

STANDING UP FOR YOUR RIGHTS



**STAND UP
FOR HUMAN
RIGHTS**

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HUMAN RIGHTS
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A decorative background featuring a stylized, light blue leaf pattern. The leaves are elongated and pointed, arranged in a circular, wreath-like fashion around the central text.

WHERE HUMAN RIGHTS BEGIN

In perhaps the most deeply resonant words of any international agreement, the Universal Declaration of Human Rights begins: "All human beings are born free and equal in dignity and rights." Human rights are fundamental values whose roots go back deep in every culture. Human dignity is not a reward for good behaviour, or reserved for special groups. Regardless of geography, skin colour, sex or any other supposedly determining characteristic, human rights are the inalienable entitlements of all people.

The Universal Declaration distils messages learned by state authorities in a world shattered and devastated by two global wars in short succession. Seventy years later, we would do well to heed their warning and consider their guidance. These are lessons, from a world of horror, in how to build peace within countries and between them. Societies are strong because they include everyone, building on everybody's full contributions. They are peaceful because they are hopeful, and they are flexible – resilient to shocks – because they are fair.

Since 1948, States have written and ratified a considerable body of human rights law, which involve precise commitments. Every country has adopted at least one core human rights treaty, and all are bound by international law. The Office of the UN High Commissioner for Human Rights – or UN Human Rights – exists to assist national authorities in upholding the commitments they have made.

With over 1000 staff members who work in some 70 countries, we offer assistance to governments and civil society movements, on the basis of the global human rights monitoring we conduct. We provide legal expertise and practical training to governments,

members of the judiciary, the police and prison officials so they uphold human rights. We also help build national human rights institutions and civil society groups and maintain strong connections with them. It is this strong knowledge base that gives resonance and relevance to our private and public advocacy, as we work with officials, non-governmental organisations and the public to spark change.

UN Human Rights supports the work of the international human rights institutions and bodies, which States have established to promote and protect human rights. They include the Committees, which were created by States to monitor compliance with the core international human rights treaties; the Human Rights Council, representing 49 States; and the independent thematic and country experts named by the Human Rights Council.

Part of our work also involves working to prioritise human rights in the operations of all UN agencies. Whether in the world's growing humanitarian emergencies, in the devastating suffering of conflicts or on the streets of peaceful cities, human rights are essential to the lives of all of us. The UN exists "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind," the drafters of the UN Charter wrote in solemnity, in 1945. Its purpose was "To reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small; to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained; and to promote social progress and better standards of life in larger freedom."

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Cover photo UN Human Rights staff in Colombia travel by boat along the Mira River in Tumaco, Nariño, in the south of the country. They are travelling to the collective territory of Alto Mira and Frontera, where Afro-descendant communities live. UN Human Rights is working with these communities to support the establishment of their land rights, livelihoods and ancestral culture.
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TACKLING PRISON OVERCROWDING

BY HELPING TO SPEED UP JUSTICE



A Burundian soldier stands next to prisoners.

Prisons in Burundi are overcrowded, with negligible and substandard facilities.

There are more than 3,600 people in Mpimba prison in Bujumbura which has the capacity for just 1,000; the prison in Ngozi holds over 1,600 people when there should be no more than 400.

Many detainees have either been arrested illegally – and so never formally charged – or have served their term of imprisonment, but the authorities have failed to release them.

Brutality by guards is commonplace.



© AFP

Nearly 30 accused arrive at the Appeal Court in Gitega, Burundi.

A former male detainee, who wished to remain anonymous, was arrested with others on suspicion of being an armed bandit. There was not a shred of evidence for this claim, he says. "I was beaten up and tortured each morning by the Intelligence

Service before being taken to Mpimba prison." The torture ritual included being clubbed on the head, legs, chest and genitals. Prisoners received one meal per day and were locked in overcrowded cells with no access to water. The fetid toilets were permanently fouled and never cleaned.

But incarceration also has a destructive effect on life outside the prison walls. 'N', a female prisoner at Mpimba says that: "when a woman is imprisoned, her family is destroyed... Our husbands repudiate us instead of supporting us. Our children are left to themselves. I have three children between the ages of five and twelve and they have become street children. I have no-one to take care of them and they can't even come to see me in prison because they have no means to pay for the transport to arrive here."



© AFP/Joëlle Cendon

Prisoners gather at Ngozi prison, Burundi.

The consequences are so far-reaching, therefore, that even the rights of the family to protection by society and the State fall away to nothing.

The role of the UN Human Rights office in ameliorating these conditions has been two-fold. Firstly, we monitored the eleven prisons in Burundi on a monthly and sometimes weekly basis. We recorded all aspects that fell short of human rights standards, submitting our findings to prison directors so that they could take the necessary steps to improve conditions. Secondly, we advocated to governments for systemic change. Our report to the Ministry of Justice recommended the full implementation of international human rights standards, including the Bangkok Rules on the Detention of Women. As a result, the Minister established a census of the prison population, of both women and men.

The census enabled us to identify a number of prisoners who were being held beyond the legally prescribed limit because the court had not speedily expedited their cases. In some circumstances, prison staff might have prevented the release of individual prisoners if they were unable to pay a bribe. Furthermore, the census also helped us to identify individuals who had 'disappeared' in the system. Many detainees had been transferred from one prison to another and were without the means to contact loved ones or friends. Overall, hundreds of prisoners were released after the census was published.

The government also created mobile courts, another recommendation of UN Human Rights. These courts accelerated procedures and consequently relieved overcrowding in prisons.

Conditional release measures were implemented for elderly women and those living with their children in prison. Moreover, 65 per cent of the female prison population gained access to legal assistance.

The funding for both the mobile courts and the legal aid came from the Central Emergency Aid Fund (CERF). As we are unable to pursue individual cases, CERF enabled us to hire lawyers to assist prisoners. The lawyers ensure that defendants receive a fair trial and that procedures are properly respected, including visitation rights.

SUPPORTING A COMMUNITY'S FIGHT

TO LIVE IN A HEALTHY ENVIRONMENT



© EPEFFE/Dar Kurekawa

Young boys stand next to a pile of rubbish in Mathare slum, Nairobi, Kenya.

Crumpled plastic and torn cardboard litter a hill no larger than a small garden. The last time Phyllis Omido visited, one-year-old Victor Odhiambo had just died of lead poisoning.

His grave was fresh, visible in the tiny parched square locals call the "vegetable patch."



Phyllis Omido of CJGEA in Owino Community, Mombasa, Kenya.

Victor lies somewhere below, with the remains of other children who, like him, should never have died and who, like him, have no grave to their name. “When the patch is full, we just start again at the beginning,” says Phyllis. “We bury the children on top of one another. Otherwise there is no room.”

Phyllis is locked in a battle over toxic pollution that is pitting the impoverished community of Owino Uhuru against the government and big business. The community’s 5,000 residents allege that they were poisoned by lead from an adjacent smelter and battery recycling plant that operated with impunity for more than seven years — and without the mandatory Environmental Impact Assessment — until it was finally forced to shut down in 2014.

The damage inflicted during those seven years is still visible. Many children still haven’t been tested for lead poisoning; few of those who have are receiving medical treatment.

Phyllis was once on the ‘other side,’ a well-paid administrator and community liaison officer in the very plant being held responsible for polluting Owino Uhuru. When she couldn’t find a babysitter, she brought her infant son to work. Within a month, her son began to cough. He developed a fever and

diarrhoea and cried all the time, something he had never done. A government official eventually suggested he be tested for lead poisoning. The test came back positive.

