system. The five permanent members of the United Nations Security Council, which are China, France, Russian Federation, the United Kingdom, and the United States, monopolize senior ministerial positions dealing with political affairs, humanitarian relief, peacekeeping and development, and combating terrorism, which is a violation of the Charter and the Code of Conduct.<sup>11</sup>

In a related context, administrative staff of the United Nations Secretariat is prevented from being promoted to higher professional positions, leaving them unable to advance in their careers, and restrictions on staff rotation and movement have led to the conviction of several United Nations staff members in the same position for years or maybe decades. Continuing efforts to reform human resources policies faced opposition from Member States, especially the permanent members of the Security Council, who seek to keep their employees in high positions within the Office.<sup>12</sup>

### 5. Poor Field Work of OHCHR

OHCHR field work falls into two main categories: OHCHR field presences fall into two categories: stand-alone presences and collaborative arrangements.<sup>13</sup> The first category comprises those offices, namely country, stand-alone and regional offices, under the direct supervision of OHCHR. The second category comprises field presences with double reporting lines, namely, human rights components of peace or political missions who report to the Head of the mission and the High Commissioner and human rights advisers (HRAs) in United Nations Country Teams (UNCTs) who report to the UN Resident Coordinator and the High

<sup>11</sup> Charter of the United Nations (full text), <https://www.un.org/ar/about-us/un-charter/full-text>

<sup>12</sup> Exclusive: UN political caste system drains workforce morale, <https://www.devex.com/news/exclusive-un-political-caste-system-drains-workforce-morale-105305>

<sup>13</sup> OHCHR's approach to field work, <https://t.ly/Csdx>



Commissioner. The decision to establish an OHCHR country, stand-alone or regional presence is made with the concerned Government, taking into account the overall human rights situation, security considerations, the presence and role of other international actors on the ground, as well as available human and financial resources, administrative arrangements and the scope of activities to be undertaken.<sup>14</sup> Accordingly, when the Commission was established in 1993, there were only two UN Human Rights Offices, while now there are 94 offices everywhere.<sup>15</sup> Maat shares the opinion of the High Commissioner on the necessity of establishing a UN human rights office everywhere, taking into account the limited resources, as the number of current offices covers only 43% of the member states of the United Nations.

---

<sup>14</sup> Ibid

<sup>15</sup> Türk: "There should be a UN Human Rights Office everywhere.", <https://t.ly/zMVvo>

## Section 2: Evaluating the Pillars and Areas of the OHCHR's Work

The OHCHR has six pillars or thematic areas forming the basis of its work in the years 2022-2023, to advance the fulfillment of its mandate of promoting human rights. In this context, Maat proposed interventions to increase effectiveness in each of the six pillars.

### 1. Promoting Participation and Ensuring Protection of Civic Space

Pillar	Promoting participation and protecting civic space
Effectiveness Level	Moderate
<p>Civil society participation improves human rights and addresses the gaps in policies and legislation, and it is one of the factors that increases confidence between the state and its citizens, with civil society acting as a mediator between them. The OHCHR makes clear efforts in this pillar; it has encouraged civil society to submit written reports on the draft of a legally binding instrument on transnational corporations and other business enterprises, which led to the adoption of specific mechanisms for civil society participation<sup>16</sup>. The OHCHR's fellowship programs also support members of civil society by selecting some individuals and providing them with an opportunity to learn about international human rights mechanisms. The OHCHR runs about 7 fellowship programs, mostly for people who come from vulnerable groups such as minorities and indigenous peoples.<sup>17</sup></p> <p>The OHCHR monitors and reports cases of human rights violations against civil society actors, especially reprisals against individuals who cooperate with the United Nations in the field of human rights. However, this monitoring did not end these practices, and human rights defenders continued to face almost daily attacks. The OHCHR acknowledged in its reports and oral updates that civic space is shrinking in a number of Member States, and the civil society of minorities has been deprived of participation. The OHCHR set a goal in its previous strategy related to supporting efforts to issue laws and policies related to</p>	

<sup>16</sup> Civic Space Briefs, <https://www.ohchr.org/sites/default/files/2023-02/Civic-space-treaty-making-InBrief-FINAL.pdf>

<sup>17</sup> HUMAN RIGHTS FUNDS, GRANTS AND FELLOWSHIPS, page 21, [https://www.ohchr.org/sites/default/files/Documents/AboutUs/CivilSociety/OHCHRFundsGuide\\_en.pdf](https://www.ohchr.org/sites/default/files/Documents/AboutUs/CivilSociety/OHCHRFundsGuide_en.pdf)

participation and the protection of civic space, but progress is very slow to implement this goal<sup>18</sup>.

