United Nations
Office of the High Commissioner for Human Rights
Department of Peacekeeping Operations
Department of Political Affairs
Department of Field Support

Ref. 2011.20

Policy

1 September 2011

Human Rights in United Nations Peace Operations and Political Missions

Approved by: HC OHCHR, USG DPKO, USG DPA, USG DFS
Approval date: *August 2011*
Contact: *OHCHR; Methodology, Education and Training Section*
Review date: *[to be reviewed no later than August 2014]*

OHCHR/DPKO/DPA/DFS POLICY ON HUMAN RIGHTS IN UNITED NATIONS PEACE OPERATIONS AND POLITICAL MISSIONS

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A. PURPOSE

1 This policy provides guidance on how human rights shall be integrated into the activities of United Nations peace operations and political missions, including integrated Peacebuilding Offices. It outlines the institutional relations between the Office of the High Commissioner for Human Rights (OHCHR), Department of Peacekeeping Operations (DPKO), Department of Political Affairs (DPA) and Department of Field Support (DFS) in the context of the integration of human rights. It sets out the purpose, roles, and scope of activity of human rights components of peace operations and political missions as well as human rights roles and responsibilities of senior mission leadership and other components of peace operations and political missions. It also outlines basic management and support arrangements at HQ and mission level, in accordance with relevant guidelines on the Integrated Mission Planning Process (IMPP).

B. SCOPE

2 This policy applies to all staff planning, overseeing and implementing the work of UN peace operations and political missions. Its provisions apply and shall be incorporated into all current and future field peace operations and political missions, including those where integration of human rights was not originally a factor in operational planning and design. Some of its provisions specifically relate to peace operations and political missions with an explicit human rights mandate and a human rights component, which are the majority of today's operations and the desired structure of future operations. Other provisions cover general principles that are applicable also in the absence of a human rights component[1].

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[1] This policy recognizes that there are currently a number of traditional and non-multidimensional peace operations whose mandate does not include specific human rights provisions, or a human rights component. While these peace operations are expected to uphold human rights standards, ensure that they do not adversely affect human rights through their operations, and advance human rights through the implementation of their mandates, they are neither mandated nor resourced to implement human rights activities.

3 Compliance with this policy is mandatory for all UN peace operations and political missions personnel, in particular senior mission leadership, DPKO, DPA, DFS and OHCHR senior managers and staff supporting the work of peace operations and political missions, all human rights staff and staff in other components working in cooperation with human rights staff. It shall be included into relevant frameworks of accountability.

4 This policy complements and shall be read in conjunction with the Decision of the Secretary-General on Human Rights in Integrated Missions (2005/24); the Note of the Secretary-General on Guidance on Integrated Missions; the Decision of the Secretary-General on Rule of Law (2006/47); the Decision of the Secretary-General on Security Sector Reform (2011/1 and 2007/11); the United Nations Peacekeeping Operations Principles and Guidelines; the Decision of the Secretary-General on Human Rights and Development (2008/18); the Decision of the Secretary-General on Integration (2008/24); the OHCHR/DPKO/DPA Policy on Public Reporting by Human Rights Components of UN Peace Operations; the Guidelines on UN Strategic Assessment, the IMPP Guidelines: Role of the Headquarters – Integrated Planning for UN Field Presences; IMPP Guidelines: Role of the Field – Integrated Planning for UN Field Presences; the Secretary-General's revised Guidelines for UN Representatives on Certain Aspects of Negotiations for Conflict Resolution; and the Guidance Note of the Secretary-General on UN Approach to Transitional Justice.

C. RATIONALE

5 The maintenance of international peace and security and international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all are fundamental purposes of the United Nations as defined by the UN Charter. International human rights law is an integral part of the normative framework for United Nations peace operations. The protection and promotion of human rights are essential elements of United Nations efforts to prevent conflicts, to achieve and maintain peace, and to assist in post-conflict reconstruction endeavours and – with due regard to the specific mandate of each peace operation and political mission – due attention to their human rights aspects is instrumental to the success of United Nations work in these areas.

6 For the United Nations peace and justice are indivisible. Many of the worst human rights violations and abuses are at the root of conflict situations and impunity and armed confrontation fuel new cycles of violations. Assisting societies emerging from conflict to come to terms with a legacy of large-scale past abuses and promote justice and reconciliation are fundamental objectives of the United Nations.

7 The Security Council has increasingly mandated peace operations and political missions to protect and promote human rights before, during and after conflict, and to protect civilians in armed conflict under imminent threat of physical violence. Security Council Resolution 1894 (2009) on protection of civilians in armed conflicts stresses that "the deliberate targeting of civilians and the commission of systematic, flagrant and widespread violations of applicable international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security", affirms that mandated protection activities must be given priority and emphasizes the importance of developing comprehensive protection strategies which

include enhancing accountability for violations. Timely and well-resourced human rights monitoring, advocacy and reporting is essential for the effective implementation of protection of civilians' mandates.

8 All UN entities have a responsibility to ensure that human rights are promoted and protected. As a key modality of UN action to contribute to peace and security, peace operations and political missions must fully incorporate human rights standards and principles. DPKO, DPA, DFS and OHCHR seek, through enhanced cooperation and collective action, to increase the effectiveness of United Nations peace operations and political missions. To these ends, DPKO, DPA, DFS and OHCHR, in strengthening and expanding their cooperation, seek to institutionalize and maximize the mutual exchange of expertise, advice, information, training and support, drawing upon their respective capacities and mandates.

D. POLICY

D.1 Institutional Relations between OHCHR, DPKO, DPA and DFS

9 Institutional relations between OHCHR on the one hand and DPKO, DPA and DFS on the other, in the context of peace operations and political missions, are governed by the decision to fully integrate human rights in United Nations peace operations and political missions in order to maximize United Nations actions to address the human rights dimension of conflicts and build a foundation for sustainable peace. The Secretary-General decision on Human Rights in Integrated Missions (2005/24) forms the basis for this integration.

10 In addition, based on the Secretary-General's decisions on Rule of Law (2006/47) and Security Sector Reform (2007/11), OHCHR is the designated global lead entity[2] in the areas of monitoring (including legal system monitoring); transitional justice, including national transitional justice consultation processes, truth and reconciliation mechanisms, reparation processes, vetting processes; ad hoc investigation, fact-finding and commissions of inquiry; national human rights institutions and oversight bodies; and integrating human rights norms and standards across all rule of law and security sector reform programmes and processes, including in situations where peace operations or political missions are deployed. OHCHR performs this role directly or through the human rights components. OHCHR, as lead agency on human rights issues, has a central role to play through the provision of expertise, guidance and support to human rights components.

11 Within the broader framework of the mechanisms and institutions of the IMPP, OHCHR works closely with DPKO, DPA and DFS on all aspects of establishing and staffing human rights components of peace operations and political missions, creating benchmarks for success, as well as providing guidance and support on human rights-related issues and activities of peace operations and political missions.

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[2] According to the SG Decision 2006/47 on Rule of Law, designated lead entities assume clearly defined coordination and other responsibilities for specific areas of activity. The designation of a lead entity for a particular area does not imply an exclusive implementation role and lead entities will take into account and draw on the capacities and expertise of other entities.

D.2 Cooperation at Headquarters Level

Mandates' Definition

12 The promotion and protection of human rights now forms one of the standard elements of the Security Council mandates assigned to multidimensional peace operations and political missions. DPKO, DPA, OHCHR and DFS shall work together to ensure the full integration of human rights in peace operations and political missions. In particular, they shall proactively call on the Security Council to ensure that peace operations and political missions' mandates adequately address prevailing human rights concerns and that these concerns are routinely discussed when the Council reviews peace operations and political missions' progress.