After her son spent a month in the hospital, Phyllis called on the company to shut down and move. When they refused, she quit her job, fearing her own exposure to lead had contaminated her child.

She knew mothers in Owino Uhuru were falling ill and miscarrying, and that children were dying. She tested sick children at her own expense: all suffered from lead poisoning.

She contacted environmental, business, economic and health authorities, but nothing came of it. As stories of illness and loss accumulated, Phyllis's energy turned to anger and she decided to sue.

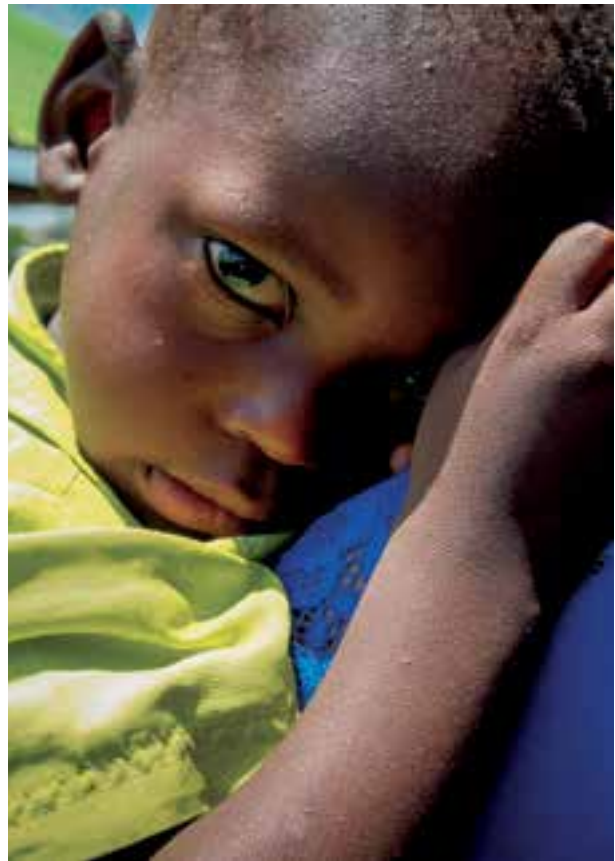
To give her fight greater legitimacy, she founded the Centre for Justice, Governance and Environmental Action (CJGEA), an environmental grassroots group that advocates for the rights of communities poisoned by toxic chemicals from Kenya's extractive industries. But the more Phyllis investigated, the more she became a target. She was followed. She was attacked outside her house. Her life was threatened. She was even arrested.

"I live under constant threat," she says. "I hide and don't even visit my family because it would put them in danger. I change vehicles, and I vary my routes to work."

"The UN has made it possible for us to be heard," continues Phyllis. "Before, we had been ignored. Working with UN Human Rights pushed government officials to take us seriously and pay attention."

For her work in Owino Uhuru, Phyllis won the Goldman Environmental Prize for Africa, the environmental equivalent of the Nobel prize. Most of the money would go into the legal battle. Another major turning point was a press release in early 2017 by the United Nations Special Rapporteur on human rights and the environment, which called publicly on Kenya to protect Phyllis and three of her co-workers who had been assaulted, threatened and forced into hiding as a result of the court case.

"Now, our profile is higher, we are safer, and we are grateful," Phyllis says. Campaigning by the CJGEA and support from the international community raised the battle's political profile and prompted the government to act by issuing a series of reports.



© OHCHR/Axel Fassio

Philimon Hamad, 5, Owino Community, Mombasa, Kenya.

The landmark litigation is expected to create a precedent for other communities affected by the powerful extractive industries along the coast.

By denying communities the right to a clean and healthy environment, these industries are most probably violating the rights of the people who live near them, rights which are guaranteed by the Kenyan Constitution and its Bill of Rights.

The Department of Justice in the Attorney-General's office is working with the UN to craft an action plan on business and human rights that will protect both local communities and their environment. It is too late for Victor and the children who have died. But this is very promising for other children and in the meantime the families of those who have died want justice.

HELPING TOMORROW'S LEADERS

TO FIGHT FOR THEIR RIGHTS TODAY



Middle-school students studying at CEM Les Martyrs de Thiaroye, Dakar, Senegal.

“The club has taught me to be a good citizen, to know and defend my rights and to respect civil rights.”

So says 17-year-old Anna Gomis, from Thiaroye, a suburb of the Senegalese capital, Dakar. Anna is a pupil at CEM Les Martyrs de Thiaroye and for the past two years has been a tireless member of the school’s human rights club.



© CEM Les Martyrs de Thiaroye

Middle-school student studying at CEM Les Martyrs de Thiaroye, Dakar, Senegal.

She first joined the club in 2015 after her history and geography teacher and the club's founder, Mr Seydy Ibrahima Ly asked her to write a poem to help mark the school's celebration for International Women's Day. Inspired by Mr Ly's initiative, Anna threw herself into the club's activities. She organised numerous debates and workshops, including those for Human Rights Day, and hosted the school's Cheikh Anta Diop Day. So-named after the famous Senegalese intellectual, this

annual event promotes the importance of civic engagement.

Pupils also painted a school wall with images of different children to demonstrate that all children have equal rights.

The club's twin purpose is to promote human rights and citizenship. With pupils aged between 12 and 17, the club began with just 20 members; there are now 90, and counting. Convening every Thursday, they discuss a topic that then becomes the focus for the following week's activities. UN Human Rights is proud to have supported the club from the moment of its inception. We provided copies of the Universal Declaration of Human Rights as a manual for activities and funded the International Women's Day celebration, on the subject of early marriage and education for girls, for which Anna wrote her poem. Pupils also painted a school wall with images of different children to demonstrate that every child has an equal right to education, despite – or perhaps because of – their many differences.

With time, the club's members have become more and more creative in their promotion of human rights. Not only do they write and produce plays but they also perform them in several languages. Their performances in Russian and Spanish for Human Rights Day celebrations at our West Africa regional office were even attended by embassy representatives from the two nations.

The pupils' commitment has had a transformative effect on the world around them. One of their early decisions was to collect bottles that had been discarded in and around the school grounds. This focused their attention on the large, overflowing garbage container close to the school. Used by both pupils and locals alike, the container is seemingly never emptied. The club's members, together with their parents, are now keen to persuade the town's Mayor to have the container relocated to a more appropriate setting.

The workshops ahead of International Women's Day in 2017 were so successful that one girl, Sokhna Diara Diouf, was interviewed at school for a video presentation about her human rights activities. Sokhna stressed that there was no good reason why Senegalese girls should not have the chance to become highly skilled and successful professionals, for instance as doctors or lawyers, should they choose that as their path in life. The interview was then used by UN Human Rights in Geneva as part of the Stand Up for Human Rights campaign.

Moreover, Sokhna has also had a direct, positive impact on one of her classmates. A friend of hers, just 15, was devastated when her parents told her to leave school early to get married. Sokhna asked her mother to try to persuade her friend's parents to change their minds. Her mother was careful to acknowledge the Senegalese tradition of early marriage, but stressed that their daughter's commitment to education did not prevent her from one day becoming a happily married mother. As a result, Sokhna's friend has stayed on at school, and is now planning to go to university. Former pupils are now



© CEM Les Martyrs de Thiaroye

CEM Les Martyrs de Thiaroye, Human Rights Day, 2017.

considering setting up another club at the nearby Lycée Limamou Laye and will continue to mentor students at CEM Les Martyrs. Two female former pupils are planning to link up with the Senegalese Association of Female Jurists, a highly influential network for women's rights, to organise joint events. Such has been the success of the clubs that UN Human Rights has begun negotiations with the government to expand the programme across Senegal.

