Inspection and Evaluation Division

Evaluation of the effectiveness of human rights monitoring, reporting and follow-up in the United Nations multi-dimensional peacekeeping operations

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OIOS
Office of Internal Oversight Services

INSPECTION AND EVALUATION DIVISION

Function

"The Office shall evaluate the efficiency and effectiveness of the implementation of the programmes and legislative mandates of the Organization. It shall conduct programme evaluations with the purpose of establishing analytical and critical evaluations of the implementation of programmes and legislative mandates, examining whether changes therein require review of the methods of delivery, the continued relevance of administrative procedures and whether the activities correspond to the mandates as they may be reflected in the approved budgets and the medium-term plan of the Organization;" (General Assembly Resolution 48/218 B).

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Summary

The Office of Internal Oversight Services assessed the effectiveness of human rights monitoring, reporting and follow-up in eight United Nations multi-dimensional peacekeeping operations (PKOs), including in-depth assessments focused on the missions in the Democratic Republic of Congo (MONUSCO), Mali (MINUSMA) and Darfur (UNAMID). It covered the period 2014-2017.

Overall, stakeholders' perspectives on the effectiveness of human rights monitoring were positive. However, human rights monitoring varied greatly across missions with each human rights component (HRC) across the eight PKOs verifying and reporting about 77 human rights violations (HRVs) per month, with a range of 373 in MONUSCO and three in MINUSTAH per month. Various factors limited human rights monitoring, including, inter alia, access constraints, attitude of Host Governments, mission capacity, and senior leadership support. Specifically, for UNAMID, the mission's human rights work was impeded by the consistent and pervasive access restrictions imposed by the Government, including through denial of visas, which created an atmosphere of fear within the HRC, impeded its effective functioning, and affected mission integration.

While other mission components were involved in various ways in human rights monitoring, several factors limited this cooperation. Engagement with civil society and non-governmental organizations (CSOs/NGOs) was also largely positive with specific areas for improvement identified. Additionally, essential operational guidance was lacking with the OHCHR 2011 revised manual on human rights monitoring without content in 16 out of 33 chapters.

The Security Council mandates and Organisational policy require PKOs to periodically publish human rights reports, but this requirement was not consistently met across PKOs.

The OHCHR human rights case database – the sole authorised system for storing information collected for human rights investigation and verification – was poorly used and supervised with largely undocumented follow-up. When used, information in the database was insufficient to conclude that reported violations had occurred or could be considered as verified in accordance with the OHCHR methodology for 96 out of 98 cases (98 percent) reviewed.

Senior mission leaders were generally supportive of human rights work but differed considerably in the extent to which they raised human rights issues to the Security Council. The senior managers' compacts with the Secretary-General did not include any specific performance indicator on human rights.

Despite the difficult operating environment and inextricably political context, HRCs achieved notable results although the human rights situation was deteriorating in two out of the three countries. Human rights monitoring contributed to informing missions of impending crises in some cases. Their work positively influenced government structures, laws and processes, contributed to some improvement in accountability for violations, increased protection for victims, witnesses and human rights defenders, and enhanced awareness among rights-holders and duty-bearers. It also helped sensitise internal and external stakeholders on human rights issues. Finally, human rights reports were regularly used by the Security Council and other stakeholders, with more frequent reporting resulting in greater use.

OIOS made four critical and five important recommendations:

    (i) Develop mission-specific action plans to improve human rights monitoring;

    (ii) Complete the manual on human rights monitoring;

    (iii) Ensure regular public reports, with failure to publish reported to the Secretary-General;

(iv) Urgently address the weaknesses regarding the human rights database;

 (v) Develop information sharing protocols among mission components;

 (vi) Further strengthen engagements with CSOs/NGOs;

(vii) Ensure uniformity in the results and outputs indicators of HRCs;

(viii) Incorporate human rights performance indicators in the Secretary-General's compacts; and

(ix) Finalize guidance materials on improving human rights contribution in early warning.

Contents

Acronyms

ACLED	Armed Conflict Location and Event Data
CAR	Central African Republic
CLAs	Community Liaison Assistants
CSOs	Civil Society Organizations
DDR(R)	Disarmament, demobilisation and reintegration (and resettlement)
DFS	Department of Field Support
DOS	Department of Operational Support
DPA	Department of Political Affairs
DPKO	Department of Peacekeeping Operations
DPO	Department of Peace Operations
DRC	Democratic Republic of Congo
DSRSGs	Deputy Special Representatives of the Secretary-General
RC/HC	Resident Coordinator/Humanitarian Coordinator
HOM	Head of Mission
HQ	Headquarters
HRAs	Human rights abuses
HRC	Human rights component
HRDB	Human Rights Case Database
HRDDP	Human Rights Due Diligence Policy on UN Support to non-UN Security Forces
HRuF	Human Rights up Front initiative of the Secretary-General
HRVs	Human rights violations
IDP	Internally displaced persons
IED	Inspection and Evaluation Division
JMAC	Joint mission analysis cell
JOC	Joint operations centre
M&R	Monitoring and reporting
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
MINUSTAH	United Nations Stabilisation Mission in Haiti
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
NGOs	Non-government Organisations
NHRIs	National Human Rights Institutions
Non-HRC	Non-human rights components
OHCHR	Office of the High Commissioner for Human Rights
OIOS	Office of Internal Oversight Services
PKOs	Peacekeeping Operations
POC	Protection of civilians
SRSGs	Special Representatives of the Secretary-General
TJRC	Truth, Justice and Reconciliation Commission
UN	United Nations
UNAMID	African Union-United Nations Hybrid Operation in Darfur
UNCT	UN Country Team
UNICEF	United Nations Children's Fund
UNMIL	United Nations Mission in Liberia
UNMISS	United Nations Mission in South Sudan
UNOCI	United Nations Operation in Côte d'Ivoire
UNPOL	UN Police

I. Introduction and objective

1.   The Inspection and Evaluation Division of the Office of Internal Oversight Services (OIOS-IED) conducted an evaluation of the effectiveness of human rights monitoring, reporting and follow-up in United Nations (UN) multi-dimensional peacekeeping operations (PKOs). The topic was selected based on a risk assessment to identify OIOS peacekeeping evaluation priorities for 2017/18.

2.   The general frame of reference for OIOS is in General Assembly resolutions 48/218B, 54/244, 59/272, as well as ST/SGB/273, which authorize OIOS to initiate, carry out and report on any action it considers necessary to fulfil its responsibilities. OIOS evaluation is provided in the Regulations and Rules Governing Programme Planning, Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation.[1]

3.   The evaluation's overall objective was to determine, as systematically and objectively as possible, the effectiveness of human rights monitoring, reporting and follow-up in the PKOs. Its focus was determined through a scoping exercise in consultation with the Departments of Peacekeeping Operations (DPKO) and Field Support (DFS), the Office of the High Commissioner for Human Rights (OHCHR) and the PKOs under review.[2] The evaluation was conducted in conformity with the norms and standards for evaluation in the UN System.[3]

4.   Comments from the relevant entities on the draft report, included in the annex, were considered in finalizing the report.

II. Background

5.   Human rights – one of the three pillars of the Charter of the United Nations – constitutes a key mandate component of multi-dimensional PKOs. All the five existing and three recently closed multi-dimensional integrated PKOs' mandates included human rights, with the most common element being the monitoring, verification and reporting on human rights violations (HRVs) and abuses (HRAs) and violations of the international humanitarian law.[4]

6.   The eight missions include the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), United Nations Mission in South Sudan (UNMISS), United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), African Union-United Nations Hybrid Operation in Darfur (UNAMID), and the erstwhile United Nations Mission in Liberia (UNMIL), United Nations Stabilisation Mission in Haiti (MINUSTAH) and United Nations Operation in Côte d'Ivoire (UNOCI).[5]

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[1] [ST/SGB/2018/3](#), p. 15, Regulation 7.1.
[2] The Departments of Peacekeeping Operations (DPKO) and Field Support (DFS) were renamed as the Department of Peace Operations (DPO) and Department of Operational Support (DOS) as of 1 January 2019.
[3] United Nations Evaluation Group (UNEG), 2005
[4] "Human rights violations" (HRVs) include *governmental transgressions of the rights guaranteed by national, regional and international human rights law* and acts and omissions directly attributable to the State involving the failure to implement legal obligations derived from human rights standards. "Human rights abuses" (HRAs) include violative conduct committed by non-State actors. OHCHR Training Manual on Human Rights Monitoring, Chapter 1, P.10. Throughout this report, HRVs are referred to include both categories.
[5] UNMIL closed in March 2018 while MINUSTAH and UNOCI closed in October and June 2017, respectively. The evaluation does not cover PKOs where there is no specific human rights monitoring and reporting mandate, such as MINURSO, UNDOF, UNIFIL, UNFICYP, UNMIK, UNMOGIP and UNTSO.

7.   Human rights mandates of PKOs generally include: human rights monitoring, verification/investigations and reporting; capacity and institution building in human rights; fight against impunity; women and child protection; sexual and gender-based violence (including conflict-related sexual violence); transitional justice and reconciliation; and in some cases, civil and political rights, including in the context of elections. The core mandated tasks of human rights monitoring, reporting and follow-up advocacy and interventions were vested in the human rights components (HRCs) of PKOs. Multi-dimensional PKOs with HRCs are managed by DPKO/DFS, while OHCHR provides backstopping and guidance to HRCs as provided in the 2011 Policy on Human Rights in United Nations Peace Operations and Political Missions ("2011 Policy"). The heads of the HRCs have dual reporting lines to the Head of Mission (HOM) and the High Commissioner for Human Rights.

8.   The monitoring of the human rights situation refers to the active identification, verification, analysis and reporting on human rights and the use of the information to prevent and address HRVs. Its objective is to identify patterns and causes of violations (including systemic), promote accountability, inform preventive and protection action, early warning, as well as identify remedies in individual cases and long-term reform needs.[6]

9.   HRCs are required to produce internal and public reports on human rights as one of their essential functions to record and analyse trends and developments in human rights, which constitutes a key promotion, protection, advocacy and accountability tool. The 2008 Policy Directive on Public Reporting by Human Rights Components of United Nations Peace Operations ("2008 policy on public reporting") guides human rights public reporting and requires HRCs to produce regular public reports (i.e. biannual) on the human rights situation.[7]

10.   There was a total of 587 staffing positions in the HRCs of the eight missions in the 2016/17 fiscal year funded by the assessed contributions for peacekeeping (Table 1).

Table 1: HRCs staffing positions in the eight PKOs in 2016/17

Category	UNMIL	MINUSTAH	UNOCI	MINUSMA	MINUSCA	UNAMID	UNMISS	MONUSCO	Total
Head	D-1	D-1	D-1	D-1	D-1	D-1	D-2	D-1	
International	6	12	17	26	38	35	43	48	225
National	3	17	36	31	21	46	32	48	234
UNV	2	3	11	19	26	10	29	28	128
Total	11	32	64	76	85	91	104	124	587

Source: DFS

III.   Scope and Methodology

11.   The evaluation focused on four key areas: (a) the extent and consistency of human rights monitoring and reporting by multi-dimensional PKOs and involvement of other mission components; (b) the extent to which human rights analysis and reporting informed early warning and mission response; (c) senior mission leadership support and accountability for human rights; and (d) results achieved by multi-dimensional PKOs in protecting human rights, including through informing and influencing stakeholders.

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[6] The 2011 policy, paragraph 53.
[7] The 2008 Policy on Public Reporting in Section 0.2.1 provides that "As a general rule, human rights components shall prepare periodic six-monthly public reports which shall be included in their work-plan. Periodic public reports shall normally be issued every six months."

12.   The evaluation primarily focused on three missions for in-depth assessment, including MINUSMA, UNAMID and MONUSCO, but provides broader analysis covering all the eight missions where appropriate data was available. It covered the period from January 2014 to December 2017.

13.   The evaluation used a mixed method approach using both qualitative and quantitative sources and triangulated the evidence. Key data sources included visits to the three missions and OHCHR Headquarters, interviews and a staff survey, interviews with Member States and non-governmental organizations (NGOs), and a review of secondary sources. A total of 158 interviews, including 37 group interviews, were conducted, including 28 in Sudan, 54 in the DRC, 35 in Mali, 26 at DPKO and OHCHR Headquarters, representatives of 12 current and recent past Members of the Security Council (including four Permanent Members), and representatives of three international NGOs. The field interviews included 8 group interviews with representatives from 56 local NGOs and representatives of the Host Governments and National Human Rights Institutions (NHRIs) in the three countries. Additionally, a total of 749 staff (231 from HRCs and 518 from other components) participated in an online survey.[8]

IV.   Evaluation Results

A.   Peacekeeping operations undertook human rights monitoring to varying degrees within mission-specific contexts and challenges

Human rights was one of the largest substantive components of PKOs

14.   The Security Council accorded high priority to human rights through its mandates. Human rights had the largest number of international staffing positions among the substantive components of PKOs due to its mandate and geographic reach (225 out of 1,709 staffing positions in eight missions in 2016/17 and 183 out of 1,412 in five missions in 2017/18), followed by political affairs, communication and public information and civil affairs (Table 2).[9] Overall, human rights was the third largest substantive components in both periods, representing about 13 percent of all substantive PKO staffing positions.