13 Additionally, even in the absence of specific human rights provisions in Security Council mandates, international human rights law is paramount and obligations stemming from it shall be an integral part of the normative framework governing UN peace operations and political missions.

14 OHCHR shall participate in the evaluation and discussion of mandate adjustments as regards the human rights component of a peace operation or political mission.

Assessment, Planning and Early Deployment

15 OHCHR's involvement in the strategic assessment, planning, design, benchmark creation, deployment, implementation and evaluation of peace operations and political missions is necessary to ensure that human rights are duly integrated, and facilitates the sustainability of human rights programmes after the departure of a peace operation or political mission. OHCHR's early involvement aims to ensure that human rights issues are adequately reflected in the definition of peace operations and political missions' policy, objectives, guidance, resources and procedures; and to make proposals on the function, structure and staffing of the human rights component.

16 In order to facilitate an integrated human rights approach to peace operations and political missions, consultations between DPKO, DPA, DFS and OHCHR shall begin at the initial stage of planning for a peace operation or political mission. DPKO and DPA respectively are responsible for planning the operation, in consultation with other departments, offices, agencies, funds and programmes according to the IMPP guidelines and other guidance.

17 The systematic and early involvement of OHCHR in UN Strategic Assessments to determine strategic options for UN engagement in a given country; mission planning at HQ and participation in Integrated (Mission) Task Forces (I(M)TF), Integrated Operational Teams (IOT) and Integrated Steering Group (ISG); Technical Assessment Missions (TAM); early and pre-deployment missions; Integrated Strategic Frameworks (ISF) and other aspects of the Integrated Mission Planning Process established for countries in which a peace operation or political mission exists or is being planned shall be ensured routinely. Human rights staff shall be part of the advance team when new operations or missions are established.

Transition, Drawdown and Liquidation

18 OHCHR shall participate in the evaluation and discussion of transition, drawdown and exit strategies of field missions and operations, and on the integration of human rights in any UN follow-up strategy. Human rights issues shall be part of follow-up strategies designed for countries where field missions and operations' mandates have come to an end, based on a specific assessment of country needs.

19 Within the work of the respective I(M)TF, OHCHR, DPKO, DPA and DFS shall ensure that a sufficient human rights presence is maintained in the transition, drawdown and liquidation phases of a field mission or operation to guarantee continuity of key human rights activities in the host country. DPKO, DPA and DFS shall consult with OHCHR and give due consideration to the impact of drawdown on existing OHCHR engagements implemented by the human rights component, including OHCHR-funded human rights technical cooperation projects.

20 During the liquidation phase of field missions and operations, DPKO, DPA and DFS shall make special arrangements for the safe handling and separate archiving with OHCHR of documents and files produced by the human rights component based on guidance to be provided by OHCHR[3]. The head of the human rights component shall assess the feasibility of transmission of pending cases and other relevant documentation to OHCHR and/or other UN human rights presence in the region.

21 In those instances where an OHCHR presence remains in the country upon the liquidation of a field mission or operation, DPKO, DPA and DFS shall give preferential treatment to OHCHR as afforded to other UN organizations, programmes or funds that are external to the UN Secretariat for the purchase/transfer of vehicles, hand-over of premises and other logistical facilities or assets[4].

Information Sharing and Consultation

22 OHCHR shall continue to share with DPKO and DPA relevant information available from human rights treaty bodies, mechanisms of the UN Human Rights Council and OHCHR field presences, with a view to integrating human rights concerns in UN responses to crises and emergencies. DPKO, DFS and DPA shall seek OHCHR inputs on Secretary-General country and thematic reports to the Security Council and other UN bodies, and share with OHCHR their situation reports as well as other documents and communications with HQ directly related to or having implications on the implementation of the human rights mandate, such as incoming and outgoing code cables, memoranda and background notes.

23 Requests emanating from the International Criminal Court (ICC) related to human rights staff shall be directed by the Office of Legal Affairs, the entry point for the UN on ICC matters, to the USG of DPKO or DPA and copied to the High Commissioner for Human Rights. Effective consultation mechanisms shall be put in place at headquarters and field levels, including to follow-up on requests for information by

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[3] Management, transfer and disposal of such records and archives shall also be conducted in compliance with ST/SGB/2007/5 and ST/SGB/2007/6.

[4] Such transfer of assets should take place in accordance with existing UN Financial Rules and Regulations, in particular Regulation 5.14, which gives priority, in the disposal of equipment and property, to other peace operations and political missions.

the ICC. The High Commissioner for Human Rights shall be consulted during negotiations on agreements of cooperation between peace operations, political missions and the ICC.

Guidance Development

24 DPKO, DPA, DFS and OHCHR work together on the development of policy, methodological and operational guidance for peace operations and political missions to ensure the integration of human rights issues in all aspects of their planning, implementation and evaluation. They shall consult regularly to identify gaps and priorities with regard to guidance development.

25 DPKO and DPA shall continue to share on a regular basis with OHCHR the list of guidance under development and other plans of relevant offices/divisions. OHCHR shall regularly update DPKO and DPA on the development and release of new human rights guidance relevant to peace operations and political missions.

26 OHCHR shall provide input on draft guidance developed by DPKO, DFS and DPA to ensure they are compliant with human rights standards and procedures and contribute to the full integration of human rights into all aspects of the work of peace operations and political missions. OHCHR shall also provide input on draft Rules of Engagement for specific United Nations peace operations and political missions, Concepts of Operation, Directives and/or SOPs on Detention, Searches and Use of Force and other mission-specific guidance with human rights implications. Input provided by OHCHR in this regard may include, as relevant, assessments of the human rights situation, risks and threats prevailing within the country as well as advice on processes, standards and mechanisms to ensure respect for human rights.

27 Joint policies and other guidance on human rights issues of relevance to UN peace operations and political missions may also be developed and issued by DPKO, DPA, DFS and OHCHR.

28 OHCHR is responsible for updating the human rights page of the DPKO and DPA Policies and Practices Databases, in coordination with DPKO, DPA and DFS.

Human Rights Training for Peace Operations and Political Missions Personnel

29 Human rights training – as relevant to their functions – shall be provided to all deployed peace operations and political missions personnel, whether military, police or civilian. OHCHR, DPKO and DPA shall closely cooperate in defining priorities and strategies, and shall conduct training activities jointly or separately. Within training activities conducted separately, DPKO, DPA and OHCHR shall seek to promote and reinforce human rights and peacekeeping and peacebuilding principles and standards, respectively.

30 DPKO, DPA and OHCHR shall promote the integration of human rights in pre-deployment and other training provided by Member States to their peacekeeping personnel; cooperate in the organisation of joint training programmes for appropriate target groups, such as national trainers of peacekeeping personnel, and in the delivery of human rights training including to senior mission leaders. OHCHR, DPKO and DPA shall call upon each other to develop and participate in training activities organised at the national, regional and international level. DPKO, DFS and DPA shall

inform and seek inputs from OHCHR on training materials under development which have implications for the human rights mandate.

31 OHCHR shall produce and update as needed training materials on human rights for staff of peace operations and political missions – including senior mission leaders, military, police and civilians – in accordance with jointly defined priorities, strategies and methodologies. As appropriate, these materials shall conform to the standards for design, delivery and evaluation of training for personnel set by DPKO, DPA, OHCHR and, when relevant, DFS. These materials will be made available to DPKO and DPA for dissemination. Effective consultation mechanisms shall be put in place to revise DPKO and DPA training materials with a view to including human rights standards, as appropriate.

32 OHCHR is responsible for job-specific and technical training for human rights staff of peace operations and political missions, and shall consistently include them into OHCHR staff training, consultations and pre-deployment briefings in Geneva and elsewhere, subject to availability of funds and the HOM's approval of their absence from the mission area. DPKO and DFS shall ensure that an adequate number of seats is allocated to OHCHR to participate in senior leadership training.