Meanwhile, Anna's energy and commitment continue unabated. Elected club president, she has organised Cheikh Anta Diop Day, a short movie and debate

The pupils' commitment has had a transformative effect on the world around them.

on climate change, and workshops to recycle plastic bags into bracelets and other everyday objects. And once she has left school? "I would like to run an NGO to defend the rights of children and girls – perhaps even become a lawyer."

SPEAKING UP FOR ORDINARY PEOPLE

AND DEFENDING THEIR RIGHTS



© UNICEF

Moses Mangat, 13, a Karamojong boy, tends cattle in the fields outside the semi-permanent village of Matheniko, Uganda.

The region of Karamoja lies in the north-eastern part of Uganda, and covers approximately 27,000 sq km. Cattle farming – pastoralism – is the primary source of income for its one million inhabitants.

Before the onset of the new millennium, the region was underdeveloped in comparison to the rest of Uganda. Successive governments failed to establish fully functioning public services, particularly when it came to policing and the judiciary. But access to decent health and education, safe water and other services was also restricted only to those who could afford them.



Children of the Karamojong community in north-eastern Uganda.

The Karamojong people were subject to persistent incursions and cattle raids from the neighbouring Topotha and Didinga communities of southern Sudan and the Turkana and Pokot communities of western Kenya. As a result, the Karamojong created an illegal force for both self-defence and counter-raids. They claimed that their weapons had been bought from neighbouring communities and Ugandan military personnel. But the combination of raids and counter-raids, neglect by

successive governments and the entrenched culture of cattle rustling, was potent. A series of human rights violations took place, with the region in a state of near-anarchy.

Soldiers surrounded villages at night, and then at dawn used loudspeakers to order everyone to leave their homes and assemble in a specified area outside.

The government began to forcibly disarm the Karamojong in 2006. The national army, the Uganda People's Defence Forces (UPDF) undertook what was known locally as "cordon and search" operations.

Soldiers surrounded villages and kraals – a large area for grazing animals – at night, and then at dawn used loudspeakers to order everyone to leave their homes and assemble in a specified area outside. The army, with support from community leaders, screened the villagers and identified all those suspected of possessing weapons. They were instructed to hand them over immediately or face prosecution by the UPDF.

Allegations of theft and rape quickly surfaced, with soldiers largely going unpunished. Mass arrests were commonplace. Those alleged to have refused to hand over their weapons were detained at army barracks, often for several weeks or months at a time. Testimonies from some detainees revealed that they were obliged to instruct family members to sell animals to buy a weapon – with the sole purpose of then surrendering that weapon to the army. Animals were impounded by the UPDF until weapons were handed over. But often these animals were the target of raids by armed gangs, so that prisoners not only lost their personal freedom but also what were often their only financial assets.

In 2009, following claims that the community had refused both to surrender their illegal weapons and to allow their animals to be impounded, the UPDF twice used military helicopters to bomb animals in Kaabong and Kotido districts. Several people were killed, with even more tortured whilst in detention. The injuries of those who reported these abuses were often explained away by the army as the result of animal grazing in harsh conditions.

UN Human Rights played a pivotal role not only in winning the release of detainees but also in ensuring that the disarmament process was subsequently conducted both safely and fairly. Our approach was to negotiate directly with the seven brigade commanders based in the region. With support from community leaders, we successfully demonstrated to the commanders that in some cases there was either no evidence that detainees held illegal weapons or that because of repeat arrests, previously issued certificates had been lost or destroyed.

The cordial and highly professional working relationship we developed with the brigade commanders was the major factor behind the release of the detainees. On one occasion, 120 adult males were detained at the headquarters of 503 Brigade in Kotido district. Having received assurances that they would not be tortured, we then negotiated the release of 60 of these men. The following day, a further 20 were released.



© AFP/Lucie Peyerlmann

A disarmament card proves a rifle has been surrendered.

Within a week, all were free. This soon became a deliberate strategy and ultimately led to the government’s abandonment of the policy of forceful disarmament.

UN Human Rights played a pivotal role not only in winning the release of detainees, but also in ensuring that the disarmament process was subsequently conducted both safely and fairly.

We are still working closely with both the government and UPDF to ensure that the revised ‘intelligence-led’ approach works fairly, and encompasses the principles of human rights and the rule of law.

HELPING TO PURSUE JUSTICE

FOR MINORITIES WITHOUT A VOICE



A member of the Dene Nahjo at work in Yellowknife, Northwest Territories, Canada.

In August 2016, the government of Canada launched a long-awaited inquiry into the murders and 'disappearances' of indigenous women and girls across the country.

The decision came after more than a decade of relentless advocacy by the families of those missing and UN Human Rights.



© AFP/Melinda Trochu

Removing fur from moose skin, Yellowknife, Canada.

The inquiry, which began its work a month later and was set to continue until the end of 2018, undertook a forensic analysis of the root causes of the disproportionately high rate of violence suffered by this group. Its remit also included an examination of the role played by national and public institutions, including the police force.

The government's inquiry was set against the backdrop of an earlier inquiry by the Committee on the Elimination of Discrimination against Women (CEDAW). As the UN body that monitors the 1979 treaty on the Convention on the Elimination of Discrimination against Women, CEDAW published two reports

in response to allegations by Canadian NGOs that indigenous women were facing grave and systematic violations of their rights.

The Committee unambiguously concluded that indigenous women and their families had experienced serious acts of violence that significantly affected their right to life and personal security, their right to physical and mental integrity and their right to health.

As a result, the Committee made a series of recommendations to combat this violence – including the creation of an independent national inquiry, which the government has now acted upon.

PEACEBUILDING THROUGH BUSINESS

AND HUMAN RIGHTS



Norberto Arriola and his wife Gladys Aizales have benefited from the work of Mineros SA.

Ringed by mountainous forests, the region of El Bagre, Antioquia was once thought to hide the mythical El Dorado or 'Golden Land.'

Nearby, the Nechí or 'Gold River' has attracted miners since pre-Columbian times.

Today, waist-deep in water, small-scale miners still pan, rocking their wooden bateas back and forth to get gold dust.



© AFP/Mauricio Duenas Castaneda

Norberto and Gladys are one of 48 families able to grow rice, yucca and plantains thanks to Mineros SA.

Far more invasive are the entrepreneurial miners who hire bulldozers and backhoes to dig deep through the riverbanks. All this mining is illegal. Through 'taxation' and extortion, profits from this mining have helped finance the armed groups and criminal gangs that still hold sway in parts of Colombia. The result has been a human rights catastrophe fueled by poverty, violence, environmental degradation, child labour and organised crime.

UN Human Rights and one of Colombia's largest and oldest mining companies, Mineros SA, hope to transform this reality. There is a growing understanding in the country that business has a responsibility in promoting human rights.

Each year, Mineros SA Foundation, dedicated to social change, gives away three farm plots, or "parcelas productivas," to peasant farmers willing to become self-sufficient. The company provides seeds, tools, a head or two of livestock – and a team and materials to help build a house on land recycled from mining operations. In return, Mineros SA asks for the new arrivals to farm the land sustainably and refrain from mining, and to inform the company if there are any active illegal miners.