Table 2: Staffing positions in top five PKOs substantive components

Component	2017/18 (five missions)		2016/17 (eight missions)	
	International	Total	International	Total
Communication and public information	107	564	136	744
Civil affairs	90	558	140	707
Human rights	***183***	***448***	***225***	***587***
Political affairs	133	225	174	295
DDR/DDRRR/Relief & Protection	69	234	72	234

Source: DFS

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[8] Among the participants, 70% of the HRCs' and 51% of the other components' staff (total 423) completed the entire survey. Throughout the report, where survey results are reported, if the analysis pertained to only HRC staff then the denominator is 231, and if it pertained to all survey respondents then denominator is 749.

[9] Table 2 provides staffing positions for only the top five substantive components of PKOs. The total international staffing positions reflected in para 14 (i.e. 1,709 in 2016/17 and 1,412 in 2017/18) includes all substantive components, of which five are included in Table 2.

The number of HRVs monitored varied significantly across missions

15.   HRCs' mandates included a range of tasks including monitoring of HRVs. Based on a compilation of data from public human rights reports, Secretary-General's periodic progress reports and those provided by the missions,[10] it was estimated that on average, each HRC across the eight PKOs verified and reported about 77 HRVs per month, with MONUSCO being the highest at 373 per month and MINUSTAH the lowest with three per month (Table 3). The wide variations across missions in their monitoring coverage can be attributed to factors including the size of the countries and population, nature of the conflicts, prevailing human rights situation, access restrictions, priority given by the missions to HRVs monitoring, staffing of the HRCs and mission capacity.

Table 3: Number of HRVs monitored by missions 2014-2017

Mission	2014	2015	2016	2017	Total (4 years)	Annual average	Monthly average
MINUSCA	370	1,278	1,492	2,672	5,812	1,550	129
MINUSMA	50	94	406	484	1,034	259	22
MINUSTAH	21	8	26	90	145	38	3
MONUSCO	2,358	3,877	5,190	6,495	17,920	4,480	373
UNOCI	76	124	40	-	240	60	5
UNAMID	604	437	475	487	2,003	501	42
UNMIL	69	219	176	51	515	129	11
UNMISS	143	142	625	526	1436	359	30
All mission combined	**3,691**	**6,179**	**8,430**	**10,805**	**29,105**	**7,276**	**606**
Average per mission	**461**	**772**	**1,054**	**1,351**	**3,638**	**922**	**77**

Source: UN data analysed by OIOS-IED.

16.   Over a third of all survey respondents from HRCs (35%) and majority of non-HRCs (56%) perceived the HRCs' monitoring coverage to be half or less of all HRVs in their respective areas of responsibility. Over 63 percent of survey respondents from UNAMID perceived the mission's human rights monitoring coverage to be half or less of all HRVs, followed by MINUSCA (58%), UNMISS (51%), MINUSMA (43%) and MONUSCO (39%). Only around a fifth of all respondents across all missions perceived the coverage to be 75 percent or more.

HRCs varied widely in monitoring violations of the right to life, particularly those resulting in deaths, when compared with an external dataset

17.   The Armed Conflict Location and Event Data Project (ACLED), an external entity, collects and analyses conflict related data, including fatalities, across several countries. It reports conflict related fatalities data resulting from both battle and non-battle events, including those resulting specifically from violence against civilians, riots/protests and remote violence.[11] Civilian fatalities resulting from the above mentioned three events most closely resemble those considered as amounting to human rights violation of the right to life resulting in deaths. In the absence of appropriate comparators for the different types and range of HRVs monitored by the HRCs, this evaluation compared the number of fatalities reported by ACLED from the three non-battle event types with the number of HRVs

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[10] Data provided by missions was used for periods for which no data was available in public human rights reports and Secretary-General's reports.

[11] ACLED defines 'Remote violence' as an event where a conflict actor engages another group while remaining spatially removed from the area of attack (e.g. air strikes, rocket attacks, bombs, etc.). Out of the total ACLED figures reported in Table 4 (14,241) across the six missions, about 90% were from violence against civilians, 3% from riots/protests and 7% from remote violence. Source: https://www.acleddata.com/ accessed 30 July 2018.

resulting in death reported by the HRCs. The methodologies of the two entities were different and their respective figures were not expected to exactly match; however, using the ACLED figures as a benchmark provided a reasonable basis to assess the extent to which variations existed across HRCs in their monitoring coverage of HRVs resulting in death (Table 4).

Table 4: Number of non-battle related fatalities reported by ACLED compared to the number of HRVs resulting in death reported by the HRCs[12]

Mission	Period	ACLED	HRCs	% reported by HRCs compared to ACLED
South Sudan (UNMISS)	January 2014 – June 2017	5,096	1,085	21%
Darfur (UNAMID)	January 2014 – December 2017	2,812	1,125	40%
DRC (MONUSCO)	January 2014 – December 2017	4,461	5,542	124%
CAR (MINUSCA)	September 2014 – June 2017	1,381	1,520	110%
Mali (MINUSMA)	January 2014 – June 2017	450	199	44%
Liberia (UNMIL)	January 2014 – June 2017	41	48	117%
Total		14,241	9,519	67%

Source: ACLED and UN data

18.   The number of violations of the right to life resulting in deaths reported by three missions (MONUSCO, MINUSCA and UNMIL) exceeded those reported by ACLED for the three non-battle related events. This can be attributed to the possibility that some civilian fatalities resulting from battles may also have been counted as HRVs/HRAs as per the OHCHR methodology or that some events monitored by the HRCs may not have been recorded in ACLED dataset. Therefore, if the extent of these three missions' coverage in monitoring the number of violations of the right to life resulting in deaths, as compared to the ACLED dataset, appears adequate, then the coverage of MINUSMA (44%), UNAMID (40%) and UNMISS (21%) appears less so. This lower coverage can be attributed to the challenges and access restrictions faced by these missions (particularly MINSUMA and UNAMID) as discussed below.

Common and mission-specific factors limited human rights monitoring in PKOs

19.   Various common constraints were reported to have affected human rights monitoring. These included the perception of the non-supportive attitudes of Host Governments, other parties to the conflict and non-State actors[13] towards their work; security related access restrictions, including limitations imposed by the UN security rules and policies, as well as threats against HRC staff; size of the countries; logistics capacity of missions; limited staffing and operational budgets; level of senior leadership support; lack of expertise among staff; and extended vacancies due to lengthy and sometimes unsuitable recruitment processes.[14]

20.   Among the missions, MONUSCO had a more consistent track record of human rights monitoring and reporting. A third of interviews (18 out of 54) representing HRC staff, mission leadership and NGO representatives made references to access limitations for human rights monitoring. Several examples of cancelled assessment or verification missions were noted due to lack of logistical and security escort/restrictions. HRC staff particularly noted the gradual increase of areas

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[12] ACLED does not collect data for Haiti and due to unavailability of UNOCI data, Haiti and Côte d'Ivoire were excluded from the Table.

[13] Such as terrorist groups in Mali and armed groups in the DRC.

[14] The constraint referring to 'lack of expertise among staff' pertained to the specific technical skills and knowledge required for human rights monitoring and reporting, which is often not addressed in the recruitment process due to the use of generic job openings (GJOs) and unmet training needs of human rights officers. The constraint about unsuitable recruitment processes was reported with regards to the challenges of using GJOs for specific positions requiring HRV monitoring and reporting skills, challenges with the roster system, as well as deploying (and reassigning within the mission when needed) quickly to field locations.

without coverage due to the closure of MONUSCO operating bases[15] with the restructuring of the mission. They feared a reduction in their link with communities and partners that would further limit human rights monitoring.

21.   MINUSMA efforts to monitor HRVs faced severe constraints owing to the terrorism affected security environment in Mali. Despite this, the mission reported undertaking the highest number of field visits for human rights monitoring during the 2014 to 2016 period, particularly in the Gao region with support from MINUSMA force. However, such visits decreased after 2016 due to the continued deterioration of the security environment and the increase in terrorist and asymmetric attacks, including against MINUSMA. Over a quarter of interviews (9 out of 34) made references to access limitations for human rights monitoring imposed by the operating environment coupled with the lack of operational capacity of the mission, including mobility and protection assets required for deploying human rights monitors on the ground. The MINUSMA force could not support about half of the security escort requests for human rights verification missions, with nearly two-thirds of its capabilities being used for self-sustainment and other competing priorities.

22.   Human rights monitoring by UNAMID was severely constrained by the security environment in Darfur, Government restrictions on movement, as well as places of detention, and delays in granting or the denial of visas for UNAMID HRC staff. Interviewees considered human rights monitoring in UNAMID to be impeded by the consistent and pervasive access restrictions imposed by the Government. Seventy-five percent of interviews (21 out of 28) testified to the constraints faced by the mission's HRC, which had a negative impact on its effectiveness.

23.   HRC staff interviewed expressed a sense of fear for their personal safety and perception of a hostile operating environment for their work. This was linked to the persistent denial of visas for HRC staff as reported by the Secretary-General in his progress reports to the Security Council on UNAMID over the past three years. The HRC operated with 47 percent average vacancies during that period, mostly due to visa denials. Furthermore, HRC staff reported security threats and alleged spying on them by the national security forces, the limiting of deployment of UN volunteers, and the restricting of physical access for UNAMID to affected areas. The cumulative effect was an operating environment not conducive for human rights monitoring and reporting, as well as concerns among staff about their job security. Notably, two human rights staff were withdrawn from the UNAMID liaison office in Khartoum in 2014 upon the Government's demand[16] and three of its staff were based/relocated to Addis Ababa due to visa denials.

24.   This highly affected the quality of human rights monitoring by UNAMID. The mission's reported HRVs included approximately 27 percent unverified cases (546 out of 2,003), and 72 percent of the alleged perpetrators for the verified cases remained unidentified during the four years as the HRC's ability to collect, corroborate and verify such information was limited.

25.   The perceived negative attitude of the Government toward human rights had also affected mission integration in UNAMID as other components and UN Country Team (UNCT) members sought to distance themselves from the HRC and human rights monitoring work, fearing it might adversely affect their relations with the Government.

26.   The restrictions imposed on the UNAMID HRC were well-known and acknowledged by all stakeholders interviewed, including UNAMID staff and managers, representatives of the UNCT in Sudan, non-UN local interviewees in Darfur and Khartoum and representatives of Member States. Six

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[15] Company Operating Bases (COB) or Temporary Operating Bases (TOB)
[16] SC/11682, 4 December 2014

members of the Security Council (including three Permanent Members) also referred to the Host Government's restrictions.

Stakeholders perspectives on the effectiveness of human rights monitoring were overall positive

27.   Despite the estimated lack of comprehensive coverage and the challenges noted above, stakeholders largely perceived effectiveness of human rights monitoring and reporting (M&R) to be satisfactory across the six PKOs.

28.   When asked to rate the effectiveness of human rights M&R in terms of comprehensiveness, consistency, reliability and utility of information (on a 5-point scale with five being the most effective), survey respondents provided an overall score of 3.8 for all missions combined, with MONUSCO and UNMIL receiving the highest and UNAMID the lowest score (Figure 1). In general, HRCs staff provided higher ratings than other mission components. Close to half of mission level interviewees (52 out of 117) mentioned positive attributes of human rights M&R, such as competent and dedicated human rights staff and comprehensive, detailed, and rigorous reports.

Figure 1: Perceived effectiveness of human rights M&R by HRC and non-HRC mission staff
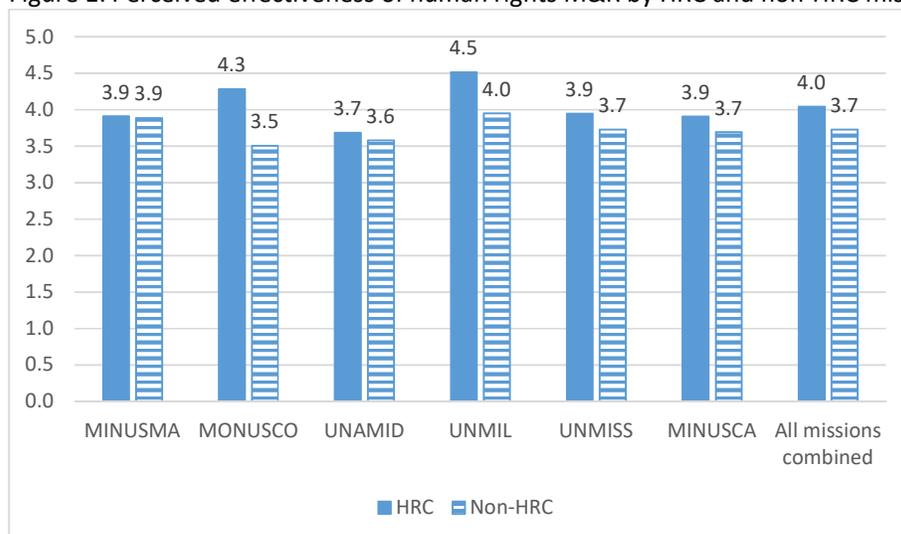
Note: 1 = Nil, 3 = Satisfactory, 5 = Very highly satisfactory. Source: OIOS-IED survey

29.   In MONUSCO, 29 out of 54 interviews shared positive perceptions including active M&R, good cooperation with other mission components, decent coverage given the size of the DRC, competent and well-trained staff, solid work in the area of protection, and the immediacy of response to alleged violations. Six members of the Security Council, including three Permanent Members, cited MONUSCO human rights as an example of robust and frequent reporting.