33 OHCHR is a member of the Headquarters Training Focal Points Network for peacekeeping training coordinated by the Integrated Training Service of DPKO/DFS.

34 For all human rights training activities, DPKO, DPA and OHCHR shall evaluate their impact and outcome through different methodologies and identify further training needs.

D.3 Issues at Mission Level

35 All UN peace operations and political missions' personnel have a responsibility to ensure that human rights are promoted, respected and protected through and within their operations in the field.

36 All UN peace operations and political missions' personnel shall act in accordance with international human rights and international humanitarian law and understand how the implementation of their tasks intersects with human rights. They shall not become perpetrators of human rights abuses or complicit in or accessories to human rights violations. When they commit abuses, they will be held accountable. They shall respect human rights in their dealings with colleagues and nationals of the host country, both in their public and private lives.

Human Rights in the Management and Conduct of Peace Operations and Political Missions

37 It is the responsibility of the Head of Mission (HOM) to uphold international human rights law in the implementation of peace operations and political missions mandates. The HOM is accountable for ensuring that the promotion and protection of human rights is instilled as a fundamental principle of peace operations and political missions.

38 The Head of Mission shall ensure that all staff of UN peace operations or political missions – whether military, police or civilian – are aware of and abide by international human rights and humanitarian law standards. The HOM shall issue all

necessary instructions to this effect and seize every appropriate opportunity to demonstrate by word and deed commitment to human rights and the implementation of these instructions. The human rights component or OHCHR presence shall assist and advise the HOM on the issuance and development of instructions as needed.

39 The HOM shall ensure that the peace operation or political mission's performance and impact in integrating human rights is monitored taking into consideration country-specific human rights indicators, including compliance with international human rights obligations by the host country.

40 A commitment to human rights and the ability to give the necessary prominence to human rights shall be considered as a required competency in the selection of HOMs, Deputy HOMs, Force Commanders and Police Commissioners, in the evaluation of their performance as well as that of the peace operation or political mission as a whole.

41 The head of the human rights component acts as the human rights adviser to the HOM and as the representative of the High Commissioner for Human Rights in the peace operation or political mission area (unless otherwise indicated by the High Commissioner) and is responsible for keeping the High Commissioner and OHCHR informed and consulting with them on relevant policy and operational issues and developments, including the workplan of the human rights component. As such, the head of the human rights component has dual reporting obligations vis-à-vis the HOM (directly or through the Deputy HOM) and the High Commissioner for Human Rights. The head of the human rights component shall keep the HOM informed of any communication with OHCHR that could have an impact on the peace operation or political mission. The head of the human rights component also represents OHCHR within the UN Country Team and the Humanitarian Country Team.

42 The head of the human rights component shall promote a coherent approach to human rights across the peace operation or political mission. Components requiring dedicated and/or specialized human rights advice, analysis or capacity shall consult with the head of the human rights component and the Chief of Staff to determine whether additional positions may need to be created within the human rights component with tasks focusing on providing such dedicated assistance. It may be agreed that such human rights staff be located in the relevant component, while remaining part of the human rights component.

43 The head of the human rights component must have effective direct access to the HOM and be part of the integrated senior management team and all other relevant decision, policy and strategy making bodies, including the Mission Leadership Team, the Security Management Team and operational planning bodies.

44 When an OHCHR field presence is not part of a peace operation or political mission, information relevant to the promotion and protection of human rights available to the peace operation or political mission shall be shared in a timely manner with the OHCHR presence for advice and/or complementary action, as appropriate and within the framework of the relevant coordination mechanism in the field. The head of the OHCHR presence shall advise the Head of Mission regularly on human rights issues.

45 OHCHR support to the human rights component includes provision of advice, training, documentation, guidance and methodological tools developed by OHCHR and, as relevant, by UN human rights mechanisms. There shall be regular communication

between OHCHR and human rights staff in this regard. Where possible, OHCHR shall also provide funding for technical cooperation projects.

46 Several peace operation and political mission components – including the human rights component – contribute in various ways to the implementation of Security Council mandates on protection of civilian populations under imminent threat of physical violence; women, peace and security; and children in armed conflict amongst others, within the limits of their capacity. The HOM and other senior leaders shall ensure that effective coordination mechanisms are in place to enable all relevant components to share information in an effective and timely manner, work in synergy, engage in crisis planning and devise comprehensive strategies to protect civilians.

47 Protecting civilians can include for example the deployment of human rights or multidisciplinary mobile teams to remote areas, advocacy with authorities and non-state actors, increased proactive patrols, and ensuring appropriate security conditions to guarantee humanitarian corridors. Special consideration must be given to the needs of sectors of the civilian population that are particularly vulnerable during and after conflict, including women, children, the elderly, persons with disabilities, internally displaced persons and refugees.

Human Rights Components: Purpose and Roles

48 All core human rights functions are coordinated and discharged by human rights components of peace operations and political missions. The human rights component helps mainstream human rights across all mission activities and leads the human rights-related work of other components of the peace operation or political mission. The location of this component shall be decided on a case-by-case basis as part of the integrated planning process.

49 The human rights component – whose activities shall be based on the peace operation or political mission mandate and international human rights standards – combines promotion and protection functions so as to ensure a comprehensive approach to human rights. In the implementation of all its activities, the human rights component shall seek to promote an integrated approach to human rights promotion and protection, paying due attention to civil, cultural, economic, political and social rights, including the right to development, and to the special needs of women, children, minorities, internally displaced persons, persons with disabilities and other groups requiring special protection. The involvement of United Nations agencies and programmes with special focus on these areas shall be sought to facilitate such an integrated approach.

50 The human rights component shall contribute to advancing the principles of equality and non discrimination, including on the basis of sex. To this end, work undertaken by the human rights component shall take into account the different experiences, needs and priorities of women, men, girls and boys, and the distinct impact of conflict on women and girls. Preventing sexual and gender-based violence, protecting individuals at risk, combating impunity and facilitating remedy for violations are core functions of the human rights component. In coordination with gender, justice and other components as appropriate (e.g. child protection), the human rights component shall contribute to – inter alia – analysis of sexual and gender-based violence; devise effective strategies to prevent and respond to sexual and gender-based violence; support the establishment or implementation of laws, policies, institutions and

practices which safeguard the equal rights of women and girls and protect all individuals against sexual and gender-based crimes in accordance with legally binding human rights treaties; ensure accountability for violations and remedy for victims.

51 The overarching goal of the work of human rights components, in conjunction with other components, is to contribute to protection of human rights through both immediate and long-term action, empower the host country population to assert and claim their human rights, and enable State and other national institutions to fulfil their human rights obligations. These objectives guide the development of specific workplans in keeping with peace operations and political missions' mandates, capacity and priorities in each country and phases of deployment.

52 Core human rights functions and activities undertaken by the human rights component as part of the mandate of a peace operation or political mission typically include – but are not limited to – the following:

i) Monitoring and Investigation

53 The human rights component conducts regular monitoring of the human rights situation, which involves the active collection, verification, analysis and use of information to prevent and address human rights violations, including in humanitarian and emergency contexts, in accordance with OHCHR established methodology and professional standards. Monitoring is undertaken with a view to identifying and verifying alleged human rights violations and abuses, patterns and causes of violations (including systemic), promoting accountability, informing preventive and protection action, early warning, as well as identifying remedies in individual cases and longer term reform needs. Monitoring involves gathering information about incidents, individual cases, laws, policies, practices and institutions (including judicial, security and other); interviewing victims and witnesses of violations, judges, law enforcement, prison and other government officials; observing events such as demonstrations or trials; visiting sites such as places of detention, hospitals, IDP and refugee camps.