The OHCHR has also remained far away from the violations facing human rights defenders in some countries, especially countries facing armed conflicts and in stages of recovery. Estimates indicate that there are limited interventions by the OHCHR in these countries, which puts human rights defenders in an environment that is not conducive to work. In a related context, closing the paths of dialogue between the OHCHR and some other countries for which national mandates are established, such as commissions of inquiry and fact-finding missions, delays this approach to enhancing participation and protecting civil space and makes dialogue a not far step at the near level.

### Suggested Interventions:

- Continue to call on Member States to issue legislation and policies that promote participation and protect civic space;
- Respect the principles of non-politicization and preventing double standards in the OHCHR's work methods, allowing dialogue with countries that reject the OHCHR's mandate:
- Increase advocacy campaigns to enhance the participation of minority civil society organizations in policy making within their countries;

## 2. Promoting Equality & Combating Discrimination

Pillar	Promoting equality and combating discrimination
Effectiveness Level	Moderate

The country offices of the OHCHR share good practices on combating discrimination, and share these practices with policy makers in countries for the implementation of these policies. The OHCHR also has a gender tool to promote gender equality<sup>19</sup>. The OHCHR also works to promote gender equality and combat discrimination against women and the OHCHR is an active member of the UN initiative to combat sexual violence in conflict. Since

<sup>18</sup> The work plan of the Office of the United Nations High Commissioner for Human Rights for the period 2022-2023, <https://www.ohchr.org/sites/default/files/2022-05/OMP-2022-2023.pdf>

<sup>19</sup> OHCHR GENDER TOOL, <https://www.itcilo.org/courses/ohchr-gender-tool>

August 2008, the UN Coordinator for Action against Sexual Violence in Conflict, formerly with UNIFEM in New York, has been hosted at the OHCHR's headquarter in Geneva.<sup>20</sup>

The Office of the High Commissioner, in cooperation with United Nations missions to provide support in some conflict countries, has trained activists to integrate gender into the UPR process<sup>21</sup>. However, there is a lack of financial resources allocated to this pillar compared to the other pillars. The regular budget for this branch (Equality and Anti-Discrimination) still needs \$14,611,000 million, as the regular budget for OHCHR the "Rule of Law, Equality and Prevention of Discrimination" branch together is \$6,858,000, while extra-budgetary requirements include \$14,611,000.

The OHCHR employees also face employment discrimination based on considerations that violate international human rights treaties. An annual staff survey commissioned by the secretariat found that nearly a quarter of the 17,184 respondents reported facing discrimination on the basis of national origin, gender, culture, color and ethnicity including those working for the Office of the High Commissioner for Human Rights<sup>22</sup>.

In a related context, there is a limited role for the OHCHR in leading advocacy efforts to bridge the gap in the distribution of wealth between the north and the south. For example, the rich 1% still own about 50% of the total wealth in the world<sup>23</sup>, and 1% of the world's richest have achieved in the last two years about 33% of the total profit from 2020 to 2022, with a value of 44% trillion dollars; twice as much money as 99% of the rest of the world<sup>24</sup>.

### Suggested Interventions

- Leading efforts to advocate for a progressive tax on the world's wealthy
- Increasing the resources available to the Equality and Anti-Discrimination Branch from the Commission's regular budget
- Ending all forms of discrimination on the basis of any considerations such as color, sex or race within the Commission

<sup>20</sup> Office of the United Nations High Commissioner for Human Rights, <https://evaw-un-inventory.unwomen.org/fr/agencies/ohchr?pageNumber=6>

<sup>21</sup> UNSMIL and OHCHR train Libyan women activists to integrate a gender perspective into the UPR, <https://shorturl.at/fj239>

<sup>22</sup> Exclusive: UN political caste system drains workforce morale, <https://rb.gy/a7z0o>

<sup>23</sup> Richest 1% bag nearly twice as much wealth as the rest of the world put together over the past two years, <https://shorturl.at/hotAD>

<sup>24</sup> Ibid

### 3. Strengthening the Rule of Law and Accountability for Human Rights

Pillar	Strengthen the rule of law and accountability for human rights
Effectiveness degree	Moderate

OHCHR runs a range of projects such as the OHCHR Accountability and Redress Project: Improving Accountability and Access to Remedies in Cases of Corporate Involvement in Human Rights Violations. The trust funds that support the activities of the Office of the High Commissioner for Human Rights are managed with fully transparent standards and principles for financial management and reporting. The Office of the High Commissioner for Human Rights has also established codes of conduct for the staff and advisors working with the OHCHR on human rights activities. For example, there is a code of conduct for election observers.