30.   In MINUSMA, the positive assessment of 13 out 35 interviews included efficiency, rigour, follow-up and effective support to other mission components, along with a broad reach in the country despite vast distances and inhospitable terrain.

31.   This positive perception existed despite the fact that MINUSMA only produced one periodic public report during the four year period from 2014 to 2017, a point noted with concern by stakeholders, including three out of the four Permanent Members of the Security Council interviewed. The mission also published two ad hoc reports in December 2015 and its second periodic report, covering the January 2016 to June 2017 period, was published in February 2018.

32.   Interviewees in UNAMID noted that given the political constraints of the mission, the HRC was "doing its best" under the circumstances. Information was described as comprehensive and reliable in certain areas like child protection (although not part of the HRC).

Cooperation between HRCs and other mission components in human rights monitoring was generally positive, yet several concerns were raised by internal stakeholders

33.   HRCs are required to work in cooperation with the other mission components, including the military, police and other substantive components. The nature and specificity of such collaboration varied greatly from one component to the other. For example, child protection, women protection and protection of civilians (POC) advisers were substantively closest to human rights work whereas the work with the uniformed components ranged from protection to substantive collaboration, including information sharing, training and collaboration in implementing the Human Rights Due Diligence Policy on UN Support to non-UN Security Forces (HRDDP).

34.   Overall, child protection, women protection and POC advisers were rated the highest in terms of collaboration with the HRCs.[17] Among the nine components and UNCT members (overall) queried in the survey, the Force, Security Sector Reform (SSR) and political affairs received the lowest scores.

Figure 2: Extent of involvement of other components in human rights monitoring and reporting
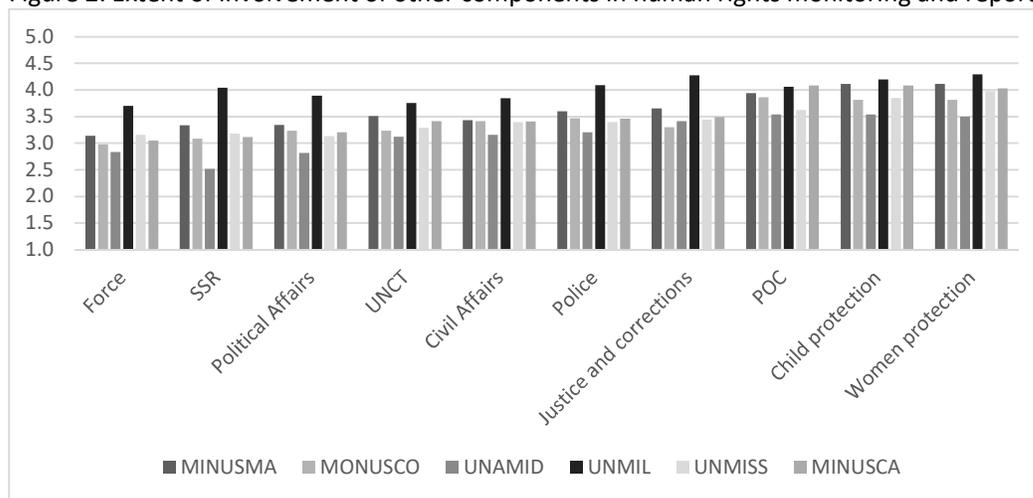
Note: [1=Not at all, 5=Always involved], *Source: OIOS-IED survey*

35.   Across the three missions, more than half (62 out of 116) of the interviews provided positive assessments of cooperation between HRCs and other components. Aspects of collaboration valued included: effective joint protection missions/teams/patrols, consultation and information sharing (especially in field locations), regular meetings, use of human rights reports to verify information and formulating work plans of other components, and benefiting from capacity building events organized by the HRCs. In MONUSCO, cooperation between the HRC and civil affairs section (particularly its Community Liaison Assistants or CLAs) for early warning and protection was particularly valued.

Factors limiting cooperation among mission components were also reported

36.   Aspects that reportedly limited cooperation included a perception among non-HRC staff of one-way information flow to HRCs and a lack of reciprocity. While there was a general understanding about the sensitivity of human rights information, such as personal data of victims, witnesses and

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[17] Child and women protection functions in MINUSMA and MINUSCA and women protection advisors in MONUSCO were integrated within the HRCs.

perpetrators, HRCs were seen as excessively secretive, with a degree of independence owing to the head of component's direct reporting line to OHCHR Geneva.

37.   Cooperation between the MINUSMA HRC and its uniformed components was affected by several factors, which included stark differences at times among the Force and HRC as to the kind of response considered appropriate to the external environment. A key Force interviewee considered that they were "fighting a war and human rights is not my biggest concern". Conversely, possible operations discussed by the Force to minimize threats to MINUSMA were considered by the HRC as anti-terrorism operations and beyond the mission's mandate. DPKO considered the relationship between the MINSUMA HRC and the Force as "more nuanced and evolved over the period". Furthermore, an agreement for information exchange between HRC and the Force existed but was not effective, and there was no such agreement with the police. Additionally, the mission's human rights report published in February 2018 listing MINUSMA as a violator of human rights in Mali was also a source of tension between the two components.[18]

38.   In MONUSCO, a divergence of views was observed between UNPOL and the HRC. For example, the two components reported different numbers of casualties from the same event. UNPOL considered HRC figures as inflated whereas the HRC considered that UNPOL had underestimated violations perpetrated by the national police owing to its capacity building role. Furthermore, there was a perception of duplication of work between HRC and the rule of law section of the mission, particularly in the areas of follow-up to human rights related cases.

39.   In UNAMID, key interviewees in HQ and mission raised concerns about lack of compliance with standards for verifying and substantiating HRV allegations given the access restrictions, which limited mobility and information collection efforts of human rights officers.

HRCs engaged with a wide network of civil society and non-governmental organizations (*CSOs/NGOs*) *on a range of issues with largely positive results but specific areas for improvement were also identified*

40.   Across the three missions, HRCs worked with a wide range of NGOs on a variety of human rights issues. Most of them were directly involved in promoting and protecting human rights related to conflict. Others focused on broader issues such as economic and social rights, while others on specific issues such as support to vulnerable populations (e.g. aged persons, persons with disability, albinism, etc.). They also worked with networks of CSOs representing lawyers, journalists, women's rights groups, academic communities, doctors, etc. Men heavily outnumbered women in all the CSOs/NGOs interviewed for this evaluation.

41.   HRCs engaged with CSOs/NGOs in five principal areas: capacity building; information sharing for monitoring, verification and early warning; advocacy; remote monitoring; and consultation for development of recommendations (Figure 3).

42.   Across all missions surveyed, over 90 percent respondents from HRCs reported having worked with or supporting local CSOs/NGOs. Survey respondents rated the effectiveness of HRCs' cooperation with and support to CSOs/NGOs as satisfactory; scoring an average of 3.7 on a five-point scale. In interviews, stakeholders also reported largely positive perceptions of the HRCs' work with local groups.

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[18] Human Rights and the Peace Process in Mali (January 2016 – June 2017), February 2018, Executive Summary, last paragraph of first page provides "An additional 288 cases are human rights violations attributable to State actors, 20 to international forces (Barkhane and MINUSMA), and three to the Mécanisme opérationnel de coordination (MOC)."

Figure 3: Staff perception on HRCs' engagements with CSOs/NGOs (% of respondents)
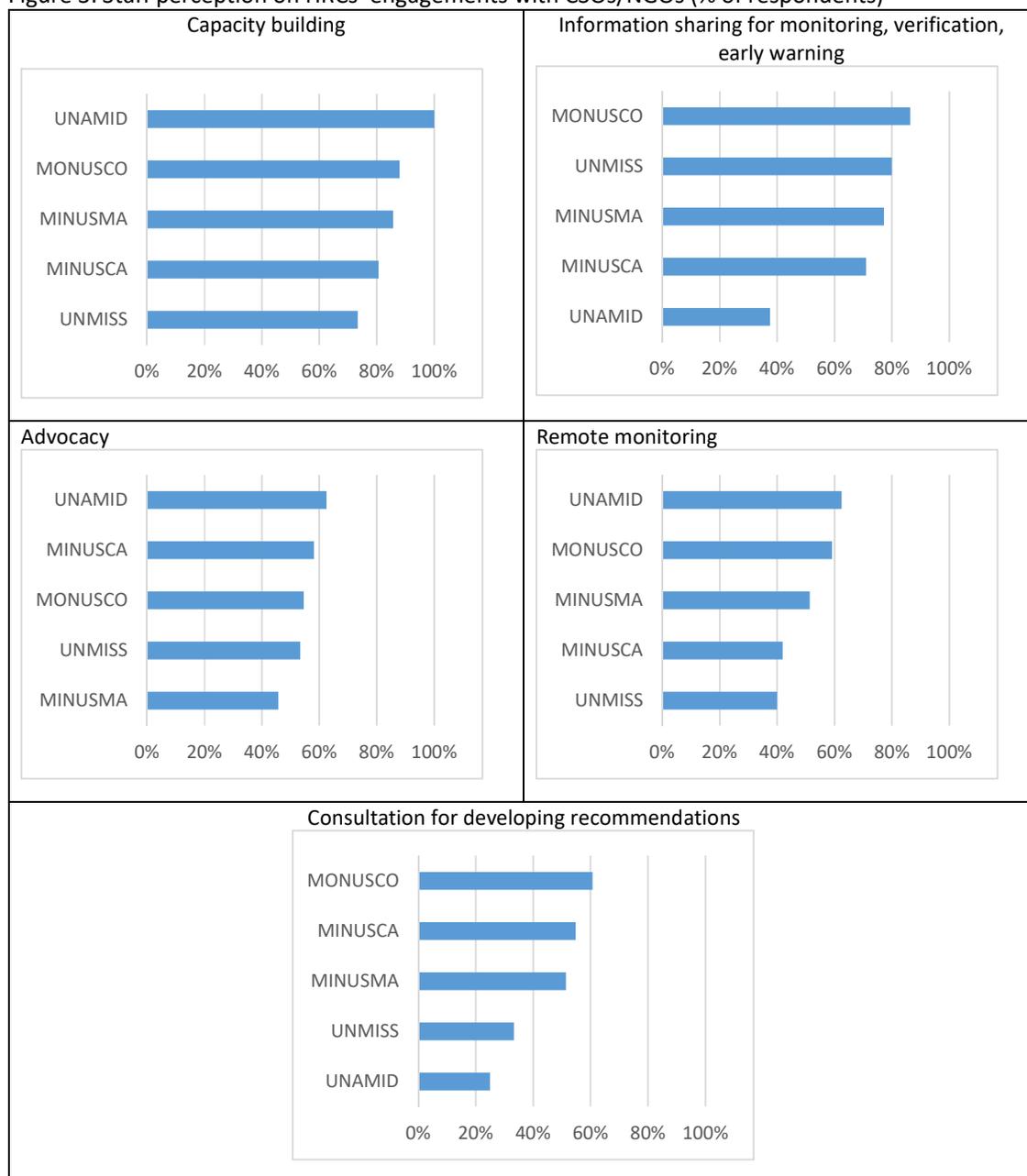
Source: OIOS-IED survey

43. Across the three missions, 66 out of 116 interviews provided positive feedback on various aspects of HRCs' cooperation with CSOs/NGOs. Interviewees from CSOs/NGOs most frequently appreciated regular meetings, training, workshops and similar interventions for capacity building, logistical and financial support. Areas of capacity building and technical support included human rights M&R, international human rights mechanisms, sexual and gender-based violence, victims' rights, media, transitional justice and reconciliation (in UNAMID and MINUSMA), advocacy and human rights promotion activities.

44.   CSOs/NGOs further appreciated support that helped them better manage their organizations, such as financial management, project proposal and report writing, fundraising and attestation of credentials, along with regular visits to the field and support to specific activities.