54 The human rights component conducts – either alone, jointly with other components, or together with reliable national actors – in-depth investigations into serious human rights violations or emblematic cases to document the widespread or systematic nature of such incidents; deploys human rights teams with the objective of early warning, protection, timely verification of alleged human rights violations which could further escalate violence and polarize the political context; makes threat assessments to advise the peace operation or political mission on protection responses that could prevent further incidents; undertakes advocacy and supports efforts to end impunity.

55 Respect for the principle of confidentiality related to the identity of victims, witnesses and sources, as well as of information provided under conditions of confidentiality, sensitive information or information that may cause harm if disclosed, must always be maintained.

56 The development of a reliable knowledge base deriving from regular monitoring and investigation activities provides the foundation for all other human rights work, and ensures that human rights information feeds into the peace operations and political

missions' analysis and decision-making on the need for reform, subsequent advocacy and implementation of protection mandates, where mandated.

57 Data gathered in monitoring, fact-finding and investigation by the human rights component shall be entered into the OHCHR Human Rights Case Database or in a database of equal or similar standard approved by OHCHR. The head of the human rights component is responsible for ensuring consistent use and quality control of the information entered into the database. Due to the sensitive and confidential nature of the information, access to the database is restricted according to the OHCHR policy on access rights. Peace operations and political missions and DFS shall provide technical support as required, including through the prioritization of network traffic for the OHCHR Human Rights Case Database.

58 The human rights component shall be promptly informed of all detentions by UN personnel and be granted unconditional access to detained persons held in United Nations premises at all times, as well as to all documents relating to the taking, handling and management of detained persons, in accordance with the Interim Standard Operating Procedures on Detention in United Nations Peace Operations of 25 January 2010.

59 Human rights abuses allegedly committed by United Nations personnel that are brought to the attention of the human rights component by victims, witnesses or other sources shall be evaluated for initial reliability and promptly shared with the conduct and discipline component. Board of Inquiries related to major human rights issues or incidents shall include, whenever possible, human rights staff.

ii) Assessment

60 The human rights component analyses and evaluates on an ongoing basis the information gathered through its monitoring and investigation work. Such analysis and evaluation aims to identify and understand the root causes of conflicts, the nature and causes of human rights violations and problems, including influential (State and non-state) actors, the functioning of institutions, the impact of legal framework and government policies, gaps and capacities of relevant parts of host societies and institutions. It equally aims to guide the design of appropriate strategies and actions to provide remedies to violations, assistance to victims and durable solutions to human rights problems, for example by making recommendations concerning reform of the legal and judicial system, in coordination with the justice component as appropriate.

61 The human rights component's assessment of violations and relevant actors, institutions and systems feeds into the component's public reporting and advocacy, non-public interventions with authorities and other influential actors, the work of other components, mission analysis structures, and the overall peace operation or political mission's strategy. Human rights information and analysis also inform the work of the UN Country Team and/or Humanitarian Country Team.

62 The human rights component participates in joint mission analysis cell (JMAC) structures to contribute to the overall peace operation and political mission's analysis and interpretation of information, through the provision of human rights expertise and timely sharing of information. The human rights component cooperates closely with joint operation centre (JOC) structures to ensure effective information sharing.

iii) Reporting

63 The human rights component produces internal and public reports on human rights issues and activities.

64 Public periodic, thematic and ad hoc reports on the human rights situation by the peace operation or political mission and/or OHCHR shall be issued in accordance with the OHCHR/DPKO/DPA Policy on Public Reporting by Human Rights Components of United Nations Peace Operations.

65 Public reporting on the human rights situation in the peace operation or political mission area is an essential function of the human rights component and shall be routine, since it constitutes an important means to better record and analyse trends and developments in a given human rights situation over a specific period of time. Through the formulation of recommendations to relevant stakeholders, public reports constitute a key protection, promotion, advocacy and accountability tool. They are disseminated to the public at large, including civil society actors, international bodies, donors and the media.

66 The head of the human rights component, in the fulfilment of his/her duties, submits regular internal reports as well as *ad hoc* or incident reports as appropriate, on the human rights situation and the activities of the component to the HOM with a copy to OHCHR.

67 Internal reports are produced for use by and dissemination within the human rights component, the peace operation or political mission, or OHCHR. Certain internal reports may be shared with the UNCT, the host government and other entities for information sharing and advocacy, at the discretion of the head of the human rights component and with due respect for the principle of confidentiality.

68 The human rights component is responsible for drafting the human rights section and contributing to other sections related to human rights protection, including on protection of civilians, of any internal or public reports prepared by peace operations and political missions. These include reports of the Secretary-General to the Security Council and other United Nations bodies. The human rights component shall systematically consult with OHCHR during the planning and drafting process of these public reports.

iv) Advocacy and Intervention

69 The human rights component undertakes advocacy and intervention actions to address human rights concerns. These may take many different forms, ranging from quiet diplomacy to communication activities to public statements and can be undertaken at local, national and international levels. Advocacy can be undertaken by the human rights component alone or in coordination with the HOM, Deputy HOM or Resident Coordinator/Humanitarian Coordinator; in coordination with other components; by the HOM or by the High Commissioner for Human Rights.

70 The HOM and the High Commissioner for Human Rights shall as appropriate consult one another prior to issuing public statements on human rights developments in the country of operation. The HOM and the High Commissioner may bring to each other's attention situations requiring public intervention and recommend the issuance

of public statements. The head of the human rights component shall keep the HOM and OHCHR informed with regard to public statements.

v) Human Rights Advice, Support for Institutional Reform and Capacity Building

71 The human rights component works alongside host governments to strengthen their capacity to promote and protect human rights in different ways, for example by supporting the establishment of transitional justice frameworks and mechanisms, including vetting, reparations, truth and reconciliation commissions, and judicial mechanisms to address past violations; contributing to the reform of judicial and security institutions; strengthening national capacities for the protection of victims, witnesses and other concerned; advising on the elaboration of codes of conduct; supporting the establishment and functioning of independent National Human Rights Institutions; providing human rights training to State authorities, including judges, law enforcement officials, armed forces, ministry officials, teachers; including human rights in the curriculum of schools; implementing or supporting general education and awareness raising campaigns; bringing national legislation in line with international human rights norms; assisting in the development and implementation of National Human Rights Action Plans; providing advice and support on human rights-based approach to development and humanitarian action; and working with Parliaments. The human rights component's work in this area is based on the assessment arising from its monitoring work. Some of these activities may be undertaken in coordination or jointly with other components.

72 The human rights component also works with civil society including human rights defenders, non-governmental organisations, victims, professional associations, the educational sector, women's associations and other groups and networks to support or develop their ability to monitor the human rights situation and promote change, assist victims and develop human rights programmes.

vi) Advice and Assistance to other Components

73 The human rights component and/or OHCHR advise and assist all other components in integrating human rights in their tasks. This is done through coordination mechanisms facilitated by the human rights component; development of mission policies and SOPs; provision of human rights advice to the HOM and other senior mission leaders; and joint initiatives and training of peace operations and political missions' civilian and uniformed personnel.

74 Human rights and transitional justice expertise is crucial in political and peace processes. As a policy, the United Nations does not support any amnesty for genocide, crimes against humanity, war crimes and gross violations of human rights. Peace agreements cannot grant amnesties for such crimes and for gross violations of human rights, and the human rights component shall provide advice on this.

75 The human rights component provides advice and assistance during the negotiation of ceasefires and peace agreements, to ensure that these are founded on human rights principles; include human rights laws and standards to be guaranteed in the transitional and post-settlement phase; as well as a framework for the establishment of mechanisms to advance the protection and promotion of human rights. Peace agreements shall include commitments to promote and protect human rights, combat impunity and pursue transitional justice processes, as relevant, in compliance with

the revised Guidelines for UN Representatives on Certain Aspects of Negotiations for Conflict Resolution.

