



**UNITED NATIONS DEVELOPMENT GROUP  
IRAQ TRUST FUND**

**Project Cover Page**

<b>Participating UN Organisation(s):</b> UNDP	<b>Sector Outcome Team(s):</b> Governance
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<b>Project Title:</b> High Commission for Human Rights in Iraq: Capacity Building and Technical Support	<b>Project Number:</b> C9-34
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**Project Description (limit 1,000 characters):**

There is timely and demonstrated need for an effective High Commission for Human Rights (HCHR) in Iraq, in line with the mandate, power, resources and capacities stemming from the enabling law, which is able to play a crucial protection role at the national level, and represents an effective Paris Principles compliant institution at the regional and international levels. This project intervention seeks to ensure that the HCHR is in place and that it properly fulfils its roles. The intervention aims to ensure that the HCHR is being established and develops initial capacities to be an effective actor in the promotion and protection of human rights, to be a port of call for improvement of the human rights system in Iraq, including through provision of remedies to and prevention of human rights violations and abuses, and to deliver increasingly effective human rights services and programming. This will be done in a progressive manner, as funding is mobilized and in synchrony with the establishment of the policy and legal framework that will guide the HCHR. Initial activities as highlighted in this proposal will encompass the establishment of the Commission, through the support to the selection of its members and the provision of essential tools to bridge the gap until the next fiscal period, in which Iraqi government resources will be available. The project will support initial capacity development of the Commissioners and key staff, and assist the Commission to lay the foundation for a medium and long term strategic plan. While UNAMI Human Rights Office will be the technical lead of the project, UNDP will be the implementing agency.

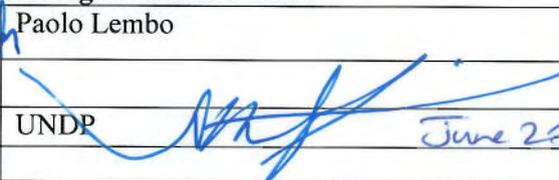
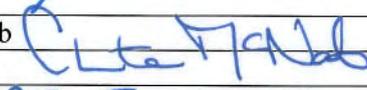
<b>Project Costs:</b>		<b>Project Location:</b>	
<b>UNDG ITF:</b>	US\$ 500,000	<b>Governorate(s):</b>	Baghdad
<b>Govt. Contribution:</b>		<b>District(s):</b>	
<b>Agency Core: (UNDP)</b>	US\$ 500,000	<b>Town(s)</b>	
<b>Other:</b>	US\$ 402,000 Belgium contribution		
<b>TOTAL:</b>	US\$ 1,402,000		

<b>Govt of Iraq Line Ministry Responsible:</b>
Council of Representatives; Independent High Commission for Human Rights (once established)

<b>Project Duration:</b>	
Total # of months:	18 months
Expected Start date:	1 July 2010
Expected End date:	31 December 2011

<b>Review &amp; Approval Dates</b>	
<b>Line Ministry Endorsement Date:</b>	20 August 2008
<b>Concept Note Approval Date:</b>	20 April 2010
<b>SOT Approval Date:</b>	5 May 2010
<b>Peer Group Review Date:</b>	24 May 2010
<b>ISRB Approval Date:</b>	Not Applicable
<b>Steering Committee Approval Date:</b>	27 June 2010

**Signatures of Agencies and Steering Committee Chair**

<b>I.</b>	<b>Name of Representative</b>	Paolo Lembo
	<b>Signature</b>	
	<b>Name of Agency</b>	UNDP
	<b>Date</b>	June 27, 2010
<b>II.</b>	<b>Name of Steering Committee Chair</b>	Christine McNab
	<b>Signature</b>	
	<b>Date</b>	27 June 2010

**National priority or goals (NDS 2007- 2010 and ICI):**

**NDS:**

Section 8.3 (Human Rights) Goal: Uphold and protect human rights, establish the rule of law, overcome the legacy of the recent and distant past;

8.3.1 Establish a comprehensive Iraqi owned human rights regime country wide.

**ICI Benchmarks (as per the Joint Monitoring Matrix 2008):**

Section 3.3 (Human Rights) Goal: Uphold and protect human rights, establish rule of law, and overcome the legacy of the recent and distant past.

3.3.1: Establish a comprehensive human rights regime country wide

**Sector Team Outcome(s):**

Outcome 3: Enhanced rule of law and respect and protection for human rights in line with international standards

**Project Outcome(s):**

Enhanced rule of law and respect and protection for human rights in line with international standards

**Detailed Breakdown of Budget by Source of Funds and  
Distribution of Project Budget by Participating UN Organisation**

<b>Participating UN Organisation</b>	<b>Portion from ITF Budget (US \$)</b>
UNDP	US\$ 500,000
<b>Total ITF Budget (US \$)</b>	US\$ 500,000

<b>Total budget (in US \$):</b>	\$ 1,402,000
<b>Sources:</b>	
• Government	\$0
• ITF (earmarked)	\$0
• ITF (unearmarked and /or interest)	\$ 500,000
• Bilateral (Belgium)	\$ 402,000
<b><u>UN Core/non-core sources</u></b>	
• UN Org (specify: UNDP)	\$ 500,000
• UN Org (specify: )	\$ _____
• UN Org (specify: )	\$ _____
• UN Org(specify: )	\$ _____

## Executive Summary

Independent Human Rights Commissions have been key institutions for the promotion and the protection of human rights in political transitions and post-conflict societies such as South Africa, Afghanistan and Nepal. In Iraq, the adoption of the Law No 53 (2008) on the High Commission on Human Rights (HCHR) by the Council of Representatives at the end of 2008 was an important step to establish a national institution to strengthen the protection of human rights for all Iraqis. A strong and independent Human Rights Commission will be critical for the development of an effective national human rights protection system, where the rule of law prevails. It also creates the internal capacity to monitor and manage the human rights challenges facing the country.