45.   However, CSOs/NGOs also underlined areas of dissatisfaction. The most important was a desire for greater material support including office equipment and logistics. Across the three missions, CSOs/NGOs observed a lack of specificity in mutual expectations and roles and responsibilities. They were also dissatisfied about the lack of credit for their specific contributions in identifying, verifying and reporting on HRVs. They further pointed to a lack of electronic sharing of public reports as well as the need for capacity building in the use of technology (e.g. mobile phones, social media, etc.) for human rights monitoring. NGOs working in the areas of economic and social rights were emphatic as they felt almost entirely unsupported, which could be attributed to the mandates of the missions to focus on rights related to conflict and democratic development, i.e. civil and political rights.

46.   In UNAMID, CSOs/NGOs pointed to the absence of translation of public reports in Arabic, lack of sharing and publicity of reports and disproportionately higher engagement with Government-linked public institutions for capacity building and support than with CSOs/NGOs and human rights defenders.

47.   Lastly, despite the high number of capacity building activities, there was some scepticism about the real value and results achieved through training and workshops as local capacity for human rights M&R was not considered sustainable if the missions were to, hypothetically, close immediately.

There were several inconsistencies in reporting and results indicators across missions with essential operational guidance lacking

48.   There was inconsistency in the most basic form of reporting, with only UNAMID consistently reporting on the number and types of HRVs documented/verified in the Secretary-General's reports while others did not. An example of incomplete reporting was also noted: in a Secretary-General's report on MINUSCA, the number of reported HRVs by armed groups and national security forces added up to 58 percent of the total of 1,283 HRVs reported, with no information about the remaining 42 percent.[19]

49.   There was also a lack of consistency on the results indicators across the HRCs. For example, MINUSMA and UNAMID made no reference to a reduction in the number of HRVs in their results indicators while this was a common element in MONUSCO, UNMISS and MINUSCA. Furthermore, despite public reporting being a flagship output of HRCs, it was not a consistent output indicator across missions.

50.   Important terminology varied between missions. Some HRCs stated that they 'documented' HRVs while others stated that they 'verified' or 'investigated' HRVs. While these terms appeared to be used synonymously, in practice, they can be interpreted differently. Verification standards also varied with some missions reported to be relying on two independent sources while others on three.

51.   Finally, both HRC and non-HRC staff noted a lack of relevant guidance on human rights monitoring. OHCHR had started revising its manual on human rights monitoring, completing 17 out of 33 chapters, which were approved and published with a foreword by the then High Commissioner in 2011, but was yet to complete the remaining 16 which includes critical issues of human rights M&R (Table 5).[20]

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[19] S/2018/125, paragraph 52.
[20] The original 2001 manual covers some of the issues listed in Table 5.

Table 5: Chapters without content in the OHCHR 2011 manual on human rights monitoring

Chapter number	Title
4	Norms applicable to United Nations human rights officers and other staff
6	United Nations monitoring standards
9	Strategic planning for human rights impact
10	Gathering and verifying information
18	Engagement and partnerships with international actors
19	Interaction with non-State actors
21	Visiting places of detention
22	Trial observation and monitoring the administration of justice
24	Monitoring human rights in the context of demonstrations and public meetings
25	Monitoring human rights in conflict-related or natural emergencies
26	Monitoring and protecting the human rights of refugees, internally displaced persons and returnees
27	Monitoring and protecting the human rights of children
28	Monitoring and protecting the human rights of women
29	Monitoring and protecting the human rights of other groups
32	Working with the media
33	Addressing the human rights situation through United Nations mechanisms

Source: OHCHR[21]

B. Despite unequivocal Security Council mandates and Organisational policy requirement, public reporting on human rights was inconsistent across peacekeeping operations

52.   The Security Council mandates[22] and Organizational policies require multi-dimensional PKOs to report publicly and routinely (i.e. biannually) on human rights. However, with the exception of MONUSCO, this did not happen (Table 6). [23]

Table 6: Number of public human rights reports by HRCs

Missions	2014	2015	2016	2017	Total
MINUSCA	-	1	3	2	6
MINUSMA	0	3	0	0	3
MINUSTAH	1	0	1	2	4
MONUSCO	3	2	2	2	9
UNAMID	1	1	0	1	3
UNMIL	1	1	1	0	3
UNMISS	2	3	0	2	7
UNOCI	0	0	1	0	1
Total	8	11	8	9	36

Source: UN data

53.   A joint 2017 OHCHR/DPA/DPKO review detailed several pertinent reasons as to why missions did not issue public reports as required.[24]

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[21] https://www.ohchr.org/en/publicationsresources/pages/methodologicalmaterials.aspx
[22] S/RES/2409 (2018), S/RES/2423 (2018), S/RES/2429 (2018).
[23] In addition to publishing the biannual reports, MONUSCO also consistently produced monthly reports on the human rights situation in the DRC. The Secretary-General's progress reports for all multi-dimensional PKOs also include human rights information along with all the other mission components.
[24] Public Reporting on Human Rights by United Nations Peace Operations: Good practices, lessons learned and challenges, November 2017.

54. At the strategic level, the apprehension that human rights public reporting could adversely affect sensitive ongoing political processes, support from senior leadership or lack thereof, and attitude of Host Governments all combined to undermine the regularity of public reporting. At the operational level, inadequate monitoring and lack of rigorous data, limited reporting capacity, and the lack of monitoring and reporting strategies within the HRCs and lengthy review processes at mission and headquarters levels further affected public reporting.

55. Furthermore, there was an accountability gap with regards to ensuring that Heads of Missions (HOMs) published public reports as required (see section E).

56. In MONUSCO, stakeholders largely assessed public reporting positively as reliable, accessible, widely disseminated and helpful for planning, shaping public perceptions, and for understanding human rights developments in remote areas.

57. Overall, stakeholders assessed MINUSMA and UNAMID poorly on public reporting. Stakeholders noted that MINUSMA issued no reports in 2014, 2016 and 2017. When it had issued reports, seventeen out of 34 interviewees (including mission and Headquarters interviewees as well as representatives of Member States) considered these as insufficiently detailed and lacking transparency in their findings. In UNAMID, there was a general concern about low awareness and dissemination of its reports. Eighteen out of 28 interviewees noted a lack of transparency in findings, which fuelled perceptions of reliance on poor quality data and hearsay. A minority of interviews (7 out of 34 in MINUSMA and 8 out 28 in UNAMID) provided positive feedback about MINUSMA and UNAMID public reports.

58. Across the three missions, several stakeholders raised concerns that information in public reports were insufficiently or not transparently verified.

C. The OHCHR case database was significantly under-utilized, with its records seriously deficient, which raised concerns about the credibility and reliability of reported violations if based solely on information therein for the cases reviewed

59. Since 2007, OHCHR has maintained a Human Rights Case Database (HRDB) for human rights monitoring, fact-finding and investigations. Under the 2011 policy, the HRDB is the sole database to be used by the HRCs.[25] OHCHR considered the systematic use of the HRDB as "a method of improving the quality of documentation of HRVs - the foundation for effective human rights reporting" as well as an accountability tool for HRCs and their staff.[26]

60. Consequently, the HRDB is the foundational database that enables all OHCHR offices to register and report on HRVs following a standard documentation, verification and reporting protocol while maintaining the security and confidentiality of information, and easily retrieving and analysing information on HRVs.

61. Critical deficiencies related to the HRDB were observed as described below.

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[25] The 2011 Policy in paragraph 57 provides "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." There was no other OHCHR approved database.

[26] Report of OHCHR Support Mission to UNMISS HRD January - February 2018.

The majority of the HRVs reported by the PKOs were not recorded in the database

62.   During the four years, nearly two-thirds of the total HRVs reported by the three missions under review were not recorded in the HRDB (Table 7). For all the eight PKOs combined, this evaluation estimated that over half of all HRVs reported by the HRCs were not recorded in the HRDB.

63.   Among the three missions, MINUSMA recorded the highest proportion of its reported HRVs during the four years (70 percent)[27] and MONUSCO recorded about 35 percent. UNAMID was the most deficient user as it recorded one, seven and 17 percent of its reported HRVs in 2014, 2015 and 2016, respectively. Deficient use of this mandatory tool was a long-standing issue raised by successive internal reviews.[28]

Table 7: Number of HRVs reported by missions versus recorded in the HRDB

Mission	2014			2015			2016			2017			Total		
	(1)	(2)	%	(1)	(2)	%	(1)	(2)	%	(1)	(2)	%	(1)	(2)	%
MINUSMA	50	123	246%	94	159	169%	406	265	65%	484	180	37%	1,034	727	70%
MONUSCO	2,358	1,171	50%	3,877	1,568	40%	5,190	1,749	34%	6,495	1,855	29%	17,920	6,343	35%
UNAMID	604	5	1%	437	30	7%	475	81	17%	487	183	38%	2,003	299	15%
Total	**3,012**	**1,299**	**43%**	**4,408**	**1,757**	**40%**	**6,071**	**2,095**	**35%**	**7,466**	**2,218**	**30%**	**20,957**	**7,369**	**35%**

Note: (1) = number of HRVs reported by the missions, (2) = number of HRVs recorded in HRDB
Source: Data in (1) are compiled from public human rights reports, Secretary-General's progress reports and those provided by the missions. Data in (2) are extracted from the HRDB by OHCHR.

For HRVs recorded in the database and sampled for review in this evaluation, the information available therein was insufficient to conclude that those reported violations had occurred or could be considered as verified

64.   OHCHR methodology required that HRVs should meet the "threshold of *reasonable grounds* to believe that such violations occurred" and that "there must be corroborated facts or information which would satisfy an objective observer that the violation is likely to have occurred".[29] For more serious/controversial allegations, a higher standard of proof is required. Generally, two to three independent and reliable sources for verification of alleged HRVs are required.[30]

65.   Using these criteria, a review of a sample of database entries for 98 human rights cases[31] marked as 'verified' in the HRDB was conducted in consultation with, and in the presence of OHCHR staff. The review found that for 96 of them (98 percent), the database did not include enough facts or corroborated information to reasonably conclude that the violations occurred or were likely to have occurred or that they were verified in accordance with the OHCHR methodology (Table 8).

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[27] MINUSMA recorded more HRVs in the HRDB than it reported in 2014 and 2015, which can be explained by the fact that recorded HRVs may include both unverified allegations or unreported HRVs.
[28] The 2015 joint implementation review of the 2011 policy by DPKO-DFS, DPA and OHCHR and the 2017 progress report on implementation of its recommendations. OIOS internal audit reports of the human rights programmes of UNAMID (AP2017/634/03) and MINUSCA (AP2017/637/03) also reported such lack of use.
[29] OHCHR Manual on Human Rights Monitoring, Chapter 13, P.9.
[30] Commissions of Inquiry and Fact-finding Missions on International Human Rights and Humanitarian Law: Guidance and Practice, OHCHR, 2015, Page. 59.
[31] Selected using stratified random sampling technique to draw cases from each of the four years under the evaluation scope (15 from 2014, 18 from 2015, 27 from 2016 and 38 from 2017) and to represent major HRV categories by mission.

Table 8: Number HRVs reviewed by type and mission with HRVs satisfying OHCHR verification requirements (in parentheses)

Violation type	MONUSCO	UNAMID	MINUSMA	UNMISS	Total
Extrajudicial killing	24 (0)		9 (0)	5 (1)	38 (1)
Rape	10 (0)	25 (0)	7 (0)		42 (0)
Arbitrary detention and arrest	10 (0)				10 (0)
Enforced disappearance			7 (1)		7 (1)
Torture			1 (0)		1 (0)
Total	**44 (0)**	**25 (0)**	**24 (1)**	**5 (1)**	**98 (2)**

Source: OIOS review of the HRDB records in consultation with OHCHR staff.

66.   None of the database entries for the 44 cases of MONUSCO and 25 of UNAMID reviewed contained the required documentation and information that could satisfy the OHCHR verification standard, while only one of the database entries for the 24 MINUSMA cases did, although all of them were marked as 'verified'. Key shortcomings identified included: lack of details on incidents, absence of information on victims, perpetrators, information sources and interview notes, no information supporting the stated number of victims and blank mandatory fields (e.g. methodology, legal and factual analyses, etc.). In addition, examples of 12 civil and criminal incidents were found to be listed as human rights cases.

67.   Furthermore, one staff member each in two missions populated multiple cases in the database for entire teams (i.e. UNAMID and MONUSCO field office) without significant supporting information to qualify the violations as verified. Consequently, for the majority of cases sampled, the HRDB could not have served as the factual foundation of the missions' human rights reporting and follow-up actions as intended. Such severe shortcomings raised questions as to the accuracy and veracity of HRC reports if they were based solely on the information in the database. Additionally, if reports are based on information stored in other locations (e.g. shared drives, staff note books and computers, spreadsheets, etc.) as indicated by OHCHR and staff interviewees, concerns could still be raised about their reliability as these are difficult to systematically and objectively verify.