76 As part of the peace operation or political mission's efforts to implement the protection of civilians' mandate, where mandated, the human rights component advises on immediate and longer-term strategies for the protection of civilians, sexual and gender-based violence, and on cases of individuals seeking protection, including human rights defenders.

vii) Support to United Nations Human Rights Mechanisms

77 The human rights component assists in the organization of visits by country or thematic procedures of the Human Rights Council, including Special Rapporteurs, Working Groups and other mechanisms of relevant human rights bodies. Its reports provide valuable information for the work of special procedures, United Nations human rights treaty bodies, and the Human Rights Council, including the Universal Periodic Review. The human rights component works, with OHCHR support, on the follow-up of recommendations formulated by such bodies and mechanisms at the country level and their implementation by national authorities.

viii) Coordination and Integration of Human Rights in UN Country Teams and Humanitarian Country Teams

78 As a member of the UN Country Team (UNCT) and Humanitarian Country Team (HCT), the head of the human rights component - as representative of OHCHR - plays an important role in assisting humanitarian and development partners to integrate rights-based approaches and reflect human rights considerations in their work.

79 As a member of the HCT, the human rights component may take a lead role in the Protection Cluster/Sector in the following situations: i) natural disasters and other situations/groups requiring a protection response; ii) protection of IDPs and affected populations in complex emergencies, when UNHCR as the default lead for the protection of IDPs is unable to take on this role due to a possible conflict with its mandate. In some instances, OHCHR may also play a lead role in the coordination of the Protection Cluster's sub-working groups, for example on Rule of Law or Human Rights. Discussions and decisions concerning leadership of the Protection Cluster/Sector is a process that should include, as relevant, UNHCR, UNICEF, OHCHR and the Humanitarian Coordinator, OHCHR being represented by the head of the human rights component.

80 The human rights component also has a key role in ensuring that human rights considerations and approaches are properly integrated into broader planning frameworks, including the Integrated Strategic Framework (ISF), the Common Country Assessment/United Nations Development Assistance Framework (CCA/UNDAF), the Common Humanitarian Action Plan/Consolidated Appeals Process (CHAP/CAP) and other humanitarian appeals and funding mechanisms.

Human Rights Responsibilities of Other Components

81 UN peace operations and political missions personnel – whether military, police or civilian – shall be familiar with the peace operation or political mission's human rights mandate. They shall collaborate with the human rights component and others

mandated with specific and inter-related human rights tasks, such as justice, child protection and gender components.

82 Military, police and civilian components have a responsibility to advance human rights through their functions. For instance, they play an important role through contribution to the protection strategies of the peace operation or political mission; assistance to human rights staff who undertake monitoring and reporting; maintenance of law and order; mentoring and advice; or advocacy to advance human rights, including in the context of reform processes. All relevant action in this area shall be undertaken in coordination and consultation with the human rights component.

83 Formal mechanisms between the human rights and other components shall be established to facilitate cooperation and information sharing, to mutually inform each other and support the overall peace operation and political mission's mandates. The Head of Office or his/her deputy shall also facilitate the creation of a cooperative working relationship between components.

i) Military

84 The military component can play an important role in recording relevant human rights information while performing tasks such as patrolling, observation, searches, detention[5], checkpoint controls, monitoring ceasefires, investigation and verification of information concerning armed forces, individuals or armed groups operating in the peace operation or political mission area. The military component can also support the work of the human rights component by providing escort to human rights staff in the conduct of their activities, when requested and necessary.

85 All military personnel shall be able to recognise a human rights violation and be prepared to intervene in line with the mandate and in conformity with the Rules of Engagement (ROE), as well as their specific roles, responsibilities and limits of their competence and capacity. Senior military commanders shall ensure that adequate instructions and procedures are in place from the onset of a peace operation or political mission to guide peacekeepers' operations when confronted with human rights violations while performing such tasks, with the advice of the human rights component. Specific human rights training shall be included in the training modules recommended to troop contributing countries (TCCs) for their military personnel prior to their deployment, and in the peace operation or political mission.

86 Allegations received or observed by the military component in their work that may amount to human rights violations shall be promptly recorded and shared with the human rights component for verification, investigation and follow-up by the latter, as appropriate. In some cases, joint investigations, follow-up and advocacy can be undertaken under the direction of the HOM and the coordination of the human rights component. Respect for the principle of confidentiality must always be maintained.

87 The Force Commander, the head of the human rights component and other heads of components shall closely cooperate – under the HOM – to anticipate, plan and prepare mission-wide plans for possible crises, escalation of violence and upsurges

[5] Detention by military personnel shall be undertaken in accordance with the Interim SOP on Detention in UN Peace Operations.

of human rights violations, within the limits of their mandate and capacity. The roles and responsibilities of each component should be clearly established and internal procedures developed to ensure rapid preventive and protection responses. In situations warranting measures to prevent or halt serious human rights violations, responses by the military component may include joint planning to rapidly deploy to volatile areas, support to human rights mobile teams, advocacy with potential perpetrators, proactive deterrent joint patrolling and – as a last resort – the use of force to protect civilians in accordance with the rules of engagement.

88 During the process of planning and execution of military operations, the head of the human rights component shall provide advice to the Force Commander on the potential human rights implications of such operations.

ii) United Nations Police (UNPOL)

89 Ensuring respect for human rights is central to the work of the United Nations police component, whose mandate can vary from training, mentoring, reform and advice to the national police and other law enforcement agencies, detention[6], crowd control, to actual law enforcement. In all aspects of their work, UNPOL personnel shall ensure compliance with human rights standards.

90 All police personnel shall be able to recognise a human rights violation and be prepared to intervene according to the peace operation's directives on the use of force and mandate, as well as their specific roles, responsibilities and limits of their competence and capacity. Senior police commanders shall ensure that adequate instructions and procedures are in place from the onset of a peace operation or political missionto guide UNPOL personnel actions when confronted with human rights violations while performing such tasks, with the advice of the human rights component. Specific human rights training shall be made available to UNPOL personnel prior to their deployment, and in the peace operation or political mission.

91 Allegations received or observed by the police component in their work that may amount to human rights violations shall be promptly recorded and shared with the human rights component for verification, investigation and follow-up by the latter, as appropriate. In some cases, joint investigations, follow-up and advocacy can be undertaken under the coordination of the human rights component. Respect for the principle of confidentiality must always be maintained.

92 UNPOL personnel involved in establishing, training, assessing needs and advising a national police service shall ensure that human rights standards and issues are incorporated in all these activities. The human rights component works alongside the UNPOL component to undertake human rights training and support national vetting processes for new or integrated police services and other law enforcement services.

93 The Police Commissioner shall closely cooperate with the head of the human rights component to anticipate, plan and prepare for possible crises, escalation of violence and upsurges of human rights violations, within the limits of their mandate and capacity. The roles and responsibilities of each component should be clearly

[6] Detention by police personnel shall be undertaken in accordance with the Interim SOP on Detention in UN Peace Operations.

established and internal procedures developed to ensure rapid preventive and protection responses.

iii) Security Sector Reform (SSR)

94 Peace operations and political missions components that are tasked with supporting security sector reform processes shall ensure that a human rights perspective is incorporated into assessments, reviews, implementation, monitoring and evaluation of national security dialogues, plans, programmes, policies, strategies, legislation, standards, procedures, operational guidance, coordination mechanisms and core training for national defense forces, police and other law enforcement institutions, corrections, intelligence services, institutions responsible for border management and customs, elements of the judicial sector, relevant national parliamentary commissions, management and oversight bodies, civil society groups and other non-state security providers.