OHCHR provides information and recommendations on accountability in a group of countries, for example, in March 2023, OHCHR submitted a report to the Human Rights Council on strengthening accountability in the Republic of North Korea. UNHCR's effort in this pillar is satisfactory, but lacks the promotion of accountability in other countries such as the United States and Western countries, especially in light of the violations facing indigenous people, migrants, refugees, and asylum seekers.

In a related context, some member states continue to undermine the rule of law. The Supreme Council of the Judiciary was dissolved in Tunisia<sup>25</sup>, and the role of the OHCHR was limited in pushing for the independence of the judiciary in this country. Some European countries still suffer from a lack of the rule of law. According to the 2022 Rule of Law Report issued by the European Union, countries such as Poland and Hungary have witnessed deterioration in the rule of law<sup>26</sup>. The global rule of law index also measures progress in this important pillar for about 140 countries included in the index. However, the 2022 rule of law index emphasized the decline of the rule of law in most of the countries measured by the index.<sup>27</sup> This decline in strengthening the rule of law delays access to justice, especially for vulnerable groups including refugees, migrants and rural women.

<sup>25</sup> Dissolution of Tunisia's High Judicial Council seriously undermines rule of law in Tunisia – Bachelet, <https://shorturl.at/hruCP>

<sup>26</sup> 2022 Rule of law report, <https://rb.gy/a7z0o>

<sup>27</sup> WJP Rule of Law Index, <https://worldjusticeproject.org/rule-of-law-index/global>



In a related context, the human resources regulations for work in the OHCHR are not implemented in a comprehensive manner, and often lack of accountability and impunity prevails for any practices that violate these regulations, as an opinion poll conducted by OHCHR indicates that the United Nations regulations and rules in the field of resources Human Rights has not been effectively implemented in the OHCHR.<sup>28</sup>

### Suggested interventions

- Focusing on accountability in Western countries and the United States of America
- Preparing more evidence on strengthening the rule of law and accountability in Member States

## 4. Preventing Violations and Promoting Human Rights in Conflict Situations

Pillar	Preventing violations and promoting human rights in situations of conflict and insecurity
Effectiveness Level	Weak

According to the Survey of Armed Conflicts all over the world, 33 international and non-international armed conflicts and areas of tension around the world until the end of 2022<sup>29</sup> are added to them the armed conflict that broke out between the Armed Forces in Sudan and the Rapid Support Forces on April 15, 2023. One of the OHCHR's six priority areas of work is the current strategic plan of **human rights protection in situations of armed conflict, violence and insecurity, where conflicts provide an opportunity for more gross violations of human rights**. Especially the violation of the right to life, as armed conflicts killed 43,000 people in 2022<sup>30</sup>, taking into account that the actual numbers may exceed that due to the difficulty of documenting victims in armed conflicts.

The OHCHR contributes to the collection, analysis and reporting of information on human rights in situations of conflict and insecurity directly as an early warning. Member states called on the OHCHR to be the body that collects and evaluates information from the field, but some argued that the OHCHR does not have the ability to analyze or organize the large

<sup>28</sup> OHCHR-Staff-Surveys-briefing, <https://t.ly/uKDZ>

<sup>29</sup> The Armed Conflict Survey 2022: Editor's Introduction, <https://shorturl.at/aepEM>

<sup>30</sup> 43,000 people dead as a result of armed conflicts in 2022: UN chief, <https://www.nation.com.pk/24-May-2023/43-000-people-dead-as-a-result-of-armed-conflicts-in-2022-un-chief>

amount of early warning data that is issued every day by local actors in civil society, United Nations entities and special procedure mandates.

In a related context, the OHCHR works in fragile states by monitoring human rights and contributing to peace building initiatives. OHCHR's work in these situations often involves the support of the Human Rights Council, treaty bodies and special procedures. However, OHCHR's efforts are limited in conflict contexts due to the lack of resources and political will available to support OHCHR's efforts.

As such, OHCHR's work is often constrained by denial of access, capacity constraints and financial resources, as some countries experiencing armed conflicts have never been visited by the OHCHR.