Thanks to this programme, farmers such as Norberto Arriola and his wife Gladys Aizales grow rice, yucca and plantains. So far, the foundation has given out similar plots to 48 families.

UN Human Rights trained the entire 1500-strong staff of Mineros SA in the UN Guiding Principles on Business and Human Rights. They also developed a joint plan to strengthen local communities and help upend the illegal gold economy. With its expansive network across the country – it has interacted with most parties in Colombia for 20 years – UN Human Rights helps everyone connect. Our influence and reputation



© AFP

A girl puts a peace sticker on a soldier in Colombia.

Providing land helps the poor live a more dignified life. Educating miners and the local population in children’s rights reduces child labour and encourages children to stay in school.

in El Bagre are built on a novel approach developed jointly with the local government, community leaders and Mineros SA with the aim of working with communities over a period of years to understand their situation, build solid relationships and provide the tools for change.

Some of the miners are now being eased into what the government calls “formalisation” processes. In El Bagre, with help from Mineros SA and UN Human Rights, they are slowly transitioning into a legal economy by being trained for alternative work, obtaining legal land titles and equipment, or at the very least learning to minimise the risks posed by mining to their health and the environment.

Providing land helps the poor live a more dignified life. Educating miners and the local population in

children’s rights reduces child labour and encourages children to stay in school. Restoring and reclaiming land after it has been mined helps the environment and provides livelihoods, while teaching miners how to replace mercury with other technologies protects their communities’ health. Helping ex-miners learn new trades by connecting them with the appropriate institutions empowers them while weakening illegal mining. And helping miners pan or dig legally encourages them to move into the mainstream, undercutting local criminal elements in the process.

Perhaps the most heartening aspect is the drop in violence in El Bagre, from 38 homicides in 2016 to 8 by September 2017. And for the first time in a long time, no human rights defender was killed during that period. A greater awareness of and respect for human rights is surely in part responsible.

PROTECTING HUMAN RIGHTS DEFENDERS

BY OBSERVING HUMAN RIGHTS



A Guatemalan farm worker. Ownership of land such as this is heavily disputed.

Human rights defenders in Guatemala have played an instrumental role in holding the state accountable for crimes of the past and present and in demanding structural reforms to advance human rights, democracy and the rule of law.

Yet human rights defenders, especially those defending the rights of indigenous peoples, continue to face an uphill battle, putting their lives, liberty and personal integrity on the line.



© AFP/Johan Ordóñez

Indigenous women working in the production of trees in a nursery in Cajola municipality, Guatemala.

The rights to lands and resources, especially for indigenous peoples, are under sustained threat. The land inhabited by indigenous peoples has been used for mining, hydroelectric and large agriculture (palm, banana, sugar, cattle) projects, often without regard for the potential property rights over lands and without consultation with affected communities.

Many indigenous communities, including those displaced during the armed conflict, lack legal recognition over lands, making them consistently vulnerable to forced evictions in the face of competing interests over those lands. There has yet to be a concerted effort on the part of the state to resolve the hundreds of pending land disputes. Forcibly evicted families face devastating humanitarian situations, with evictions leaving them with quite literally no place to go.

Indigenous communities defending their rights have found some important recourse through the legal system, resulting in a strengthening of the jurisprudence of the Constitutional Court recognising the right to consultation. However, in many cases, especially at the local level, judges and government officials seemingly work against indigenous human rights defenders, potentially influenced by bribes or other pressures by powerful actors.

A troubling pattern has been the misuse of criminal procedures as a way to sanction or to limit the work of defenders. These cases have been marked with procedural irregularities including failure to be compliant with due process standards. One case led to the pre-trial imprisonment, for between 14 and 18 months,



© OHCHR

Weaving a huipil, an embroidered blouse worn by indigenous women, in Sacatepéquez department, Guatemala.

of seven human rights defenders, who were campaigning against the construction of hydro-electric projects in Huehuetenango, in the western highlands of Guatemala. When the charges of secuestro (kidnapping) and other serious crimes were eventually presented at a court in the country's capital, however, the judge absolved them of the most serious charges. "We have understood that there is an intention to criminalise your actions," said Judge Iris Yassmin Barrios Aguilar of the High Risk Court Tribunal B in Guatemala City. Judge Aguilar has attended several training courses run by UN Human Rights, which have provided information to the Guatemalan judiciary on international human rights standards and principles.

But their case is by no means unique, and if anything the dismissal goes against the grain in these kinds of cases. For instance, numerous arrest warrants have been issued for criminal trespassing in the context of communities attempting to claim rights within purportedly privately held plantations. In many cases, the communities were previously promised land, which was not delivered, in exchange for work performed. In other cases, communities claim rights based on traditional occupancy, having been forcibly removed from lands in previous decades in actions that would now be considered human rights violations.

Human rights defenders with arrest warrants issued against them are intimidated into acquiescence, fearful of travelling outside their region. There are also wider psychological, social and economic consequences for families when a mother or father is criminally prosecuted or imprisoned and faces years away from home.

Wider stigmatisation of the work of human rights defenders through negative public campaigns, in which defenders are labeled as 'delinquents' or even 'terrorists' are part of the broader pattern of criminalisation. Companies also allegedly buy off key individuals, creating divisions between families that has sometimes led to violence and even killings, with devastating impacts on the social and cultural integrity of communities.

Throughout, UN Human Rights has maintained its support for these traditional peoples. We regularly observe the criminal trials against human rights defenders, collating all evidence of procedural abuse. In Guatemala, we have also supported strategic litigation cases and provided technical assistance to the government to address issues of land tenure security and collective property rights of indigenous peoples.

TACKLING ABUSE OF LAW

AND CAMPAIGNING TO END TORTURE



An event commemorates the victims of forced disappearances in Mexico.

There was no warning. Without even the pretence of a search warrant, a group of Marines, part of the Mexican Navy, burst into the home of Corina Utrera Domínguez, 29, and Denise Blanco Lobato, 37, on the 27th of August 2011.

The Marines threw the women to the ground, kicking them in the face and across their bodies. One of the intruders shoved the muzzle of his gun into Corina's mouth; another groped Denise's breasts and genitals. Both were then blindfolded, forcibly stripped to their underwear and with hands now tied, dragged by the hair outside. Once the Marines had locked the two women inside a windowless vehicle, they were raped.



Mexican students take part in a massive protest against violence in Mexico.

Both suffered heavy and prolonged bleeding. Denise sustained a head injury which has resulted in permanent physical and psychological damage. Thirty-six hours passed before they were brought before the Office of the Federal Attorney General in the state of Veracruz, inexplicably some hundreds of kilometres from where they lived. The prosecutor completely ignored their insistence that they had been subjected to sexual torture. Instead, the two

women were accused of organised crime activities and placed in pre-trial detention. They had restricted access to adequate legal representation. They were then transferred to a distant prison in northern Mexico, in the state of Baja California – but were forbidden to contact their families.



A prisoner at the Female Penitentiary in Culiacan, Sinaloa State, Mexico.

The terrible truth is that this treatment meted out to Corina and Denise – a same-sex couple living in Villahermosa, Tabasco, in southern Mexico – is unexceptional. The security forces were granted sweeping powers of arrest following the launch of the

After spending over five years in pre-trial detention, Corina and Denise were finally acquitted of all charges.

government's 'War on Drugs' in 2006. This has led to a massive escalation of violence, a huge number of arbitrary detentions, enforced disappearances and extrajudicial executions and countless fabricated accusations against innocent people. The security forces now routinely engage in both torture and sexual torture, while enjoying total impunity.