95 In particular, this implies the integration of human rights norms and standards across all security sector processes, including vetting processes. Human rights benchmarks and individual screening of past human rights records shall be established for all security sector personnel undergoing a vetting process to ensure that those responsible for human rights violations are excluded from reconstructed security forces. Even in the absence of a formal vetting process, consideration shall be given that individuals responsible for gross human rights violations are excluded from participating in training and other activities organised by the United Nations.

96 Where deployed, SSR component shall ensure that work undertaken by the human rights component in support of SSR processes forms part of the overall UN strategic and coherent approach to SSR in the country of operation.

iv) Political Affairs

97 Human rights principles, information and analysis shall inform a peace operation or political mission's strategic planning and policy making.

98 The political affairs component shall ensure that peace negotiations, peace agreements and their implementation take into account and incorporate human rights standards and that it promotes, in all interactions with the host Government and parties to a conflict, the application of international human rights standards, such as the representation and participation of minority groups in legislative and executive bodies or the non acceptance of blank amnesties in peace agreements. In the implementation of peace agreements' provisions relating to the establishment, composition and functioning of new institutions with mandates relevant to human rights, the political affairs components shall advocate for the respect of independence, impartiality and integrity of such institutions.

99 The political affairs component and the human rights components shall exchange information on human rights-related issues to be discussed with national authorities and institutions.

v) Civil Affairs

100 All activities undertaken by the civil affairs component toward the restoration and extension of State authority (including in the areas of reinforcing public administration,

capacity building, cultivation of political space and civic education) and toward political reconciliation and conflict management at the local level shall take account of human rights standards and their practical application.

101 The civil affairs component can play a useful role in gathering human rights-related information, informing civil society actors and the population at large of their rights, and refer victims of human rights violations and situations requiring its intervention to the human rights component.

vi) Justice

102 In peace operations where there is a separate justice component[7], the human rights and justice[8] components often engage with the same institutions of the justice sector, therefore a strong partnership shall be maintained between both components to ensure complementary, coherent and mutually supportive strategies, policies, activities and programmes of work. In this regard, the development of joint programmes and activities is encouraged.

103 The justice component shall ensure that international human rights standards constitute the fundamental reference for legal analysis, assessment, programming, and monitoring and evaluation. Strengthening of the justice system is a goal which can be measured by, among other factors, improved access to justice for victims of human rights violations. Activities by this component shall promote enhanced compliance with human rights standards by national authorities, including improved compliance with international due process and fair trial standards, as well as greater access to effective remedies by victims and the protection of victims, witnesses and other concerned.

vii) Corrections

104 The corrections component shall integrate international human rights standards in all aspects of their work, such as assessment of national prison systems; advising, mentoring and training national corrections personnel; and supporting national authorities in the recruitment of prison personnel when requested. The model of corrections being promoted shall be based on international human rights standards.

105 In light of the advisory and mentoring role played by the corrections component, the independent monitoring of detention facilities, prison conditions and management practices for compliance with international human rights standards shall remain the responsibility of the human rights component.

106 Effective working relations, exchange of information and joint advocacy (for example on prison system reform) shall be instituted between the human rights and corrections components.

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[7] While in certain UN peace operations and political missions human rights and justice issues are dealt with by one single component, in others a justice component exists in addition to the human rights component. The DPKO/DFS Policy on Justice Components in UN Peace Operations (2009) also applies to joint human rights and justice components.

[8] The functions of justice components are set out in the DPKO/DFS Policy on Justice Components in United Nations Peace Operations (2009).

viii) *Gender*

107 The gender adviser shall promote gender mainstreaming within the peace operation and political mission, promote greater participation and empowerment of women, gender equality and integrate a gender analysis into the peace operation and political mission's strategy and thinking and across all its activities, as required by Security Council resolution 1325 (2000). The gender component shall ensure that, in the implementation of Security Council resolutions 1325 (2000) and 1889 (2009), it is guided by international human rights standards.

ix) Child Protection

108 While the human rights component has a general mandate on human rights promotion and protection, the child protection component focuses specifically on child protection and child rights[9]. It is also responsible for advising the HOM and working with other components on the integration of child protection concerns in all aspects of peace operations and political missions' work. Close partnership, coordination and regular exchange of information on human rights violations against children, as well as on UN human rights mechanisms pertaining to the rights of the child, shall be routine.

109 Where deployed, the child protection component is responsible for ensuring the effective implementation of the child protection dimension of a peace operation or political mission's mandate, including *inter alia* mainstreaming, training of all peace operations and political missions personnel and UNCT on child protection matters, engaging in dialogue with parties to end the recruitment and use of children by armed forces and groups, conducting advocacy on child protection concerns, and implementing the monitoring and reporting mechanism (MRM) on grave abuses against children in situation of armed conflict in coordination with UNICEF, as established under Security Council Resolution 1612 (2005) and 1882 (2009).

110 In close coordination with the human rights component, the child protection component monitors and reports on grave violations of children's rights in the context of armed conflict, advocates for the prevention of grave violations against children and supports the preparation of specific reports required under the MRM.

x) Disarmament, Demobilisation and Reintegration (DDR)

111 The disarmament, demobilisation and reintegration (DDR) component shall provide advice and support to national authorities to ensure that the competent national entities design and implement disarmament, demobilisation and reintegration programmes which are based on international human rights law and that ex-combatants who have committed gross violations of human rights or against whom indictments, judicial investigations or credible allegations of perpetrating serious crimes are pending, are excluded from integrating into national police or military structures[10].

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[9] The mandate of child protection work is guided by the Policy on Mainstreaming the Protection, Rights and Well-Being of Children Affected by Armed Conflict within UN Peacekeeping Operations.

[10] Additional guidance on the linkages between DDR and transitional justice is provided in the Guidance note of the Secretary-General on UN Approach to Transitional Justice (10 March 2010) as well as at www.unddr.org/iddrs/06/20.php.

112 The DDR component shall – together with relevant components, UN agencies and implementing partners – assist national authorities in their efforts to ensure that women are given special protection during the demobilisation of military forces and armed groups. It shall also assist child protection agencies and national institutions in their protection and release of children from armed forces and groups, for their inclusion in a separate dedicated programme. The DDR component shall advocate that the needs and interests of the victims and the communities in which they live shall be taken into account into the implementation of DDR programmes. Regular exchange of information, particularly in relation to chains of command and the use of children in armed conflict, shall be ensured.

xi) Electoral

113 The electoral component can contribute to the fulfilment of a peace operation and political mission's human rights mandate by ensuring that electoral legislations and processes are fair and participatory, that the local population understands the electoral process and has the opportunity to register and vote freely, without interference or discrimination.

114 During the electoral period, the human rights component shall intensify its monitoring advocacy and reporting work in the context of elections, for example by devising early warning mechanisms, so as to feed into the peace operation and political mission's overall elections analysis and strategy.

xii) Public Information

115 Human rights promotion and protection shall be fully integrated into the peace operations and political mission's public information strategy. Such strategy shall serve to promote awareness among the population of their rights and remind national authorities of their human rights obligations. Public information shall also constitute a primary means of communicating the peace operations and political missions' position with respect to the overall human rights situation in the country as well as specific human rights violations or incidents.

116 The public information component shall inform the public at large about the human rights mandate and activities of peace operations and political missions.

117 The human rights and public information components shall develop, as appropriate, joint information strategies to publicise the promotion and protection of human rights, through the use of brochures, posters, pamphlets, internet resources, social media, videos, radio programmes and other audio, visual and internet-based materials for wide public distribution. In this regard, the public information component shall appoint a human rights focal point.

xiii) Humanitarian Affairs

118 Where deployed, the humanitarian affairs component shall effectively integrate human rights-based approaches and human rights considerations into its activities and programmes, such as in the development of humanitarian needs assessments, information gathering processes and any existing protection and early recovery strategies, and work in coordination with the human rights component.