The OHCHR also promised in the High Commissioner's Expanded Action Plan 2022-2023 to conduct training and technical advice to integrate international human rights law and humanitarian law into military and peace operations; Engaging with the parties to the conflict to reduce human rights violations and integrating human rights into decision-making and peace agreements. Otherwise, the parties to the conflict do not comply with this advice, and reaching sustainable peace agreements remains an issue that is subject to cancelation all the time.

### Suggested Interventions

- Increasing efforts to establish early warning systems related to countries experiencing tensions, and adopting preventive diplomacy and intervention before crises escalate.
- Giving greater importance to the 10<sup>th</sup> item of the Human Rights Council's agenda on capacity-building, and providing technical assistance to countries in armed conflicts and post-conflict phases.

## 5. Increasing implementation of Outputs of International Human Rights Mechanisms

Pillar	Increase the implementation of the outputs of international human rights mechanisms
Effectiveness Level	Moderate

## Suggested Interventions

The Universal Periodic Review (UPR) is based on the national report submitted by the country under review, along with two reports prepared by the OHCHR. The first report is the report prepared by the OHCHR regarding information provided by United Nations bodies. The second report is a summary report of information submitted by other stakeholders such as NHRIs and civil society organizations. The OHCHR circulates the report of the Working Group on UPR to Member States and publishes the report on the external website Extranet.

The High Commissioner's Expanded Management Plan for 2022 and 2023 also underscores the commitment of the United Nations on human rights to strengthen linkages between human rights mechanisms, Member States, the UN system and a range of other stakeholders, in particular, support the implementation of recommendations at the country level.

However, only 33 of the member states of the human rights treaty system still comply with their treaty obligations; Until the end of 2018, there were 585 late reports in the various treaty bodies, and some countries are more than 15 years late in submitting their reports, and this in turn reduces the possibility of holding the state accountable or dialogue with this state regarding its human rights record.

In a related context, the OHCHR has been involved in supporting national mechanisms for the preparation of national reports, follow-up and implementation, but the OHCHR, in its study "National Mechanisms for Reporting and Follow-up: A Study on Cooperation with International Human Rights Mechanisms, has received contributions only from 26 member states<sup>31</sup>, and two seminars in Geneva<sup>32</sup> will be organized by the OHCHR to facilitate the exchange of experiences between the member states with the aim of improving their national mechanisms for implementation, reporting and follow-up in accordance with Human Rights Council Resolution No. 51/33, which requests the OHCHR to organize a one-day seminar in 2023 and another in 2024 in Geneva<sup>32</sup>.

<sup>31</sup> National Mechanisms for Reporting and Follow-up A STUDY OF STATE ENGAGEMENT WITH INTERNATIONAL HUMAN RIGHTS MECHANISMS, [https://www.ohchr.org/sites/default/files/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_Study.pdf](https://www.ohchr.org/sites/default/files/Documents/Publications/HR_PUB_16_1_NMRF_Study.pdf)

<sup>32</sup> Resolution adopted by the Human Rights Council, Promoting international cooperation to support national mechanisms for implementation, reporting and follow-up, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/523/56/PDF/G2252356.pdf?OpenElement>

The resolution also calls for the establishment of an online knowledge center to enable national mechanisms to share good practices<sup>33</sup>. Finally, despite the general increase in awareness of the international mechanisms and the resulting recommendations from these mechanisms, there is still weakness in tracking the implementation of the recommendations in each of the member states. The OHCHR's efforts did not discourage countries from joining most of the optional protocols attached to international human rights conventions and treaties

### Suggested Interventions

- The need for the OHCHR to raise awareness of the importance of national mechanisms for reporting, implementation and follow-up as a good tool for implementing the recommendations resulting from international mechanisms
- The need for considering new ways to urge states to accede to the optional protocols attached to international human rights treaties.

## 6. Advancing Sustainable Development through Human Rights

Pillar	Promoting participation and protection of civic space
Effectiveness Level	Moderate

The OHCHR is responsible for the methodological development and compilation of data within the global framework of sustainable development indicators, and according to General Assembly Resolution 71/313 adopted in 2017<sup>34</sup>, it is also entrusted with publishing this data in the progress report on the sustainable development goals. In a related context, the OHCHR will be responsible for the preparations for the SDGs Summit in September 2023. The OHCHR has also worked with some countries to integrate the SDGs into public policies and national legislation.