UN Human Rights learned about Corina and Denise from other detainees in a federal prison of Nayarit

state to where they had been transferred after Baja California. We immediately took up their cause and briefed the judge assigned to their case on the applicable international human rights standards: personal freedom, integrity and torture; sexual torture, in particular. The judge considered these standards and ruled in favour of the victims.

UN Human Rights has deliberately and systematically drawn public attention to the government of Mexico's legal obligation to investigate all allegations of torture. We are part of a coalition of local and international NGOs campaigning for the eradication of sexual torture in the country. We are working closely with the Office of the Federal Attorney General to resolve eight cases of torture and sexual torture involving 51 victims. These include Corina and Denise, but no charges have yet been brought against their assailants. After spending over five years in pre-trial detention, Corina and Denise were finally acquitted of all charges. Nowadays, they still face the major challenge of overcoming their ordeal, while reintegrating into society. They are still demanding reparation and continue to campaign for the prosecution of their attackers. Now reunited with their families, both women want their story to contribute to the prevention and eradication of sexual torture in Mexico.

HELPING TO REUNITE FAMILIES

TORN APART BY WAR



A father and son are reunited on a day of exchanges between North and South Korea.

UN Human Rights has long been committed to reuniting families that have fallen prey to the brutal actions of the Democratic People's Republic of Korea (DPRK). Since the 1953 armistice that ended the conflict between North and South, the DPRK has abducted 516 individuals from the Republic of Korea.

The groundbreaking UN Human Rights report *Torn Apart: The Human Rights Dimension of the Involuntary Separation of Korean Families* documents numerous instances of these enforced and involuntary disappearances.

The stories of the families left behind are nothing short of heart-rending. As a young boy, Hwang In-cheol was always told that his father, Mr Hwang Won, had left home for a business trip. "Nobody told me about my father when I was young," he remembers. In fact, on the 11th of December 1969, his father had boarded a plane from the Republic of Korea which was then hijacked and flown to the DPRK. While 39 passengers were allowed to return home the following year, Mr Hwang Won was not. He and ten other passengers and crew are still missing.

Hwang In-cheol was two when his father went missing but he was only told the truth eight years later.

After his father's abduction, Hwang In-cheol and his family suffered countless incidents of discrimination and unfair treatment at the hands of their fellow citizens: many suspect the relatives of abductees of being open to manipulation by the DPRK. "Even if you are a victim, society looks down on you and you are considered a spy," he says.

But Hwang In-cheol is determined to break the lifelong silence that has surrounded his father's abduction. He works tirelessly to force the issue of abductees front and centre into public consciousness, both within the Republic of Korea and on the international stage. In 2010, he submitted a case to the Working Group



© EPA/STF

North Koreans bid farewell to South Korean family.

on Enforced or Involuntary Disappearances, a UN panel of experts first convened in 1980 and which continues to sit to this day. The government of DPRK responded in 2012, claiming that there was "no person in [their] country who had been enforcedly or involuntarily disappeared or detained against his or her will." But speaking at the panel discussion to launch the report by UN Human Rights, Hwang In-cheol stated unequivocally that "there is no reason whatsoever that my father should continue to be held in the DPRK."

Both UN Human Rights and the Republic of Korea continue to fight for the abductees and their desperate families, including those who disappeared during the Korean War.

TRAINING YOUNG PEOPLE

TO ASSERT THEIR HUMAN RIGHTS



LGBT activists demonstrate in Timor-Leste.

The commitment by UN Human Rights to empower those without a voice is universal and unconditional. Individuals and groups that society deems to be at its margins are often the very people we seek to help the most.

We, therefore, undertake training programmes that not only instil a greater awareness and understanding of human rights but also encourage participants to take action to change society for the better.



FREE & EQUAL

UNITED NATIONS FOR LGBTI EQUALITY

Despite their formal nature, training sessions sometimes throw up surprises that can inspire and move us all. One such moment occurred in Becora, a suburb of Dili, the capital of Timor-Leste, at a training session of the 'Joint Response for Youth' programme. Partnering with five other UN agencies and the State Secretariat for Youth and Sports, the programme provides training for young people on information, skills and services across various sectors.

The second session of the second day was on lesbian, gay, bisexual, transgender, intersex (LGBTI) persons. The session featured a guest speaker, Rumiatty, a transgender woman from the Coalition for Diversity and Action (CODIVA). The meeting began with Rumiatty recounting her life story. She spoke movingly about how she had felt growing up as a child, and what her parents and relatives had always said to her. She calmly told the group that she had had to wait until leaving school before she could dress in a way that more accurately reflected her gender identity. She also provided key information about the definitions of LGBTI, the work of CODIVA, and some of the challenges of being a transgender person in Timor-Leste.

Rumiatty then opened the floor to questions. Another woman, Ana – not her real name – had been listening to Rumiatty's story with a mounting sense of excitement and disbelief. She was the first to raise her hand. "Were you born this way?" she asked. "Is that how you always were?"

Rumiatty and the UN Human Rights officer leading the session patiently answered these and Ana's other questions. A moment later Ana herself stood up, walked to the front of the room, took the microphone and asked to tell her own story. And there, in front of 25 of her peers, she confided that although she had been born a girl, she had never once felt attracted to men.



© UNWIT/Martine Perret

Interview with a young victim of domestic violence in Dili District, Timor Leste

Just as Rumiatty had done, she described how she had felt growing up, what her parents had always said – and how they were now putting pressure on her to get married to a man. Her sense of desperation was so great that she had once even gone to a doctor to try and understand why she felt so different to everyone else. “Are you sick?” the doctor had asked. “No – but my heart is sick,” she had replied. That day, however, in a small training room in Becora, she said simply: “But now I know myself – and I want to stand up.” The room resounded with applause. Ana now works with the very few openly lesbian women in Timor-Leste, including those working with CODIVA.

Rumiatty spoke movingly about how she had felt growing up as a child, and what her parents and relatives had always said to her.

STRENGTHENING THE LEGAL SYSTEM

BY TRAINING DEFENCE LAWYERS



Journalists stand outside the Tbilisi City Court, Georgia.

Georgia inherited its judicial system from the Soviet Union.

As a consequence, in the years since independence, courtroom procedure and practice have often fallen well short of international human rights standards – what most people would reasonably consider to be a ‘fair trial.’



© AFP/Yano Shlamov

Georgian students protest against torture in Tbilisi.

This is no better exemplified than by the role played by defence lawyers. In the Soviet era, confessions were often beaten out of defendants and the judge really only took the prosecution's arguments into account. Defence lawyers did little more than mitigate the case made by the prosecution: they might appeal for leniency, or perhaps argue that their client had grown up in difficult circumstances. This practice continued after independence.

UN Human Rights was one of the first international organisations to recognise the need for change. We understand that defence lawyers need to be leaders in the promotion of basic human rights – by defending their clients within the parameters of international human rights standards. Pressure for change also came from within the Georgian legal establishment itself. Following the creation of the Georgian Bar Association (GBA) in 2005, UN Human Rights helped this new body address the various structural shortcomings of the legal system.

We began by assessing the training methods for legal qualifications. An undergraduate university degree only was required for individuals to qualify to become

Acquittals became increasingly rare as judges ignored the 'equality of arms' principle and ruled almost exclusively in favour of the prosecution.