Follow-up of human rights cases was largely undocumented

68.   Despite the criticality of follow-up to ensure protection of human rights, there was a low number of recorded follow-up actions in the HRDB. On average, HRCs recorded six follow-up actions per month during the four-year period (Table 9). Excluding MONUSCO, the average was about two per month for the other seven missions. DPKO and OHCHR noted that many follow-up and advocacy actions undertaken by the HRCs were not recorded in the HRDB.

Table 9: Follow-up actions recorded in the HRDB from 2014 to 2017

Type of follow-up in HRDB	MONUSCO	MINUSMA	UNAMID	UNMISS	MINUSCA	UNMIL	MINUSTAH	UNOCI	Total
Meeting	68	2	3	88	80	8	4	9	262
Field visit	152	10	11	55	88	1	17	17	351
Phone conversation	530	2	5	24	25	1	5	10	602
Action required	6		9	7	4	2		1	29
Referral				12					12
Correspondence	2			12	2				16
Follow up contact/visit/meeting with actors at threat	22	22	1	15	12		1	5	78
Advocacy for emergency assistance for actors at risk	136	1	1	5	14		1		158
Intervention with State institutions for protection	20		6	4	8			5	43
Action by treaty-bodies	62		1	2	22		1	2	90
Protection risk-assessment					4				4
Protective accompaniment				2					2
Trial observation	13			6	1				20
Field mission/deployment in area with actors at risk	2			2	3				7
Facilitate relocation for actors at risk	1			2	3		1		7
Visit to detention center	3		2	4	6		3	1	19
Confirmed the end of the violation	23			1	1		1		26
Support enhancement of capacity for self-protection	1			2					3
Screening of a perpetrator					1			1	2
Reaction by the HC/DHC					1				1
Information requested	8				3				11
Liaise with int'l organizations or int'l NGOs for protection		2		2	10			1	15
Liaise with diplomatic community for protection				1					1
Press release			1	9					10
Other	341	5		20	34		3	3	406
Total in four years	1390	44	40	275	322	12	37	55	2175
Annual average	348	11	10	69	81	3	9	14	544
Monthly average	29	0.9	1	6	7	0	1	1	45

Source: OHCHR database

69.   In the survey, while virtually all staff from HRCs (94%) responded that they undertook follow-up actions, most of them considered that it was done only for half or less of all verified HRVs. Both HRC and non-HRC interviewees in the three missions assessed high-level follow-up and sharing information for advocacy and protection with authorities positively, but follow-up for individual cases was considered weak.

Supervision and quality control of information in the database was weak

70.   The 2011 policy[32] provided that the heads of the HRCs were responsible for ensuring consistent use and quality control of the information in the database. The HRDB allows for recording feedback for quality control work. However, during the review period, less than a third (27 percent) of about 12,000 cases entered into the database for all the eight missions combined had any feedback

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[32] Policy on Human Rights in United Nations Peace Operations and Political Missions (2011), paragraph 57.

from someone other than the person entering the case (Figure 4). UNMISS had the highest percentage of cases (87 percent) where the feedback function was used, while UNAMID had the lowest at less than one percent.

Figure 4: Percentage of cases where feedback function was used in the HRDB (2014-2017)
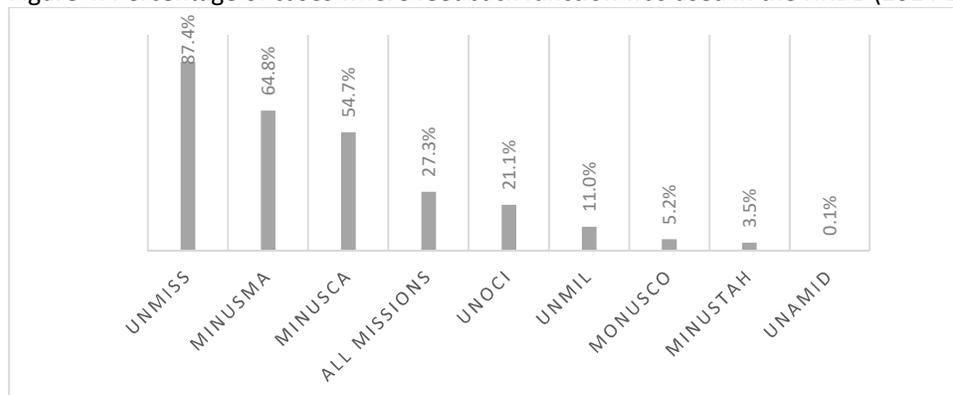
Source: OHCHR

71.   Heads of HRCs and reporting officers interviewed stated that the missions' human rights field team leaders were responsible for ensuring the quality of information for their respective teams. However, standard operating procedures (SOP) on quality control and assurance mechanism for verification work have not been adopted yet.

72.   HRC staff interviewed in the three missions acknowledged the importance and usefulness of the database but commented that it lacked in user-friendliness, was time consuming, sometimes slow in remote locations, and its use not prioritised given the work pressure for routine M&R.

73.   Furthermore, there was a multiplicity of spreadsheets and systems used by missions to compile information, particularly in tabulating the number and types of HRVs, for reporting purposes. They did not include substantive information gathered for the verification of individual HRVs, which were reportedly recorded in the HRDB. Overall, interviewees in both missions and HQ indicated poor information management as a systemic issue.

74.   The database unit of OHCHR headquarters routinely reached out to missions, trained staff, and addressed access-related issues and followed-up on the need for using the database. Previously existing internet bandwidth limits for the database had also been reportedly addressed by OHCHR and DFS. In addition, OHCHR was undertaking an assessment of the database at the time of this evaluation.

75.   Overall, human rights officers expressed concern regarding the extent to which the HRDB was used to record and maintain information for strategic purposes. This included identifying trends and patterns, early warning, supporting advocacy, high-level engagement and good offices, criminal accountability proceedings and supporting implementation of the Organization's key human rights policies.[33]

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[33] Such as the Policy on Human Rights Screening of UN Personnel and the Human Rights Due Diligence Policy on UN Support to non-UN Security Forces (HRDDP).

D.   While senior mission leadership was generally supportive of human rights work, the extent to which they raised human rights issues before the Security Council varied, and there was no specific human rights performance indicator in the senior managers' compacts with the Secretary-General

76.   The heads of missions, the Special Representatives of the Secretary-General (SRSGs), were accountable for ensuring that "the promotion and protection of human rights is instilled as a fundamental principle" of their PKOs and to "seize every appropriate opportunity to demonstrate by word and deed commitment to human rights".[34]

77.   Mission staff from both HRCs and non-HRC components had generally positive assessments of the mission leadership support for human rights work. Overall, survey respondents rated senior leadership support as between fair and high, scoring 3.7 on a five-point scale (Figure 5).

Figure 5: Rating of mission leadership support for human rights on a five-point scale
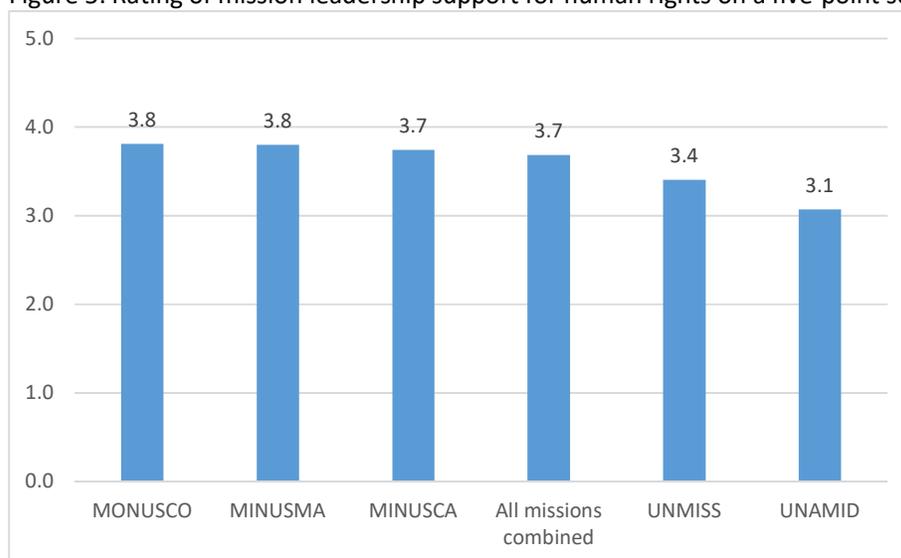
Source: OIOS-IED survey

78.   With mission-specific variations, across the three missions, 61 out of 116 interviews provided positive assessments, such as supporting HRCs engagements with the Government authorities, specific support for women protection and child protection issues, supporting regular press conferences and meetings with authorities and armed groups on human rights issues. Further examples included taking a proactive stance on human rights prior to public demonstrations where apprehension existed that HRVs might occur.

79.   However, a minority of interviews (30 out of 116) also provided examples of lack of support including pressure to hold back public reporting due to political apprehensions, insufficient defence of the HRCs against government criticism, lack of support when human rights staff (including national staff) or defenders were subject to harassment/threats, as well as some cases of censorship.

80.   Despite the positive assessment of senior leadership support, documentation and record keeping related to the use of good offices by senior leaders in pursuing human rights issues and advocating for reforms with national authorities and stakeholders was inadequate.

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[34] The 2011 policy, paragraphs 37 and 38.

There was considerable difference in the extent to which senior leaders raised human rights issues before the Security Council

81.   During the period under review, among the three missions, the human rights situation of the DRC was the most actively reported upon by senior leaders before the Council. There were 20 specific and substantive references to human rights in 19 briefings by high-level officials on MONUSCO before the Council. Nine of them referred to human rights investigations, monitoring and reporting. There were also 20 statements by Member States expressing concern about the human rights situation in the DRC.

82.   For MINUSMA, there were eight such references in 18 briefings, including six specifically referring to human rights investigations, monitoring and reporting. Correspondingly, there were 12 statements by Members States on the human rights situation in Mali.

83.   UNAMID saw the fewest mentions of human rights by senior officials in the Council briefings, with only three out of 16 briefings. In comparison, representatives of eight Member States emphasized concerns about the human rights situation in Darfur. The issue of visa and access restrictions was mentioned almost invariably, with specific reference to human rights staff.

Senior managers' compacts with the Secretary-General did not include specific performance indicator on human rights

84.   The 2011 policy clearly envisaged that the performance of senior leadership of PKOs would be assessed on human rights.[35] However, the principal tool for senior leadership performance assessment, the senior leaders' compacts with the Secretary-General, had no specific provision for assessing individual performance on human rights.[36] DPKO noted that human rights objectives and indicators were included under the first part of the compacts as relevant to the mandate, priorities and strategic plan of the operations. For the 2018-2019 period, several SRSG compacts included references to human rights in the performance measures. However, those measures pertained to the missions as a whole. There were no standalone indicators for assessing leaders individually for their commitment and ability to give prominence to human rights, implementation of the 2011 policy, as well as the Secretary-General's Human Rights Up Front Initiative (HRuF).

85.   This was inconsistent with the practice prevalent in UNCTs where the DSRSGs Resident Coordinator (RC)/Humanitarian Coordinator (HC) were assessed against specific human rights indicators as part of the UN Development Group assessment mechanism. The SRSGs and DSRSGs (Political), however, were not subject to such assessment.

E.   Human rights monitoring contributed to informing missions of impending crises in some cases, but nevertheless were seen as largely reactive

86.   Human rights monitoring served, *inter alia*, as an early warning function to inform prevention and protection actions by the missions. Across the missions, nearly three-fourths of survey respondents indicated that human rights analyses served as an early warning tool. Notably, HRCs staff assessed this aspect more positively (83%) than non-HRC respondents (65%). Overall, respondents rated the PKOs at 3.8 on a five-point scale, with MINUSCA receiving the highest rating and UNAMID the lowest (Figure 6).

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[35] The 2011 policy in paragraphs 3 and 40 provided that its implementation should be included into relevant frameworks of accountability for senior mission leadership.
[36] The compacts from 2018 onwards include a special standard objective on implementation of the HRDDP.

Figure 6: Rating of human rights contribution in early warning on a five-point scale
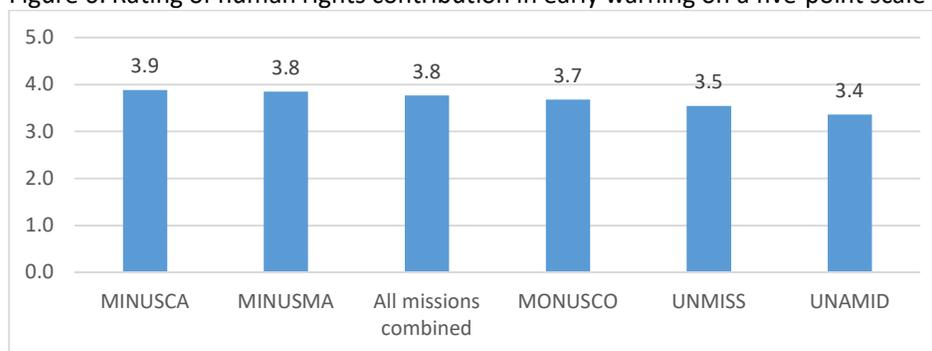
Source: OIOS-IED survey

87.　Across the three missions, 36 percent (42 out of 116) of interviews provided positive assessments of the HRCs' contributions to early warning. In MONUSCO, early warning by the HRC drew attention to the situation in the Kasais, which contributed to the mission shifting its focus to the region. It also alerted the mission on several occasions to potential HRVs prior to planned demonstrations allowing the mission to take a more proactive stance.