D.4 Administration and Programme Planning

Staffing Arrangements

119 Within the overall framework of the IMPP, DPKO, DPA and DFS shall consult with OHCHR for advice with regard to the structure, composition and forecasted workforce requirements of human rights components during the various phases of a peace operation or political mission's life cycle.

120 OHCHR and DFS have agreed on a recruitment procedure for human rights officers[11] to serve in peace operations and political missions, whereby OHCHR participates in the recruitment process to ensure that selected candidates possess the required technical skills and competencies.

121 On the basis of terms of reference specific to a peace operation or political mission, the selection process of the head of the human rights component in a peace operation and political mission is led by OHCHR with the participation of and in consultation with the HOM, whose agreement is required for the selection of the final candidate. Other human rights staff shall be selected by the head of the human rights component on the basis of generic or specific job openings developed by OHCHR in consultation with DFS, and in accordance with DFS standard operating procedures on recruitment and selection that may be promulgated by DM/OHRM and DFS.

122 During the start-up phase of a peace operation or political mission and while the head of the human rights component is yet to be appointed or deployed, OHCHR, in consultation with DFS, shall advise the HOM or a nominated official with designated authority from the lead department, on the selection of other staff of the human rights component, so as to establish a minimum operating capacity in the shortest practicable time period.

123 In those instances where it is agreed to structurally integrate an existing OHCHR field presence into a UN peace operation or political mission, or where OHCHR funds or facilitates the deployment of additional human rights staff, or when human rights components are engaged in humanitarian crisis response in particular as a lead player of the protection response, the HOM shall ensure that all human rights staff benefit from equal access and use of the peace operation or political mission assets, premises and security mechanisms (including access to flights, vehicles, security support and inclusion in security plans) on the same basis as any other staff under the administration of DFS.

124 When an OHCHR field presence is integrated into a UN peace operation or political mission, the selection and appointment of international staff funded by OHCHR to support the human rights component shall be carried out directly by OHCHR and administered through the United Nations Office at Geneva (UNOG), and for locally recruited posts through such agreements with UNDP or other entities as OHCHR deems appropriate. These staff shall function as fully integrated members of the peace operation or political mission.

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[11] This procedure does not apply to staff belonging to other occupational groups who may be part of the human rights component, such as for instance judicial affairs officers or correction officers.

125 Notwithstanding the above, existing OHCHR field presences that are integrated into peace operations and political missions shall be administered by the peace operation or political mission as a single integrated human rights component. However, insofar as national staff in OHCHR service may hold UNDP or other local contracts, those arrangements shall continue until such time as a transfer to peace operation or political mission's contracts may be appropriate. Notwithstanding the contract type, these national staff will also function as fully integrated members of the peace operation or political mission.

126 The performance of the head of the human rights component shall be evaluated by the HOM (or Deputy HOM where appropriate) as the first reporting officer, and by the High Commissioner for Human Rights as second reporting officer. In the absence of an evaluation from either, the Performance Appraisal cannot be considered as complete.

127 The performance of human rights staff shall be appraised by staff within the human rights component.

128 The performance of staff of the human rights component based at Mission Headquarters (MHQ) shall be evaluated by the direct supervisor as first reporting officer and by the head of the human rights component as second reporting officer. If directly under the supervision of the head of the human rights component, the HOM (or Deputy HOM where appropriate) will evaluate their performance as second reporting officer.

129 The performance of human rights staff coordinating human rights activities in a regional or field office shall be evaluated by the head of the human rights component (or his/her delegate) as first reporting officer and by the Head of Office as second reporting officer. Human rights staff coordinating activities in the field shall report to the Head of Office on day-to-day matters to ensure effective coordination at the regional or field office level.

130 The performance of other human rights staff based in regional and field offices shall be evaluated by the human rights officer coordinating human rights activities in that office as first reporting officer and by the head (or deputy head) of the human rights component as second reporting officer. Depending on the structure of each particular peace operation or political mission and human rights component, second or additional reporting officer(s) may be selected from other components. Such reporting officers should be determined by the head of the human rights component, under the overall authority of the HOM.

131 Cases of suspected misconduct by human rights staff in peace operations or political missions shall be handled by the HOM under the provisions governing UN staff conduct. In the event of disciplinary action against any staff member of the human rights component, DFS shall share available information about the case with OHCHR. If the staff member in question holds an OHCHR contract, the matter shall be referred to OHCHR for appropriate action and follow-up.

132 The renewal of the appointment of the head of the human rights component shall be subject to consultation between the HOM and the High Commissioner for Human Rights through their respective human resources offices.

133 Upon completion of field service, the End of Assignment Report of the head and the deputy of the human rights component shall be submitted to DPKO, DPA, DFS and OHCHR.

Funding

134 The funding for the human rights component – including staff costs, travel, staff training, mandated activities, and other types of office support assistance and logistics – is provided from assessed contributions to the peace operation or political mission concerned, for the activities mandated for that peace operation or political mission and subject to the approval of the General Assembly.

135 Human rights components shall ensure that they meet general budgetary planning requisites, such as those required by results-based budgeting (RBB) frameworks. More specifically, peace operation and political mission budgets shall include travel costs for the head of the human rights component to attend pre and post-deployment briefings and periodic consultations with OHCHR and other heads of human rights field presences, participation of human rights staff in training courses and programmatic costs such as fees for consultants with specialised expertise.

136 OHCHR and the human rights component, with the support of DPKO and DPA where appropriate, shall seek to mobilize resources for technical cooperation and other activities of human rights components which are not part of the regular budget of the peace operation or political mission based from assessed contributions, including through existing agreements with other organisations and other appeals processes. Technical cooperation and other projects to be implemented by the human rights component and funded by OHCHR are subject to OHCHR planning and financial procedures. OHCHR, the peace operation or political mission and relevant third parties shall work together to ensure the accessibility and timely disbursement of such funds to the human rights component.

137 OHCHR financial contributions to human rights components shall be channelled through financial authorizations to UNDP or to the attention of the Director of Mission Support/Chief Mission Support of the peace operation or political missionas appropriate. When DFS is the chosen project implementation partner, funds for activities and projects shall be disbursed by the peace operation or political mission in accordance with the financial authorization, with final costs recovered by bills submitted to OHCHR on a monthly basis.

138 Any non-expendable property purchased with OHCHR funds shall remain the property of OHCHR and shall be recorded by the head of the human rights component in a separate inventory, to be reported by the head of the human rights component to OHCHR on an annual basis. Any reports for loss or damage to OHCHR property, and associated requests for write-off, shall be submitted by the head of the human rights component to OHCHR Chief of Programme Support and Management Services on a timely basis.

Programme Planning and Monitoring

139 The human rights components of peace operations and political missions shall plan and report according to the distinct OHCHR, DPKO, DFS and DPA timelines, instructions and documentation.

140 OHCHR shall be consulted and participate in discussions prior to any changes that may affect the operational capacity of the human rights component. In particular, in relation to staffing and budget, OHCHR shall be given reasonable notice of proposed changes which shall be discussed with DPKO, DPA and DFS.

141 Planning for UN peace operations and political missions shall be undertaken at the field level and in coordination with the related I(M)TF, as per the procedure set forth in the IMPP Guidelines: Role of the Field – Integrated Planning for UN Field Presences (2009). The head of the human rights component shall be represented in all senior-level strategic policy structures, including the Strategic Policy Group (SPG) and sustain close cooperation with the Integrated Strategy and Planning Team (ISPT) as well as other shared analytical and planning structures. It shall also ensure that human rights issues are incorporated in the ISF.