© AFP/Yano Shlamov

Georgian activists protest against domestic violence in central Tbilisi.

a lawyer. We, therefore, created and ran a series of more advanced training courses, which included a focus on the international treaties and conventions that Georgia had become party to since the collapse of the Soviet Union. We also conducted an extensive survey on behalf of the GBA to ascertain the changes that lawyers themselves felt needed to take place. The transition has not always been easy. The previous government, apparently fearful of the GBA and its outspoken approach, targeted defence lawyers for recrimination. Drugs were planted on them, or they were falsely accused of taking bribes. Dissatisfied clients often sued, and defence lawyers ended up in prison. Acquittals became increasingly rare as judges ignored the 'equality of arms' principle and ruled almost exclusively in favour of the prosecution.

But as Mr Irakli Kandashvili, a member of the GBA since its foundation, and now the chair of its education committee, says: "There were attempts to control the GBA between 2005 and 2009. It did not work. Before 2013, 151 attorneys were in jail. We succeeded in getting them released with support from the Councils of Bars and Law Societies of Europe."

UN Human Rights maintained its support for the GBA throughout this immensely difficult time. Following a change in government, we are now expanding our training programme outside the capital to the nation's regions. Part of the president's reserve fund has been earmarked for training activities for defence lawyers. The GBA has long since concluded that continuing training needed to be a key element of reform, and every lawyer is now obliged to undertake at least 12 hours further training each year. UN Human Rights now runs one of these courses and is certified as such by the GBA. The results can be seen in the courtroom itself. Now, if a defence lawyer feels that there has been an improper interrogation or ill-treatment of a client, he or she will routinely raise these concerns with the judge, reminding them that they have a responsibility to open a formal investigation.

Now totalling 4,800 members, the GBA has been so successful that in 2014 a new building was acquired for its headquarters. As Mr Kandashvili says, "It has been a very fruitful cooperation between UN Human Rights and the GBA. We are very grateful for this contribution from their side, and we do hope this will continue."

SEARCHING FOR THE MISSING

BY BRINGING COMMUNITIES TOGETHER



© Amanda Fisher / UNWIK

A memorial to Kosovo-Serbian missing persons in the Serbian-majority Kosovo town of Gracanica, near to the capital Pristina.

**It has been nearly 18 years since Natasa Scepanovic last saw her parents.
The couple were living in Istok, a town in Kosovo.**

After the war that ripped the area apart, Scepanovic's parents, ethnic Serbians, remained in the town they had lived in, believing that the conflict was over and they were safe. They knew that there were tensions between Serbian and Albanian ethnic groups, but it had not hit the town. Besides, she said, if there was trouble, the UN and other international forces were on hand to protect people.



© Amanda Fisher / UNMIK

The family members of a young Kosovo Albanian man who went missing during the conflict attend the 2017 Kosovo Day of Missing Persons commemoration in the western city of Gjakovë/Đakovica.

“They had a good relationship with their neighbours, who were Albanians, and they trusted the international community... so, of course, they were convinced that they would be protected if something happened,” she said.

But her parents weren’t protected. In 1999, after the NATO bombing campaign, Sceanovic, who had moved from the area years earlier, heard her parents had gone missing, along with 50 others in the town. Five years later, the remains of her father were found. Her mother is still one of the 1,658 people from Kosovo missing from the conflict.

Along with representatives of several families of missing person groups, she was in Geneva in August 2017 with the Human Rights Office of the UN Mission in Kosovo (UNMIK) to discuss improving the search for missing persons in Kosovo. During the two-day gathering, representatives from families of the missing, along with members of the Working Group on Persons Unaccounted for in Relation to the Events in Kosovo (Working Group), the International Committee of the Red Cross and the United Nations Working Group on Enforced or Involuntary Disappearances emphasised the need to re-energise the Working Group’s efforts to shed light on the whereabouts of the missing.

“To families who are present here today, I say to you, you have the right to know, a right to truth and a right to justice,” said the then UN High Commissioner for Human

Rights Zeid Ra'ad Al Hussein. "We have a duty do to everything we can do to facilitate that truth-telling and accountability. There must be truth-telling and justice."

"When human remains are found after forensic examination, the certificate is provided, but there is no cause of death; it is written as unknown. But we want to know what happened to them."

The meeting also marked the official opening of the Multi-ethnic Resource Centre on Missing Persons in Kosovo. The centre's aim will be to provide opportunities for representatives of family associations from across all ethnic lines to communicate, cooperate and jointly face the past.

Milorad Trifunovic's brother and nine colleagues were taken from a parking lot nearly 18 years ago. He has not been found. Milorad said this spirit of cooperation has been crucial in sustaining the search for missing persons over nearly two decades. As co-chair of the centre he hopes it will help to shed light on the issue of missing persons but also help to deal with many of the social issues facing Kosovo linked with it.

"We are like junkies with the situation prevailing, we are drugged with it," Trifunovic said. "I do not know whether they will be able or whether they will know how to deal with it. I would prefer we are replaced by some other elderly people. I would prefer for (the young) to commit to their own families... and continue with a normal life."

Kumrije Karaqica, who represents an NGO that deals with both missing persons and those who were victims of sexual assault during the conflict, said in addition to wanting the perpetrators of these crimes to face justice, there is also another issue for the families: the cause of death.



© Amanda Fisher / UNWIK

A memorial in Gracanica showcasing photos of victims whose remains were never found after they went missing during the Kosovo conflict.

"We know our beloved ones are not alive anymore, and we would like to have their remains (to bury)," she said. "But there is another issue which is of concern to us. When human remains are found after forensic examination, the certificate is provided, but there is no cause of death; it is written as unknown. But we want to know what happened to them."

During the meeting in Geneva, the groups agreed to re-energise the Working Group's work by better involving the families of missing persons, intensifying efforts to gain access to archives of local, national and international entities involved and discuss before the end of the year progress to date.

DEFENDING HOUSING RIGHTS

FOR A MINORITY COMMUNITY



Uzbek refugees in Kyrgyzstan close to the border with Uzbekistan.

The city of Jalal-Abad lies in the southern part of Kyrgyzstan, close to the border with Uzbekistan. In 2010, simmering tension between the minority Uzbek community and the Kyrgyz majority exploded into violence.

Over 400 people were killed and 80,000 displaced across several days of riots in the country's southern region. Both residential and commercial properties were destroyed.



© AFP/Victor Drachev

An ethnic Uzbek man stands next to the wreckage of his home in Osh, Kyrgyzstan.

Lenin Street, Jalal-Abad's central thoroughfare, was particularly hard hit. Many of the buildings, the majority of which were home to ethnic Uzbeks, were either completely destroyed or badly damaged by arson attacks. Over the next few years, however, the homes were for the most part rebuilt, with Uzbeks and Kyrgyz maintaining a relatively peaceful coexistence.

This coexistence was threatened once again, however, by the town's Mayor. As part of the urban redevelopment 'master plan' to widen Lenin Street, the Mayor ordered the seizure of land plots and the demolition of residential and commercial buildings – the very same properties that had recently been rebuilt – for 'public need.' Householders were given little or no warning, and the consultation process was weak at best. Under Kyrgyzstan law, compensation should not only take into account a property's market price but should be agreed prior to demolition. In Jalal-Abad, the reverse was the case: inadequate compensation was offered only after demolition. Moreover, all 38 homeowners submitted a written refusal for the demolitions but were subsequently pressured into signing agreements that sought to legalise them.