For example, in Kenya, the OHCHR has worked with the Parliamentary Caucus on the SDGs to strengthen its capacity to take a human rights-based approach to budgeting and social security allocations. In Serbia, the ONCHR interventions have resulted in access to potable drinking water for nearly 2,000 people in 19 settlements, in line with SDG6. The ONCHR

<sup>33</sup> Ibid

<sup>34</sup> SDG indicators under OHCHR's custodianship, <https://t.ly/pmS->

supported the development of a tool for policymakers to operationalize the principle of leaving no one behind<sup>35</sup>. In a related context, and after approving the reports of the universal periodic review (UPR) of the member states, the OHCHR issues a document specifying each recommendation with each of the SDGs. However, the OHCHR's efforts to advance progress towards achieving the SDGs remain limited in low-income countries and countries experiencing armed conflict. Also, taking care of good practices in the context of implementing the SDGs and disseminating them among member states calls for further measures that must be taken by the OHCHR.

#### **Suggested Intervention:**

- Increasing the dissemination of good practices among Member States in the context of achieving the SDGs.
- Issuing regular reports on the progress made in implementing the SDGs.

---

<sup>35</sup> What OHCHR is Doing to Connect the 2030 Agenda, SDGs, and Human Rights, <https://rwi.lu.se/blog/what-ohchr-is-doing-to-connect-the-2030-agenda-sdgs-and-human-rights/>



### Section 3: Additional Pillars of the OHCHR's Work

---

In the questionnaire that the OHCHR published online seeking inputs of stakeholders in defining the strategic direction 2024-2027, it requested adding other pillars from the stakeholder's point of view to its next work plan and the strategic direction 2024-2027. Maat believes that the pillars below should be the focus of the OHCHR's priority in its strategy and next action plan:

#### 1. Climate Justice

The OHCHR already recognizes the need for climate justice and led efforts for a human rights-based approach to climate and environment policies. A target was set out in the OHCHR's 2018-2021 Action Plan for the implementation of environmental and climate plans<sup>36</sup>. Maat believes that the OHCHR should lead additional efforts to advocate for compensation for developing countries affected by climate change, including the implementation of the outputs of climate conferences, especially the establishment of the Loss and Damage Fund. The OHCHR's efforts under this pillar should also include expanding partnerships with local communities affected by climate change<sup>37</sup>. It is possible to build on the analytical report and panel discussion prepared by the OHCHR, which identified the intersection between global warming and the enjoyment of human rights<sup>38</sup>.

#### 2. Digital Rights and the Right to Privacy

When the Universal Declaration of Human Rights was adopted in 1948, there were about 10 million telephone lines in the world. While at the present time, more than 6 billion people use the mobile phone. This rapidly increasing use of mobile phones places obligations on governments and actors to protect personal data and respect the right to privacy. However, these rights are still being forfeited. In this context, the development of artificial intelligence (AI) technologies has provided many potential gains, but there are also many important challenges posed by the use of artificial intelligence<sup>39</sup>. One of the main challenges is that AI can be used to invade privacy. AI systems require massive amounts of (personal) data, and if that data falls into the wrong hands, it can be used for nefarious purposes, such as identity

---

<sup>36</sup> UN Human Rights Management Plan 2018-2021, <https://www.ohchr.org/sites/default/files/OHCHRManagementPlan2018-2021.pdf>

<sup>37</sup> OHCHR submission to the UNFCCC Global Stocktake, <https://shorturl.at/uxGX5>

<sup>38</sup> TOWARDS 2026 – PERSPECTIVES ON THE FUTURE OF THE HUMAN RIGHTS COUNCIL, page 22, <https://www.universal-rights.org/wp-content/uploads/2019/09/Glion-VI-page-by-page.pdf>

<sup>39</sup> PRIVACY IN THE AGE OF AI: RISKS, CHALLENGES AND SOLUTIONS, <https://www.thedigitalspeaker.com/privacy-age-ai-risks-challenges-solutions/>

theft or cyber bullying<sup>40</sup>. Taking care of this issue in the OHCHR's next plan is supposed to be a cornerstone of the action plan.