88.　In MINUSMA, reporting by the HRC drew the mission's attention to the deteriorating human rights situation in the centre of the country, resulting in the mission strengthening its presence in Mopti. In Gao and Kidal, human rights reporting helped MINUSMA take appropriate protection actions. Furthermore, they also alerted MINUSMA to the HRVs by international security forces (e.g. Operation Barkhane) and the potential HRVs by the G5 Sahel anti-terrorist operations.

89.　In UNAMID, the HRC alerted the mission of potential HRVs during the arms collection campaign by the Government forces in internally displaced persons (IDP) camps, the possibility of increased violations by opposing factions in Kutum, and the situation in the Kalma camp.

90.　Despite the above, key interviewees considered that human rights monitoring (particularly investigation/verification of HRVs) was reactive in nature rather than providing actionable information. Additionally, HRCs did not consistently document prevention work that may have been undertaken by missions or national authorities (e.g. protection by presence), which was informed by their reporting (see Table 9).

91.　OHCHR stakeholders acknowledged the need for further strengthening of the use of human rights M&R as an early warning function, for which they considered a cultural change among staff and managers in missions was necessary.

HRCs positively contributed to coordination mechanisms to inform mission strategies and actions

92.　Stakeholders generally assessed the HRCs' contributions to the missions' relevant coordination and protection mechanisms positively. Out of the 68 interviews with an opinion on the issue across the three missions, 51 provided positive assessments of HRCs' contributions in mechanisms including the joint mission analysis cell (JMAC), the joint operations centre (JOC) and others.

93.　Contrasting perceptions about the HRCs' information sharing emerged: while some recognized that the sensitivity of human rights information precluded more sharing, others felt that the HRCs' practices and culture led to unwarranted secrecy. References were also made to non-HRC components insufficiently forthcoming in sharing information due to a perceived competition among mission components to be the first to give information to senior management and territoriality.

F. The human rights components achieved notable results despite the backdrop of a deteriorating human rights situation in two out of the three countries

94. The results achieved by the HRCs should be seen in the context of the difficult circumstances in which they work. In addition to conflicts and the resulting security and access limitations, the constant challenge of information manipulation, their operating environments were often characterised by poor governance, weak institutional capacity, poverty, corruption, and other long-standing social, political and economic challenges in the host countries. In addition, the results achieved cannot be attributed to them alone given the work of other actors such as the UNCT, NGOs/CSOs, donors, etc.

95. When asked about overall human rights trends, only a majority of UNAMID staff (52%) perceived that the human rights situation had improved in Darfur whereas respondents in all other missions thought it had either deteriorated or remained the same in their respective PKOs Host Countries.

96. Despite this variability, survey respondents generally rated the impact of the missions' human rights work to be satisfactory (around a three on a five-point scale). At the same time, they assessed the effectiveness of HRCs' work on improving accountability for violations, the fight against impunity and remedies for victims as unsatisfactory - all below three-points.

97. Across the three missions, 63 percent (73 out of 115) of interviews[37] assessed the overall results of the HRCs' work positively. Some areas of positive change included: government structures, laws and processes; accountability for violations; protection and support to victims, witnesses and human rights defenders; increased awareness among rights-holders and duty-bearers; and influencing and sensitising internal and external stakeholders on human rights.

98. In MINUSMA, positive results included the incorporation and monitoring of human rights issues in the Malian peace process, support for the Truth, Justice and Reconciliation Commission (TJRC), national human rights commission and advocacy for commission of inquiry. The mission's HRC contributed to the Malian peace agreement mechanisms by participating in the sub-committee on justice, reconciliation and humanitarian affairs and also as observer to the Commission Technique de Sécurité.[38] The mission regularly engaged with senior Government and military officials on human rights issues through a joint mechanism between MINUSMA and the Ministry of Justice and the Office of the Chief of Staff of Army to periodically review all documented cases of HRVs. The mission also exchanged the human rights part of the Secretary-General's progress reports on MINUSMA with the Ministry of Foreign Affairs of Mali. At the same time, HRC reports were criticised in a parliamentary debate, seen as affecting the reputation of the national armed forces and impeding the fight against terrorism.

99. An increased sense of accountability was reported among international security forces in Mali due to human rights reporting by the mission. Two 2015 HRC reports (on Kidal and Tin Hama) enabled the mission to hold dialogue with armed groups contributing to a group handing over its child soldiers to UNICEF. Another human rights investigation by the HRC in Kidal was reported to have prevented an escalation of political tension by disproving an inflammatory rumour. The mission also undertook dialogues with traditional and religious leaders in the central regions of Mali to prompt Government actions in addressing HRVs.

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[37] MONUSCO: 63% (34 out of 54), UNAMID: 71% (20 out of 28) and MINUSMA: 58% (19 out of 33).
[38] Commission Technique de Sécurité (CTS) or Technical Commission for Security was established pursuant to the Peace and National Reconciliation Agreement and includes representatives from, inter alia, Malian military, signatory movements and MINUSMA.

100. MINUSMA also contributed to victims' support, advocacy and improved detention conditions and facilities in some cases (e.g. separate cells for females, toilets and a perception of better treatment in detention centres). Notably, the mission undertook projects to bring key victims and witnesses from remote areas to safe places, and also connected them through videoconference (e.g. linking Bamako and Kidal) for conducting interviews and supporting administration of justice while ensuring their safety and personal integrity. CSOs/NGOs interviewed believed the HRC work had enhanced their capacity, awareness and provided them "courage and international visibility".

101. In MONUSCO, specific positive results were achieved despite a deteriorating human rights situation (e.g. election related violence, extra-judicial killings, discovery of mass graves, and large-scale displacement of civilians) in the DRC.

102. Extensive reporting on the Kasais helped establish an international commission of inquiry and draw the attention of other actors, including the UNCT, to the crisis.

103. MONUSCO HRC supported numerous judicial actors, especially military justice, with an increased number of investigations and convictions. Several examples of trials of military and police officers for committing HRVs were also provided with explicit credit given to the HRC. Mobile courts and trials were held in remote areas where the inhabitants had reportedly not seen any justice in action for decades. Some instances of improved prison and detention conditions were also reported.

104. Overall, the DRC Government officials interviewed testified to a sentiment that their actions were being observed by the HRC and that any infractions could be reported publicly, thus serving as a deterrent.

105. A common theme observed by interviewees representing Government, CSOs/NGOs and donors was the increased human rights awareness among the population and willingness to claim their rights. CSOs/NGOs also noted an enhanced protection for human rights defenders, including quick release after arrests due to the HRC intervention. Positive assessments were also reported on the HRCs individual protection and victims support and a profiling database that effectively supported the HRDDP. Donor representatives were also largely positive about the HRCs contribution in informing their work and especially valued information from remote areas of the DRC.

106. In UNAMID, positive assessments included capacity-building and logistics support to transitional justice and human rights institutions, although the effectiveness of these institutions was yet to be realised, increased prosecutions (especially for rape cases) and awareness among state actors on human rights issues. Some examples of release of detainees following the mission intervention were also given. A key interviewee noted that the Government was not very cooperative on human rights issues believing that "they were being watched and reported" and considered this as an indicator of the HRC effectiveness.

107. There was reportedly more human rights awareness among the population, especially among IDPs and women, who participated more in political issues and conflict resolution. CSOs/NGOs also reported enhanced capacity and awareness on human rights, with one focus group noting that ten years ago, people would have reached for their weapons to settle a dispute, but now they would turn to a court. External stakeholders valued the HRC as a key source of information on human rights.

108. Notwithstanding the positive results observed, serious challenges related to accountability and fighting impunity - areas highly dependent on actions by Host Governments and national institutions and often beyond the control of HRCs - were noted across the three countries, along with skepticism on the actual impact of capacity building efforts, especially those targeting security forces.

Human rights reports were regularly used by the Security Council and other stakeholders, with more frequent reporting resulting in greater use

109.   PKOs human rights reports were frequently used by the Security Council for its deliberations and decisions with significant variance across missions (Figure 7). Over the four-year period, the human rights situation in the DRC was mentioned most frequently overall (156), with an increase from 29 in 2014 to 40 in 2017. South Sudan and CAR were also frequently discussed, with around 100 mentions each.

110.   The publication of reports clearly influenced the Council's work as it specifically referred to them, which led to increased mentions. For example, South Sudan saw a significant spike in Security Council references to human rights issues in 2015 following the publication of five public reports in 2014 and 2015.[39] In addition, reports of panels of experts appointed by the Security Council also sometimes referred to missions' human rights reports.

Figure 7: Mentions of human rights in Security Council discussions and deliberations, 2014-2017
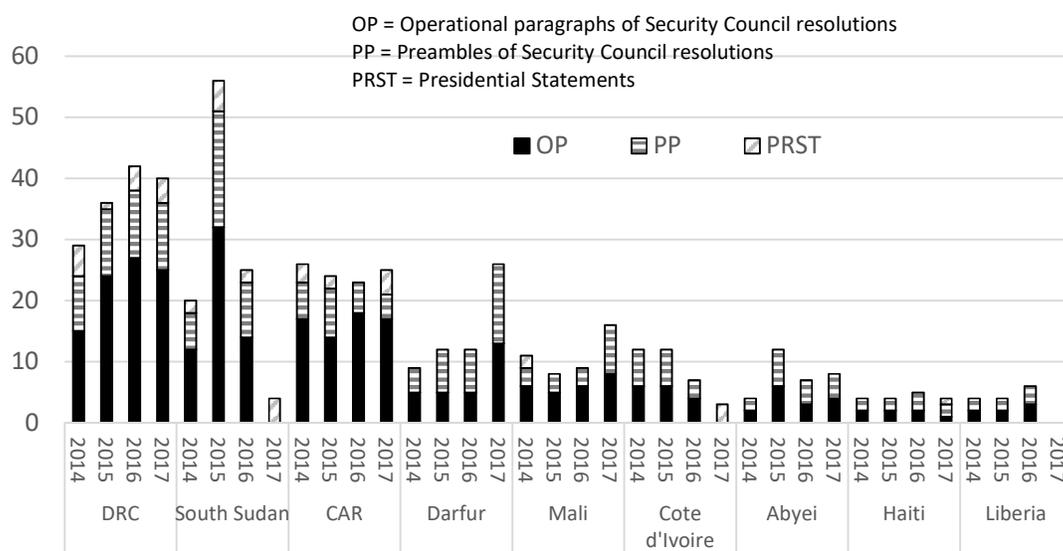
Source: Security Council Affairs Division, Department of Political Affairs

111.   Four out of the five Permanent Members of the Security Council responded to requests for interviews. Of these, three expressed overall support for the missions' human rights mandates, and one expressed skepticism regarding the inclusion of human rights as a core mission mandate, suggesting that it was secondary to peace process support. One rated the overall effectiveness of PKOs human rights M&R as four on a five-point scale, while two rated it as a three. One provided no overall score.

112.   Three Permanent Members asked for better and quicker access to human rights information, including infographics and informal dialogue. Eight Council members, including three Permanent Members, stressed that the missions should improve their collection and management of data to, *inter alia*, verify allegations, track progress, increase transparency, improve trust in their findings, and monitor the outcomes of their reporting. They further recommended improved coordination and collaboration across mission components.

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[39] Conversely, UNMISS did not produce any public report in 2016, and in S/PRST/2017/25, the Security Council "recalled" that the "UNMISS mandate includes monitoring, investigating, verifying, and reporting publicly and regularly on abuses and violations of human rights and violations of international humanitarian law…".

113.   HRCs' reports were also used regularly by the Human Rights Council through the reports of the Independent Experts appointed by it as well as the High Commissioner's reports. External stakeholders, including local and international NGOs and donors interviewed, testified to their frequent use and reliance on the missions' human rights reports for advocacy. Furthermore, a Permanent Member of the Council which routinely reports on human rights by countries often referred to PKOs' human rights reports. Key mission interviewees identified the low uptake of these reports by the African Union, especially in UNAMID, as an issue.

V.   Conclusion

114.   HRCs perform a central and critical function in multi-dimensional PKOs. Their monitoring and reporting directly responds to human rights concerns and crises, identifies causes, develops possible solutions, promotes accountability and victims' rights, and has a deterrent effect. It is a high-profile function, undertaken in an inextricably political context, often speaking truth to power and shedding light on potentially controversial issues. Its importance has only grown over the years as evidenced by the Security Council mandates and increased visibility of their work.