© EPA/Sergei Innitsky

Uzbeks at the border between Kyrgyzstan and Uzbekistan.

With a substandard physical and political infrastructure, lines of accountability in the city are almost always blurred.

Corruption is endemic in Jalal-Abad. The master plan is a closely guarded secret and has never been publicly available, despite a law to the contrary. With a substandard physical and political infrastructure, lines of accountability in the city are almost always blurred. For instance, even though homeowners successfully applied for planning permission before rebuilding their homes after the 2010 attacks, the town lacks a clear and transparent procedure for this process. More importantly, any 'illegal' rebuilding could never have justified the Mayor's ultimate course of action.

But two local human rights organisations – Interbilim and Spravedlivost – have taken up the homeowners' cause. Subjected to an array of insults and threats, the Mayor derided them as the "enemy of the city" and even threatened to expel one leading activist from the town.

Nonetheless, both organisations took the courageous decision to initiate litigation proceedings against the Mayor's office. Both have had expert support from UN Human Rights. We have trained lawyers – two of whom now work Interbilim and Spravedlivost – and active members of NGOs across the region, in

national human rights standards. With 12 sessions on a variety of topics, the training focuses on international human rights law but incorporates the details of national legislation in both criminal and civil law. A major component has been property and housing rights, as well as strategic litigation.

The case against the Mayor's office could not have taken place without legal aid provided to the 38 householders by Interbilim and Spravedlivost. This legal aid was in turn sourced from grants disbursed by UN Human Rights, and as such is a key plank of our support. We have also held direct talks with the Mayor and his team, urging them to ensure that each element of this and any subsequent process is as transparent as possible. As significantly, we have also worked behind the scenes to strengthen the human rights network across Kyrgyzstan.

Faced with the legal challenge, the Mayor and his lawyers resorted to stalling tactics. They assumed that the activists would run out of time, energy and funds and withdraw their case. The Mayor's staff also attempted to intimidate residents by insisting they would receive nothing except the derisory offers of compensation. Indeed, a handful of homeowners received no compensation at all after the Mayor's office claimed that the land does not belong to them.

But in an unprecedented court ruling, Jalal-Abad's Inter-District Court accepted the arguments of Interbilim and Spravedlivost and declared that the Mayor's actions were unlawful. Buoyed by this decision, Spravedlivost's lawyers are now heavily focused on the next stage of their campaign: to secure fair and adequate compensation for the homeowners.

CHALLENGING FALSE IMPRISONMENT

BY RESTORING FULL HUMAN RIGHTS



© EPA/Sasa Stankovic

A patient reaches for a nurse's uniform at a centre for the disabled in Serbia.

**Bojan has been incarcerated for much of his adult life.
Yet the truth is that he has done nothing wrong.**

As a young man, Bojan was diagnosed with schizophrenia, deprived of his legal capacity and, ever since, has been confined to a closed social care institution.



© EPA/Sasa Stankovic

Patients in their cribs at a centre for the disabled in Serbia.

At the very least, this has meant that his right to proper medical care has been flagrantly ignored. But that diagnosis also stripped him of almost all of his remaining fundamental human rights. Individuals without legal capacity cannot vote or run for public office, enter into a work contract, marry or divorce, refuse medication, own or manage property or

engage in any other basic legal or social action. He was not even allowed to attend church, which is just next door to the institution in which he currently resides.

The diagnosis effectively dictates what he is allowed to do with his life. But the ruling is absolutely contrary to human rights. There was hope for Bojan when the government of Serbia ordered a review of all those held under mental health laws, but the psychiatrist assigned to Bojan's case did not even bother to assess Bojan himself: instead, he simply concurred with the original psychiatric assessment, undertaken years earlier. The courts then formally agreed with this decision to continue to deprive him of his legal capacity – a decision that was based solely on what had once been written on a piece of paper in a hospital.



A child leaves a day-care centre with his mother, in Serbia.

Bojan appealed his case – and was partially successful. The appeal judge ruled that any judgement cannot proceed on the basis of an existing medical diagnosis, in line with article 12 of the Convention on the Rights of Persons with Disabilities (CRPD). This was a historic moment: it was the first time that such a ruling had ever taken place in Serbia. UN Human Rights had been working with partners for a number of years to advance Serbia’s compliance on article 12. Indeed, the appeal judge had attended one of the many training courses on the CRPD run by UN Human Rights and others.

Bojan has therefore had his rights partially restored to him and, crucially, is now seen more as a person with a disability, rather than as an ‘object of law.’ The decision might eventually lead to his release but as there is insufficient social care, the court is sceptical that he would be able to support himself financially.

Bojan’s story is tragic enough, but there are around 12,000 persons with disabilities in Serbia’s institutions. Many are deprived of their legal capacities. A transformation in Serbia’s response to mental illness

can only take place once judges themselves have fully altered their approach, laws are made compliant with international human rights standards, and a variety of services in the community are developed to assist anyone in need of support.

**This was a historic moment:
it was the first time
that such a ruling had ever
taken place in Serbia.**

Training courses for judges, supported by UN Human Rights, are continuously repeated, with judges now being trained by other judges. They routinely question previous practices, and now see the issue as one of how best to secure the benefit of the individual. There has been a definite shift for certain people away from full incapacity. That’s why Bojan’s case is so important and the result may be a huge step forward – beginning with Bojan himself.

THE UN'S LEGAL VOICE

IN THE CONFLICT IN SYRIA



A convoy of UN vehicles in the city of Homs, Syrian Arab Republic.

The civil war in Syria can seem intractable and without hope. Hundreds of thousands of people have been killed, the majority of them civilians.

Atrocities and gross violations of human rights have been committed by all sides. Not surprisingly, access to Syria for the UN is highly restricted, with both government and rebel forces determined to block any assistance we may be able to provide.



© UNICEF

A local resident cycles past destroyed buildings in Douma, Eastern Ghouta, Syrian Arab Republic.

UN Human Rights continues to monitor breaches of international human rights law (IHRL) and violations of international humanitarian law (IHL) by all parties to the conflict on the ground. As our team was not granted access to Syria itself, it continued working from other areas in the region, with the support of a desk officer at our Geneva headquarters. We also work hand-in-hand

with our sister UN agencies to ensure that human rights remains a crucial element in the overall humanitarian response to the crisis.

Since October 2015, we have produced an internal UN 'Human Rights Digest.' It seeks to strengthen the protection response by providing an early warning angle on such issues as deaths of detainees/abductees, violations in areas under shifting control by the various actors and attacks on medical units. This is complemented by legal notes, which set out the guidelines for the UN's response in Syria. These notes cover a range of topics from indiscriminate attacks and the transfer of civilian populations, to attacks on medical units and the use of siege warfare.

We provide expert advice and support to our partners in the field, and play a crucial role in the UN-wide



© UNICEF

A young boy searches through debris in Homs, Syria.

advocacy efforts on behalf of the conflict's victims. We train local partners, including women's rights groups, human rights defenders and humanitarians. This training includes guidance on the principles of accountability, how to combat gender-based violence and guaranteeing the rights of minorities. We also build on partners' existing expertise to help them monitor and compile human rights violations with the aim of supporting them in developing a victim-centric approach.

UN Human Rights facilitates consultations between the various components of Syrian civil society groups with regards to various issues such as transitional justice. This has complemented our work behind the scenes on discussions related to 'enforced disappearances' and those who are missing.