### **3. Limiting the spread of weapons and preventing them from being supplied to belligerents**

Efforts to limit the proliferation of arms and combat terrorism are essential for the effective enjoyment of human rights, and the OHCHR's action plans refer to disarmament efforts in a limited way. However, it is assumed that the future strategic direction of the OHCHR includes doubling awareness efforts on arms control, especially in high-income countries. Especially since the arms mainly fuel the continuation of wars and conflicts and exacerbate human rights violations<sup>41</sup>. In 2022 alone, the United States spent nearly \$20 billion on arming Ukraine, which is double the amount the United States gave in 2021 to 12 other countries combined. In a related context, the European Union provided Ukraine with 5 billion dollars in military aid, which is the first time in its history that the Union has armed a non-member country. The UK has also pledged \$5.7 billion in military aid and aims to train 30,000 Ukrainians. This widespread proliferation of weapons pushes towards more wars and human rights violations and delays any efforts to build peace. The OHCHR must exercise a leadership role, along with other UN bodies, of course, to limit this widespread proliferation of arms.

---

<sup>40</sup> Ibid

<sup>41</sup> As the war in Ukraine drags on, America's arms industry reaps the profits, <https://rb.gy/99bhj>

## Section 4: Emerging Challenges in the Human Rights Field

In the online questionnaire, the OHCHR asked to identify emerging challenges in the field of human rights that require attention in the strategic direction and its work plan 2024-2027. Below is a set of emerging challenges suggested that the OHCHR attaches greater importance in its plan.

### 1. Crisis of Debt Interest Accumulation

The debt crisis is, in essence, a human rights crisis, because the accumulation of debt interest service hinders development, limits spending on economic and social rights, and makes countries in a vicious circle of obligations, which leads to a decline in the implementation of all human rights. As stated in the United Nations Human Rights Appeal in 2023, the debt rise is competing social spending and the planet's most important investment<sup>42</sup>. The debt crisis facing developing countries is a fundamental challenge to the realization of all human rights, including economic and social rights. About 55 developing countries, including 22 countries in Africa, bear the burden of debt. The service of these debts reduces spending on public services and slows down the pace of growth, which pushes more people into poverty, disrupting a set of SDGs and threatening to leave more people behind. The OHCHR is required to pay more attention to this crisis and support the creation of coalitions and initiatives that seek debt swaps, reduction or cancellation.

### 2. Freshwater Crisis

The water poverty line is estimated at about 1,000 cubic meters of freshwater per capita. Nevertheless, millions of people no longer have access to half of this percentage of water, which warns of wars over freshwater that will lead to fatigue and the deterioration of human rights<sup>43</sup>. There are estimates that 10 international conflicts may arise in the next two decades as a result of water scarcity and upstream countries' control over water resources. In May 2023, Iranian border guards clashed with Taliban border guards in Afghanistan, where Iran claims that Afghanistan's construction of a dam on the Helmand River restricts the access of water<sup>44</sup>.

**In a related context**, the United Nations estimates that 90% of the population in Arab countries suffer from water scarcity. Among them, 50 million lack clean drinking water, and

<sup>42</sup> United Nations Human Rights Appeal 2023, Page 16, <https://www.ohchr.org/sites/default/files/2023-01/United-Nations-Human-Rights-Appeal-2023.pdf>

<sup>43</sup> Water Wise, <https://auctoday.com/2022/11/04/water-wise/>

<sup>44</sup> At least three killed in clash on Iran-Afghan border, <https://t.ly/qWpU>

according to the Arab Water Council, 18 Arab countries suffer from water poverty. Maat emphasizes that the policies of the upstream countries were and still are a decisive factor in wasting this right guaranteed under the International Covenant on Economic, Social and Cultural Rights and SDG6. In a related context, the United Nations assessment on water security in Africa indicated that more than 500 million people, in 19 African countries, suffer from complete water insecurity<sup>45</sup>. This threat calls for the OHCHR to mobilize efforts to push for the upstream countries not to control the management of international rivers and to impose a fait accompli policy on the downstream countries, because this will lead to the deterioration of human rights conditions and the escalation of conflicts.

### **Recommendations:**

- Grant the staff of the High Commissioner the right to challenge the decisions of the UN Ethics Office;
- Protect whistleblowers including corruption and abuse of power within the OHCHR;
- End all forms of discrimination against employees working in the OHCHR based on considerations such as gender, color or culture;
- Consider searching for additional resources to help the OHCHR perform the tasks within the new work plan;
- Consider increasing the long-term presence of the OHCHR, especially in areas of armed conflict and post-conflict areas.

---

<sup>45</sup> United Nations: 500 million people in Africa below the water poverty line, Al Sharq, <https://t.ly/uKDZ>