142 Yearly programme planning and budgeting for UN peace operations and political missions is based on the results-based budgeting (RBB) model. In line with the Secretariat reforms, the goal for RBB is results-based management (RBM), which includes the human rights based approach (HRBA) to programming. Human rights components shall use results-based management (RBM) concepts and language in their mid-term planning and programme monitoring and define their yearly plans within this framework.

143 The planning cycle for UN peace operations and political missions funded through peacekeeping assessments is 1 July through 30 June of the following year. For field operations and political missions funded through the Regular Budget, the cycle is 1 January through 31 December of each year within the biennium. OHCHR yearly cycle is from 1 January to 31 December. Its indicators are defined in relation to the OHCHR office-wide expected accomplishments for a four years period and progress towards them is reported upon at the end of each calendar year in the OHCHR annual Report on Activities and Results.

144 During these planning processes, the head of the human rights component under the overall authority of the HOM, shall consult with OHCHR to ensure a consistent approach to the promotion and protection of human rights in the peace operation and political mission area. Final versions of relevant documents (including RBB, work plans and organigrammes) shall be timely shared with OHCHR.

E. TERMS AND DEFINITIONS

145 The following terms and definitions apply to this policy:

146 Head of Office: the most senior representative of the HOM in a regional or field office.

147 Human rights component: the component of a UN peace operation or political mission which has the primary responsibility for carrying out the peace operation or political mission's human rights mandate.

148 Human rights staff: all United Nations national, international staff and United Nations Volunteers, regardless of the source of funding, who undertake substantive human rights functions as part of the human rights component (even when located in other components, where this arrangement exists).

149 Integrated Mission Planning Process (IMPP): the authoritative basis for planning new multidimensional peace operations and political missions, when UNCTs are present, applying the principles of integration, as well for the revision of planning instruments of existing peace operations and political missions, and UNCTs.

150 Integrated Strategic Framework (ISF): an internal UN document at the strategic level covering a country specific limited timeframe that reflects "a shared vision of the UN's strategic objectives" and "a set of agreed results, timelines and responsibilities for the critical delivery of tasks critical to consolidating peace" in a given country.

151 Peace operations and political missions: this term comprises UN peacekeeping operations, special political missions, integrated peacebuilding offices and other types of field presences led by DPKO or DPA and logistically supported by DFS.

152 Results-based management (RBM): a management approach focused on achieving results; a broad management strategy aimed at changing the way agencies operate, with improving performance (achieving results) as the central orientation[12].

F. REFERENCES

Normative or Superior References

- General Assembly Resolution 48/141on the High Commissioner for the Promotion and Protection of all Human Rights (20 December 1993)
- General Assembly Resolution 62/63 on the Criminal Accountability of UN Officials and Experts on Missions (8 January 2008)
- Security Council Resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on Women, Peace and Security;
- Security Council Resolutions 1460 (2003), 1539 (2004), 1612 (2005)and 1882 (2009)on Children and Armed Conflict;
- Security Council Resolutions 1265 (1999), 1296 (2000), 1674 (2006) and 1894 (2009) on Protection of Civilians in Armed Conflict.
- Secretary-General's Note of Guidance on Integrated Missions (9 February 2006)
- Secretary-General's Note of Guidance on Transitional Justice (10 March 2010)
- Secretary-General Decision No. 2005/24 on Human Rights in Integrated Missions (26 October 2005)
- Secretary-General Decision No. 2006/47 on Rule of Law (24 November 2006)
- Secretary-General Decisions No. 2011/1 and 2007/11 on Security Sector Reform (11 January 2011 and 16 February 2007 respectively)
- Secretary-General Decision No. 2008/18 on Human Rights and Development (20 May 2008)
- Secretary-General Decision No. 2008/24 on Integration (25 June 2008)
- Secretary-General's revised Guidelines for UN Representatives on Certain Aspects of Negotiations for Conflict Resolution (June 2006)
- Secretary-General Bulletin on the Observance by UN Forces of International Humanitarian Law, ST/SGB/1999/13 (6 August 1999)

[12] UN Joint Inspection Unit report "Implementation of results-based management in the United Nations organizations – Part I", 2004, page 7.

- Secretary-General Bulletin on Special Measures for the Protection from Sexual Exploitation and Sexual Abuse (9 October 2003)
- Secretary-General Bulletin on Record Keeping and the Management of United Nations Archives, ST/SGB/2007/5 (12 February 2007)
- Secretary-General Bulletin on Information Sensitivity, Classification and Handling, ST/SGB/2007/6 (12 February 2007)
- Secretary-General Bulletin on the Organization of the Department of Political Affairs, ST/SGB/2009/13 (1 October 2009) and ST/SGB/2009/13/Corr.1 (5 November 2009)
- Secretary-General Bulletin on the Organization of the Department of Peacekeeping Operations, ST/SGB/2010/1 (5 February 2010)
- Secretary-General Bulletin on the Organization of the Department of Field Support, ST/SGB/2010/2 (4 March 2010)

Related Policies

- OHCHR/DPKO/DPA Policy on Public Reporting by Human Rights Components of UN Peace Operations (July 2008)
- Secretary-General Guidelines on UN Strategic Assessment (May 2009)
- Secretary-General IMPP Guidelines: Role of the Headquarters – Integrated Planning for UN Field Presences (May 2009)
- Secretary-General IMPP Guidelines: Role of the Field – Integrated Planning for UN Field Presences (December 2009)
- DPKO/DFS Interim Standard Operating Procedures on Detention in United Nations Peace Operations (25 January 2010)
- Secretary-General report "In Larger Freedom: Towards Development, Security and Human Rights for All", A/59/2000 (21 March 2005)
- DPKO Policy on Justice Components in UN Peace Operations (1 December 2009)
- DPKO Policy on Mainstreaming the Protection, Rights and Well-being of Children Affected by Armed Conflict within UN Peacekeeping Operations (1 June 2009)
- DPKO Revised Policy on Prison Support (forthcoming)
- DPKO Policy on Training for All Peacekeeping Personnel (1 May 2010)
- DPKO/DFS Policy on Joint Mission Analysis Centres (1 February 2010)
- DPKO/DFS Policy on Joint Operations Centres (1 February 2010)
- DPKO/DFS Concept of Operations on Protection of Civilians (April 2010)
- DPKO/DFS Policy on Gender Equality in UN Peacekeeping Operations (1 July 2010)

G. MONITORING AND COMPLIANCE

153 Compliance with this policy is mandatory.

154 At the UNHQ level, the Under-Secretary-General for Peacekeeping Operations, the Under-Secretary-General for Political Affairs, the Under-Secretary-General for Field Support and the High Commissioner for Human Rights shall each designate a focal point and an alternate focal point to ensure implementation of this policy.

155 At mission level, the Head of Mission and the head of the human rights component shall be responsible for monitoring the implementation of this policy.

H. CONTACT

156 The contacts for this policy are the Peacekeeping Best Practices Section in the Office of the Under-Secretary-General for Peacekeeping Operations (for DPKO and DFS), the Policy and Mediation Division in the Office of the Under-Secretary-General for Political Affairs, and the Methodology, Education and Training Section in the Office of the High Commissioner for Human Rights.

I. HISTORY

157 This policy replaces the Memorandum of Understanding (MOU) between OHCHR and DPKO signed in 1999 and renewed on 22 November 2002.

Navanethem Pillay
UN High Commissioner
for Human Rights

B. Lynn Pascoe
Under-Secretary-General
for Political Affairs

Edmond Mulet
Assistant-Secretary-General and
Acting Head of the Department
for Peacekeeping Operations

Susana Malcorra
Under-Secretary-General
for Field Support

DATE: __ August 2011