Our expertise was used to support the "International, impartial and independent mechanism" on Syria which was created on the basis of UN General Assembly resolution A/71/L.48. The mechanism was established to investigate and prosecute the most serious crimes of the war in Syria.

UN Human Rights has been tasked to assist the office of the Secretary-General with the development of the terms of reference for this essential component in the quest for a just peace.

We continue to support the work of the 'Independent International Commission of Inquiry on the Syrian Arab Republic,' which was first established in 2011. With a mandate "to investigate all alleged violations of international human rights law since March 2011," the Commission is supported by a team of experts drawn from UN Human Rights.

HEALING NATIONAL WOUNDS

THROUGH A TRANSPARENT JUSTICE PROCESS



Mothers arriving for a hearing before the Truth and Dignity Commission in Tunis.

Sami Brahmi is a prominent Islamist scholar in Tunisia. As a student in the 1990s, he was arrested by state authorities and subjected to horrific acts of torture, including sexual violence.

"I want this to be written down in history, this dark period." Anis Alfarhani's mother, Fatima, has said that "The killer of my son, I know him personally, I know where he works ... but the court didn't do anything for us."



A wall in Tunisia is covered with graffiti praising those who died during recent protests.

Sami Brahmi and Fatima are just two of the thousands of people who have given evidence to the public hearings – many of which have been televised – of Tunisia’s Truth and Dignity Commission (TDC), which began its work in June 2014. The TDC is a highly significant milestone in the process of ‘transitional justice’ in Tunisia. Following the collapse of the Ben Ali regime in January 2011, several attempts were made by successive governments to redress past

violations. Amnesty was granted to political prisoners of the former regime. These people were then granted the right to be reintegrated into their previous employment and to obtain reparation. A decree granting financial compensation and reparations to the victims of the revolution was issued.

But it soon transpired that reparations were largely being made only to individuals with close links to the new government. As the UN Special Rapporteur Pablo de Greiff made clear, the government had unwittingly “created different categories of victims of past and gross human rights violations, which had, in turn, led to serious fragmentation between the groups as well as within society itself.”



© EPA/Mohamed Messara

Tunisian women hold the national flag during a demonstration.

A new approach was needed. Any transitional justice process must be – and seen to be – fair and transparent. Victims had to become the central focus of the process, regardless of who they were. We were one of the first agencies to begin working on transitional justice in Tunisia and along with our sister agency the United Nations Development Programme

Transitional justice in Tunisia is a model of its kind and is a lesson to the world that the voices of victims can – and must – be heard.

(UNDP) and the International Center for Transitional Justice (ICTJ), have been central to Tunisia’s adoption of transitional justice.

Following the launch of the National Dialogue on Transitional Justice in April 2012, the next step was for the National Assembly to legislate for a transitional justice law. The legislation had to take into account

every different sectional interest; indeed, some groups saw no need for a transitional justice law at all. We advised the Ministry of Human Rights and Transitional Justice on how best to draft the law, ensuring that it reflected international human rights standards.

It was this new law that created the TDC. Mandated to establish the truth regarding all serious or systematic violations of human rights from the 1st of July 1955 to the 24th of December 2013, the TDC had received more than 62,000 formal claims by the 15th of June 2016, the deadline for submissions. It has already conducted more than 37,000 private hearings. UN Human Rights also helped the TDC become operational and deliver its mandate in line with international standards. A number of sub-commissions have been created to cover the different forms of violations encapsulated in the mandate. These range from torture and abuses against women to corruption and economic crimes. The TDC has a secretariat of hundreds – statement takers, investigators, analysts, legal experts – all of whom we have helped train. We also engaged communications experts to guarantee that the Tunisian people were fully informed about the TDC, in particular to ensure they understood how to submit claims.

The public hearings, which are broadcast live on prime-time television – and have received international media coverage – have been the culmination of the



© AFP/Hatem Salhi

Families of victims of the Tunisian revolution attend a trial on behalf of their relatives at the courthouse in Kasserine on July 13, 2018.

TDC's work. We advised how best to protect witnesses and victims, including engaging counsellors to offer psychological support. The public hearings have been an essential component towards reconciliation: they

The third area is in the creation of specialised chambers, which will adjudicate cases related to gross violations of human rights. Not only have we advised the government on the legislation for these chambers but we have also begun to train judges and lawyers.

A number of sub-commissions have been created to cover the different forms of violations encapsulated in the mandate. These range from torture and abuses against women to corruption and economic crimes.

The independent Special Rapporteur was subsequently fulsome in his praise for the entire process. Transitional justice in Tunisia is a model of its kind and is a lesson to the world that the voices of victims can – and must – be heard.

have demonstrated beyond doubt that every group has been subjected to these crimes.

But supporting the TDC is just one of three areas in which we are still closely involved. We are also helping civil society to monitor the entire process of transitional justice, as well as advocating to the government.

ABOUT US

HUMAN RIGHTS IN ACTION

UN Human Rights represents the world's commitment to the promotion and protection of the full range of human rights and fundamental freedoms set out in the Universal Declaration of Human Rights. It is the leading United Nations entity on human rights and is headed by the UN High Commissioner for Human Rights.

We speak out objectively in the face of human rights violations around the world and help elaborate the norms and benchmarks which are used to evaluate human rights progress.

Through our field presences, we help prevent abuses and contribute to defusing situations that could lead to conflict. Our monitoring and analysis feeds sensitive decision-making and development programming. We also provide capacity-building and legal advice to thousands, supporting the development and judicious enactment of laws and policies the world around.

Thanks to our research, education, and advocacy activities, we contribute to the increased awareness and engagement by the international community and the public at large on human rights issues. This means thousands of people in all regions of the world are empowered to claim their rights.

As at the end of December 2018, UN Human Rights was operating in 77 field presences and providing support to other members of the UN system through rapid deployments of human rights officers in response to emerging situations.

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2018 IN NUMBERS

MEMBER STATE COOPERATION

10 States were supported in establishing transitional justice mechanisms, received capacity-building support for judicial actors and civil society, and were assisted to increase victims' protection and participation



4 States signed human rights treaties

14 new ratifications

9 new accessions



141

State Party reports reviewed by the treaty bodies with seven States Parties visited by the Subcommittee on Prevention of Torture



59 countries visited

over

83 visits by special procedures mandates

42

Member States were reviewed for the implementation of UPR recommendations



88

fellows from indigenous, Afrodescendant and minority communities participated in the UN Human Rights Fellowship Programme

10,000

Direct victims of contemporary forms of slavery in 27 countries obtained assistance

40,000

Direct victims of torture in 78 countries received rehabilitation support

HUMAN RIGHTS MECHANISMS SUPPORT



Support to the work of

44 thematic and
12 country-specific special procedures mandates

85

resolutions adopted by the Human Rights Council



HUMAN RIGHTS INTEGRATION ACROSS THE UN



Human rights components in UN peace missions, including 621 staff, supported by UN Human Rights

11

Human Rights Advisers deployed in UN Country Teams and

18

under the framework of the UNSDG



CIVIL SOCIETY ENGAGEMENT

590



NGO side events organized during Human Rights Council sessions



2,715

Oral statements delivered by NGOs during Human Rights Council sessions



Over

2,700

participants in the 7th Forum on Business and Human Rights

**STAND UP
FOR HUMAN
RIGHTS**

#STANDUP4HUMANRIGHTS





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