115.   Peacekeeping operations' effectiveness in human rights monitoring, reporting and follow-up varied significantly across missions within mission-specific contexts and challenges. The positive results achieved by HRCs within their difficult context were clear. Successes included improved structures and processes in the Host Governments, strengthened civil societies, supported rights holders, duty bearers and human rights defenders, and enhanced human rights awareness. In some cases, they contributed to early warning for missions' better responses to impending crises. Their work also enhanced the missions' visibility, acceptability and trust in their communities. Many in the international community relied upon their work to inform themselves on the human rights situation in Host Counties of the PKOs.

116.   Furthermore, it is also essential to acknowledge the preventive effect of the HRCs work, which is difficult to demonstrate, but nevertheless real.

117.   However, several systemic drawbacks remain to be addressed.

118.   For HRCs to optimally perform their protection, promotion and advocacy of human rights roles, they must publish human rights reports regularly. However, this did not happen to the extent envisaged. The irregularity of publishing such reports demonstrated the large gap between the intent of the Security Council and the Organization's policies versus its practice. In this regard, the role and responsibility of senior mission leadership in fulfilling routine human rights reporting obligations cannot be avoided.

119.   The monitoring and reporting functions necessarily carry with them a high degree of responsibility. To ensure continued trust in the independence, objectivity and reliability of their reports, a complete, accurate, independently verifiable and adequately supervised database is essential. Given the wide reliance and expectation that the reported HRVs are fully verified, the state of affairs in the human rights database from the sampled cases does not inspire confidence. Such weaknesses can easily lend themselves to allegations against the credibility and reliability of human rights reporting. Furthermore, a manual issued incomplete and lacking guidance on some of the most critical and substantive issues that a human rights staff may face on the ground is a serious operational deficiency.

120.   Appropriate accountability mechanisms for senior leadership with regard to their individual performance on human rights are lacking. They need the attention of the Secretary-General, to set the tone at the top, especially given his Human Rights Up Front Initiative.

121.   Finally, a greater emphasis on improving the skills and culture of HRCs geared toward preventative work and early warning would be appropriate and fully aligned with the Secretary-General's vision in this regard.

VI.   Recommendations

122.   OIOS-IED made four critical and five important recommendations.[40]

Critical recommendations:

Recommendation 1 *(Result A)*

OHCHR, in coordination with DPO and taking into account existing operational constraints, should develop mission-specific and time-bound action plans with appropriate strategies and priorities to improve the coverage of human rights monitoring in peacekeeping operations.

Indicators: Mission-specific action plans developed, adopted and implemented.

Recommendation 2 *(Result A)*

OHCHR should: (a) prioritise completing its revised manual on human rights monitoring; and (b) develop easy-to-understand materials on human rights monitoring methodology for non-human rights staff and external stakeholders.

Indicators: (a) Completion of the manual; and (b) development and circulation of information resources on human rights monitoring methodology for non-experts.

Recommendation 3 *(Result B)*

OHCHR, in coordination with DPO, should ensure that peacekeeping operations issue public human rights reports as required by the relevant policies of the Organization and Security Council mandates, with any failure to publish as required reported to the Secretary-General with reasons thereof.

Indicators: Public human rights reports issued by all missions in accordance with their respective mandates, budget documents and the 2008 policy directive on public reporting, which provides for six-monthly periodic reports along with thematic and ad hoc reports as included in the annual work plans of the HRCs.

Recommendation 4 *(Result C)*

OHCHR should urgently address the identified weaknesses regarding its human rights case database and ensure that: (i) it is consistently used, (ii) cases entered in it contain complete information having the quality required by its verification standards; (iii) follow-up actions are undertaken and properly documented; and (iv) it includes a robust supervision, quality assurance and accountability system.

Indicators: Complete, up-to-date and accurate database used consistently and in conformity with OHCHR policy.

Important recommendations:

Recommendation 5 *(Result A)*

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[40] The Department of Peacekeeping Operations (DPKO) was renamed as the Department of Peace Operations (DPO) as of 1 January 2019. The new name of the department has been used in the recommendations.

OHCHR, in coordination with DPO, should develop mission-specific information sharing protocols among relevant mission components using similar standard operating procedures adopted by MINUSCA and MINUSTAH.

Indicator: Standard operating procedures developed and adopted.

Recommendation 6 *(Result A)*

UNAMID, MONUSCO and MINUSMA should, while engaging with civil society organizations (CSOs) and non-governmental organizations (NGOs), seek to:

> (a) clarify mutual roles and expectations, including the emphasis to be given on economic and social rights;
>
> (b) give due credit in public reports, where feasible;
>
> (c) circulate public reports to CSOs/NGOs widely including in local languages; and
>
> (d) enhance capacity to use technology (e.g. mobile phones) for better monitoring and reporting on human rights.

Indicator: Documentation demonstrating enhanced engagements with CSOs/NGOs on the identified issues.

Recommendation 7 *(Result A)*

OHCHR, in coordination with DPO, should ensure uniformity in the results and outputs indicators where appropriate, and consistency and completeness of reporting for human rights components in peacekeeping operations.

Indicators: Results and outputs indicators and reporting practices of human rights components are reviewed, and actions taken to ensure uniformity where appropriate.

Recommendation 8 *(Result D)*

The Secretary-General should take the appropriate steps to incorporate specific human rights references in his compacts with the Special Representatives of the Secretary-General.

Indicator: Human rights references incorporated and assessed in the Secretary-General's compacts with SRSGs.

In its management response, DMSPC has indicated that since 2018 compacts included an expected accomplishment related to the Human Rights Due Diligence Policy (HRDDP), which would again be included in the Senior Managers' Compacts Guidelines for 2019, recommendation 8 should be considered implemented. However, OIOS considers inclusion of the HRDDP in the compacts to only partly address the recommendation. This recommendation is considered to be in progress and will be monitored for full implementation.

Recommendation 9 *(Result E)*

OHCHR should finalize and circulate its guidance materials on improving human rights contribution in early warning and prevention and sensitize staff in its application.

Indicators: Guidance materials developed and disseminated.

NATIONS UNIES
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UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER

MEMORANDUM

INTEROFFICE MEMORANDUM

INTERIEUR ·

A:
TO: Mr. Yee Woo Guo, Director
Inspection and Evaluation Division
Office of Internal Oversight Services

DATE: 21.02.2019

~ 21.02.19

DE:
FROM: Kate Gilmore, Deputy High Commissioner
For Human Rights (OHCHR)

REFERENCE: OIOS-2018-02363

OBJET:
SUBJECT: **OHCHR response to the final draft report of the OIOS evaluation of the effectiveness of human rights monitoring, reporting and follow-up in the United Nations multi-dimensional peacekeeping operations**

1. In response to your memorandum of 10 December 2018, we herewith wish to provide OHCHR's response to the final draft report of the Office of Internal Oversight Services (OIOS) on the evaluation of the "Effectiveness of Human Rights Monitoring, Reporting and Follow-up in the United Nations Multi-dimensional Peacekeeping Operations".

2. We very much welcome the report's conclusion that the integration of human rights in peacekeeping operations has been successful and is one of the United Nations' best tools for preventing human rights violations in crisis and conflict contexts. The report highlights that human rights monitoring and reporting within peacekeeping operations directly responds to human rights concerns and crises; identifies causes; develops possible solutions; promotes accountability and victims' rights; and has a deterrent effect. The report further highlights that the human rights component's work enhanced the mission's visibility, acceptability and trust in their communities.

3. OHCHR welcomes the recognition that upholding human rights is a key responsibility of United Nations multi-dimensional peacekeeping operations. While we recognize that the human rights component remains responsible for coordinating core human rights functions, including monitoring, reporting, and advocacy on human rights, all peacekeeping operation personnel and components have a role to play in protecting human rights.

4. The evaluation highlights that the positive human rights results achieved by the multi-dimensional peacekeeping operations were in many cases accomplished in extremely difficult circumstances with difficult security environments and access limitations, among others. The recognition of the difficult operating environment and political context that the Human Rights Components are working in is very much appreciated.

5. OHCHR concurs with the recommendations of the evaluation and is committed to their implementation as spelled out in the recommendation action plan. In terms of the body of the evaluation report, OHCHR has concerns with some of the findings as detailed in the below paragraphs and as highlighted to OIOS during the evaluation process.

6. OHCHR in particular wishes to note that the methodology used in the report at times does not allow for an adequate assessment of human rights monitoring work. For example, the

report seeks to assess the comprehensiveness of monitoring undertaken by human rights components in terms of violations of the right to life. It does so through a comparison of cases of violations of the right to life followed by the human rights components with fatality statistics produced by *Armed Conflict Location and Event Data* (ACLED). The ACLED statistics are however not limited to deaths resulting from human rights violations. Despite acknowledging this significant difference, the evaluation proceeds with that comparison, although the two datasets are clearly not comparable. The report further contains a number of inaccuracies and misunderstandings with regard to human rights monitoring methodology, particularly with regard to issues related to verification standards and standard of proof. It therefore draws conclusions based on misunderstandings regarding the human rights monitoring methodology and its application.

7. In terms of the report's analysis of the use of and information recorded in OHCHR's human rights case database, there are inaccuracies. The report identifies as a problem the inconsistent use of the human rights case database and the existence of other information management tools. The report goes on to acknowledge that, consequently, not all cases handled by human rights components are always registered in the database and information therein may thus be incomplete. Despite this acknowledgement, the report then proceeds to assess the solidity of findings on human rights violations only on the basis of information available in the database, which inevitably is providing an incomplete picture.

In the context of the analysis of the human rights case database, OHCHR also wishes to highlight that it has continuously monitored closely the use of the human rights case database and is aware of problems related to its inconsistent use. In order to address shortcomings, it has undertaken a comprehensive independent review of the database in 2018, following which it has taken steps to strengthen quality control, accountability, guidance and user-friendliness. This information was provided to and acknowledged by OIOS. OHCHR also wishes to clarify that, contrary to what is indicated in Table 8 in the report, the data in the table is not the result of a joint review of human rights case database records by OIOS and OHCHR, in view of the independent nature of the OIOS evaluation.

8. OHCHR also wishes to clarify that the revision of its Manual on Human Rights Monitoring is a managed ongoing process where the updating of chapters is guided by priority needs and resources. As previously explained, where revised chapters are not yet produced, current chapters remain available and applicable, so that there are no gaps in guidance in critical areas. In addition, OHCHR wishes to correct the information in the report and clarify that chapters 22 and 28 are already available.

9. We would like to take this opportunity to thank OIOS for having undertaken this important exercise and wish to re-iterate our commitment to address the recommendations extended to us.

Recommendation Action Plan

Evaluation of the effectiveness of human rights monitoring, reporting and follow-up in the United Nations multi-dimensional peacekeeping operations

IED Recommendation	Anticipated Actions	Responsible Entity(ies)	Target date for completion
Recommendation 1 DPKO and OHCHR should, taking into account existing operational constraints, develop mission-specific and time-bound action plans with appropriate strategies and priorities to improve the coverage of human rights monitoring in peacekeeping operations. Indicators: Mission-specific action plans developed, adopted and implemented.	**Accepted** Implementation of this recommendation has been ongoing, with implementation based on assessed necessity and existing plans of human rights component. Implementation already carried out for MINUSCA.	**OHCHR with DPKO**	ongoing
Recommendation 2 OHCHR should: (a) prioritise completing its revised manual on human rights monitoring; and (b) develop easy-to-understand materials on human rights monitoring methodology for non-human rights staff and external stakeholders. Indicators: (a) Completion of the manual; and (b) development and circulation of information resources on human rights monitoring methodology for non-experts.	**Accepted** The updating of chapters for the revised manual on human rights monitoring is ongoing within existing resources and according to priority needs. Where no revised chapters have been produced as yet, current chapters remain available and applicable. It is estimated that the revised manual will be completed within four years, with available resources. The guidance developed by OHCHR is for use of staff as well as external stakeholders, and simplified guidance is already under development.	**OHCHR**	31 December 2022
Recommendation 3	**Accepted**	**OHCHR with DPKO**	31 December 2019

DPKO and OHCHR should ensure that peacekeeping operations issue public human rights reports as required by the relevant policies of the Organization and Security Council mandates, with any failure to publish as required reported to the Secretary-General with reasons thereof. Indicators: Public human rights reports issued by all missions in accordance with their respective mandates, budget documents and the 2008 policy directive on public reporting, which provides for six-monthly periodic reports along with thematic and ad hoc reports as included in the annual work plans of the HRCs.	OHCHR has had in place plans and requirements for each human rights component to produce at least two public reports a year which will continue in 2019 and beyond, with production of public human rights reports included in each human rights component's annual workplan for 2019-20.		
Recommendation 4 OHCHR should urgently address the identified weaknesses regarding its human rights case database and ensure that: (i) it is consistently used, (ii) cases entered in it contain complete information having the quality required by its verification standards; (iii) follow-up actions are undertaken and properly documented; and (iv) it includes a robust supervision, quality assurance and accountability system. Indicators: Complete, up-to-date and accurate database used consistently and in conformity with OHCHR policy.	**Accepted** OHCHR has undertaken an independent review of the OHCHR case database in 2018 in order to identify both reasons for its inconsistent use and good practices, as well as produce recommendations to ensure systematic and consistent documentation of cases in the database. In follow up to the review, OHCHR is taking action aimed at strengthening quality control functions and accountability, further clarifying expectations and requirements for all relevant staff, clarifying and providing additional guidance and support where relevant and identifying options to improve user-friendliness.	**OHCHR**	31 December 2020
Recommendation 5	**Accepted**	**OHCHR**	Based on outcome of

DPKO and OHCHR should develop mission-specific information sharing protocols among relevant mission components using similar standard operating procedures adopted by MINUSCA and MINUSTAH. Indicator: Standard operating procedures developed and adopted.	OHCHR expects to consult with human rights components on mission-specific requirements and support DPKO and human rights components in the development of mission-specific information-sharing protocols where they are needed.		consultations with missions Approximate date 31st December 2020

Recommendation 6
 	
UNAMID, MONUSCO and MINUSMA should, while engaging with civil society organizations (CSOs) and non-governmental organizations (NGOs), seek to:
    (a) clarify mutual roles and expectations, including the emphasis to be given on economic and social rights;
    (b) give due credit in public reports, where feasible;
    (c) circulate public reports to CSOs/NGOs widely including in local languages; and
    (d) enhance capacity to use technology (e.g. mobile phones) for better monitoring and reporting on human rights.
 	
Indicator: Documentation demonstrating enhanced engagements with CSOs/NGOs on the identified issues.
	n/a (recommendation not addressed at OHCHR)		

Recommendation 7 DPKO/DFS and OHCHR should ensure uniformity in the results and outputs indicators where appropriate, and consistency and completeness of	**Accepted** OHCHR is already working with DPKO/DFS on developing standardized human rights indicators and results through the	**OHCHR with DPKO/ DFS**	CPAS being rolled out to missions in 2019; OHCHR is supporting DPKO/DFS on

reporting for human rights components in peacekeeping operations. Indicators: Results and outputs indicators and reporting practices of human rights components are reviewed, and actions taken to ensure uniformity where appropriate.	Comprehensive Performance Assessment System (CPAS).		human rights indicators. (exact date to be provided by DPKO/DFS)
Recommendation 8 The Secretary-General should take the appropriate steps to incorporate specific human rights references in his compacts with the Special Representatives of the Secretary-General. Indicator: Human rights references incorporated and assessed in the Secretary-General's compacts with SRSGs.	n/a (recommendation not addressed at OHCHR)		
Recommendation 9 OHCHR should finalize and circulate its guidance materials on improving human rights contribution in early warning and prevention and sensitize staff in its application. Indicator: Guidance materials developed and disseminated.	**Accepted** The guidance has been finalized	**OHCHR**	Completed – 9 May 2017

UNCLASSIFIED

Immediate

TO: Yee Woo Guo, Director, Inspection and Evaluation Division,   DATE: **FEB 13 2019**
A: OIOS

REFERENCE: 2019.UNHQ.OCOS.MEMO.141604.1

THROUGH:
S/C DE:

FROM: Jean-Pierre Lacroix, Under-Secretary-General
DE: for Peace Operations

SUBJECT: **OIOS evaluation of the effectiveness of human rights monitoring, reporting and**
OBJET: **follow-up in the United Nations multi-dimensional peacekeeping operations**

1.   I refer to your memorandum, dated 10 December 2018, regarding the above-mentioned draft report. Please find below DPO's comments on the findings and the recommendations contained in the draft report and the Recommendation Action Plan attached as Annex I.

General comments

2.   In response to the final draft report, DPO welcomes the assessment that the perspectives of stakeholders on the effectiveness of human rights monitoring were positive and that human rights components (HRC) of missions achieved notable results, despite the difficult operating environment and political contexts in which they operate. DPO concurs with relevant recommendations and will support their implementation, as indicated in the recommendation action plan. DPO notes the limitations inherent to some of the methodological choices made in the report, as outlined by OHCHR in their comments.

3.   DPO requests that recommendations 1, 3, 5 and 7 be reworded to read: *"OHCHR, in coordination with DPO..."*

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Specific comments

Paragraph 37

4.   DPO wishes to clarify that the cooperation between the MINUSMA HRC and the Force cannot be accurately described as affected by "*stark differences*" throughout the period considered in the report (2014-2017). The relationship was more nuanced and evolved over the period. Indeed, in 2015 and 2016, the Mission's Force Commander was so popular with the HRC that he was referred to informally as the "Human Rights General".

Paragraph 88

5.   The statement that "*In MINUSMA, reporting by the HRC drew the mission's attention to the deteriorating human rights situation in the centre of the country, resulting in the mission establishing a base in Mopti*" is factually inaccurate. DPO clarifies that, although it was a small office, MINUSMA had a presence in Mopti since the establishment of the Mission.

Paragraph 98

6.   DPO requests that the first sentence be reworded to read: "*In MINUSMA, positive results included...for the Truth, Justice and Reconciliation Commission (TJRC), national human rights commission and advocacy for* ~~*commissions*~~ *a commission of inquiry.*"

Paragraph 100

7.   With regard to the statement in the second sentence of the paragraph that "*Notably, the mission undertook projects to bring key victims and witnesses from remote areas to safe places (e.g. mission premises in Mopti, Menaka and Timbuktu)...*", DPO notes that MINUSMA has a witness protection programme but that victims or witnesses of human rights abuses are not housed on mission premises. DPO therefore requests the deletion of the mention "*(e.g. mission premises in Mopti, Menaka and Timbuktu)*".

8.   Thank you for the opportunity to comment on the draft report. We stand ready to provide any further information that may be required.

cc: Mr. Rahul Sur
     Mr. Steven Kraus
     Mr. Mario Baez
     Ms. Olga De La Piedra

Recommendation Action Plan

Evaluation of the effectiveness of human rights monitoring, reporting and follow-up in the United Nations multi-dimensional peacekeeping operations

IED Recommendation	Anticipated Actions	Responsible Entity(ies)	Target date for completion
Recommendation 1 DPKO and OHCHR should, taking into account existing operational constraints, develop mission-specific and time-bound action plans with appropriate strategies and priorities to improve the coverage of human rights monitoring in **multi-dimensional** peacekeeping operations. Indicators: Mission-specific action plans developed, adopted and implemented.	Accepted. See inputs from OHCHR.	OHCHR, in coordination with DPO	N/A
Recommendation 2 OHCHR should: (a) prioritise completing its revised manual on human rights monitoring; and (b) develop easy-to-understand materials on human rights monitoring methodology for non-human rights staff and external stakeholders. Indicators: (a) Completion of the manual; and (b) development and circulation of information resources on human rights monitoring methodology for non-experts.	N/A	N/A	N/A

IED Recommendation	Anticipated Actions	Responsible Entity(ies)	Target date for completion
Recommendation 3 DPKO and OHCHR should ensure that peacekeeping operations issue public human rights reports as required by the relevant policies of the Organization and Security Council mandates, with any failure to publish as required reported to the Secretary-General with reasons thereof. Indicators: Public human rights reports issued by all missions in accordance with their respective mandates, budget documents and the 2008 policy directive on public reporting, which provides for six-monthly periodic reports along with thematic and ad hoc reports as included in the annual work plans of the HRCs.	Accepted. See inputs from OHCHR.	OHCHR, in coordination with DPO	N/A
Recommendation 4 OHCHR should urgently address the identified weaknesses regarding its human rights case database and ensure that: (i) it is consistently used, (ii) cases entered in it contain complete information having the quality required by its verification standards; (iii) follow-up actions are undertaken and properly documented; and (iv) it includes a robust supervision, quality assurance and accountability system. Indicators: Complete, up-to-date and accurate database used consistently and in conformity with OHCHR policy.	N/A	N/A	N/A

IED Recommendation	Anticipated Actions	Responsible Entity(ies)	Target date for completion
Recommendation 5 DPKO and OHCHR should develop mission-specific information sharing protocols among relevant mission components using similar standard operating procedures adopted by MINUSCA and MINUSTAH. Indicator: Standard operating procedures developed and adopted.	Accepted. See inputs from OHCHR.	OHCHR, in coordination with DPO	N/A

Recommendation 6
 	
UNAMID, MONUSCO and MINUSMA should, while engaging with civil society organizations (CSOs) and non-governmental organizations (NGOs), seek to:
 	
    (a) clarify mutual roles and expectations, including the emphasis to be given on economic and social rights;
    (b) give due credit in public reports, where feasible;
    (c) circulate public reports to CSOs/NGOs widely including in local languages; and
    (d) enhance capacity to use technology (e.g. mobile phones) for better monitoring and reporting on human rights.
 	
Indicator: Documentation demonstrating enhanced engagements with CSOs/NGOs on the identified issues.
	This recommendation is not applicable to UNAMID. Additional comments by the Mission are reflected in paragraphs 5 and 6 of Annex I.
	
	MONUSCO concurs with the recommendation and will clarify the expectations of CSOs/NGOs prior to publication of reports and due credit will be given, where feasible. Public reports will be more widely shared with the NGOs and CSOs.
	
	MINUSMA has already implemented the recommendation since 2013 for Bamako and all regions.
	
	In addition, DPO wishes to clarify that the lessons learned study on public reporting found that, while engaging with CSOs and NGOs is a desirable outcome, missions often have limited capacity to do so. Therefore, this recommendation may not be realistic without increased resources.
		UNAMID
		
		MONUSCO
		
		MINUSMA
			N/A
			
			Fourth quarter of 2019
			
			N/A

IED Recommendation	Anticipated Actions	Responsible Entity(ies)	Target date for completion
Recommendation 7 DPKO/DFS and OHCHR should ensure uniformity in the results and outputs indicators where appropriate, and consistency and completeness of reporting for human rights components in peacekeeping operations. Indicators: Results and outputs indicators and reporting practices of human rights components are reviewed, and actions taken to ensure uniformity where appropriate.	Accepted. See inputs from OHCHR.	OHCHR, with DPO-DOS	N/A
Recommendation 8 The Secretary-General should take the appropriate steps to incorporate specific human rights references in his compacts with the Special Representatives of the Secretary-General. Indicator: Human rights references incorporated and assessed in the Secretary-General's compacts with SRSGs.	N/A	N/A	N/A
Recommendation 9 OHCHR should finalize and circulate its guidance materials on improving human rights contribution in early warning and prevention and sensitize staff in its application. Indicator: Guidance materials developed and disseminated.	N/A	N/A	N/A

UNCLASSIFIED

Routine

DATE: 22 February 2019

REFERENCE:

TO: Mr. Yee Woo Guo, Director
A: Inspection and Evaluation Division
      Office of the Internal Oversight Services

THROUGH:
S/C DE:

FROM: Olga de la Piedra, Director
DE: Office of the Under-Secretary-General
       Department of Management Strategy, Policy and Compliance

SUBJECT: **Final draft Report of the Evaluation of the *Effectiveness of Human Rights***
OBJET: ***Monitoring, Reporting and Follow-up in the United Nations Multi—Dimensional***

1.   This refers to your memorandum addressed to Ms. Jan Beagle, Under-Secretary-General for Management Strategy, Policy and Compliance (DMSPC) on 10 December 2018 on the final draft Report of the evaluation of the Effectiveness of Human Rights Monitoring, Reporting and Follow-up in the United Nations Multi—dimensional Peacekeeping Operations.

2.   Following the standard process for exercises of this nature, the main offices involved, namely the Department of Peace-Operations (DPO) and the Office of the United Nations High Commissioner for Human Rights (OHCHR), will directly submit their comments and responses to your office on the subject matter.

3.   However, recommendation no. 8 below refers to an issue that is under the responsibility of the Department of Management Strategy, Policy and compliance (DMSPC) as follows:

> ***Recommendation 8: The Secretary-General should take the appropriate steps to incorporate specific human rights references in his compacts with the Special Representatives of the Secretary-General.***
>
> ***Indicator: Human rights references incorporated and assessed in the Secretary-General's compacts with SRSGs.***

Routine

4.   Please note that the 2018 compacts already include an expected accomplishment related to this issue, which is specifically addressed to those senior managers and heads of mission that regularly engage with security forces. It reads as follows:

> ***Expected Accomplishment: Uphold the goals and requirements of the Human Rights Due Diligence Policy, lead and report regularly on implementation.***

5.   Kindly note that this expected accomplishment would again be included in the Senior Managers' Compacts Guidelines for 2019.

6.   With this information, Our Department considers this recommendation as implemented.