It is important that the Council of Representatives (CoR) and its Experts Panel receive UN support during the process of nomination and appointment, to ensure international experience is available to the CoR; and to ensure that the process of nomination and appointment is transparent and follows good international practices, as advised by the OHCHR. This project aims to support the HCHR during the phase of its selection and nomination, and during the start-up phase of the Commission in 2010-2011.

The establishment of a HCHR in any country is the signal that the country's leadership is dedicated to observing and implementing its obligations to the international treaties, conventions and obligations related to human rights issues. Iraq is no exception. Human rights are a key element in the nation's reconciliation and peace building process. The proposed project is a pivotal intervention in supporting the Government of Iraq (GoI) in achieving its NDS and ICI goals related to the creation of a comprehensive human rights regime throughout the country. The GoI is in the process of finalizing its National Development Plan (NDP) 2010-2014, and the draft Chapter 12 on governance establishes human rights as a priority for the nation and its leaders.

It is anticipated that, by the end of the project, the following will have been achieved:

- The HCHR is nominated through a timely and transparent process
- The HCHR and its Secretariat are operational
- The HCHR has mechanisms to ensure outreach and public information
- The staff and structures of the Secretariat will have received initial capacity development
- The HCHR budget and work plan are developed, to ensure secured funding from the national budget for the next year.

UNAMI-Human Rights Office and UNDP will jointly support the HCHR through this project. UNAMI-HRO will provide substantive leadership while UNDP will be the implementing partner. The project is funded with undg ITF funds of \$500,000; UNDP core resources of \$500,000; and a bilateral contribution made by the Government of Belgium of EURO 317,770, equivalent to approximately \$402,751.

UNAMI through its Human Rights Office (HRO) in association with OHCHR engages in the promotion and protection of human rights in close collaboration with Iraqi governmental and non-governmental sectors. As highlighted in the 26 February 2008 report to the UN Security Council, "UNAMI will also remain committed to supporting the establishment of independent bodies, the most significant development being the legislation that has been passed providing for the creation of the Independent High Commission for Human Rights (IHCHR) in Iraq".

UNDP is the development agency of the UN Country Team with a mandate and resources to support Justice, the Rule of Law and Human Rights, and is the lead agency in this thematic area under the Iraq UN Development Assistance Framework (UNDAF) 2011-2014.

## 2. Situation Analysis

Independent Human Rights Commissions have been key institutions for the promotion and the protection of human rights in political transitions and post-conflict societies such as South Africa, Afghanistan and Nepal. The UN, through the Office of the High Commissioner for Human Rights (OHCHR), has long-standing experience in assisting the establishment of independent human rights bodies. In Iraq, UNAMI through its Human Rights Office (HRO) in association with OHCHR engages in the promotion and protection of human rights in close collaboration with Iraqi governmental and non-governmental sectors. As highlighted in the 26 February 2008 report to the UN Security Council, “UNAMI will also remain committed to supporting the establishment of independent bodies, the most significant development being the legislation that has been passed providing for the creation of the Independent High Commission for Human Rights (IHCHR) in Iraq”.

The adoption of the Law No 53 (2008) on the HCHR by the Council of Representatives at the end of 2008 was an important step to establish a national institution to strengthen the protection of human rights for all Iraqis. A strong and independent Human Rights Commission will be critical for the development of an effective national human rights protection system, where the rule of law prevails. It also creates the internal capacity to monitor and manage the human rights challenges facing the country.

The aforementioned law provides under its article 7 for the setting of an expert committee of a maximum of 15 members representing the CoR, the CoM, the HJC, CSOs and UNAMI, mandated to carry out procedures for the nomination of the commissioners to be appointed by the CoR. An Experts Committee was established in September 2009 and comprises the following members: 5 members from the Council of Representatives, 4 from the Council of Ministers, 3 from the Higher Judicial Council, 2 provided by the Ministry of Civil Society Organizations and one from UNAMI. However, the composition of the Expert Committee is expected to be revised in the light of the 7 March elections outcome.

The Experts Committee is receiving support from the CoR, through its Human Rights Committee and from the Speaker of the CoR. The CoR has made available a temporary office inside the CoR premises and granted the old building of the parliament for the future secretariat of the HCHR.

It is important that both the CoR and the Experts Committee receive UN support during the process of nomination and appointment, to ensure international experience is provided in an advisory capacity; and to ensure that the process of nomination and appointment is transparent and follows good international practices, as advised by the OHCHR. This project aims to support the HCHR during the phase of its selection and nomination, and during the start-up phase of the Commission expected to be in 2010 and 2011.

There will be significant challenges, as this process will be undertaken under the leadership of a new CoR and at the same time as the formation of a new government resulting from the elections of 7 March 2010. In particular, the respective roles of a Ministry of Human Rights (Executive Branch) and the HCHR will be areas for development by the Iraqi counterparts. Therefore, it will be essential to focus on building the capacity of the institutions, to enable enhanced confidence in the institution and encourage the people of Iraq to use its services to address the human rights situation in Iraq.

Several steps have been taken by the Government in cooperation with the international community to improve the governance and security situation. Many of these have an impact on human rights, including the organization of activities to help Iraq in developing a national strategy on transitional justice, launching a public human rights information campaign, strengthening the administration of justice and disseminating a culture of human rights. There have been commitments to address reform of the security forces and investigate human rights violations more forcefully. To this end, sectoral and issue working groups have been established in a number of areas, and conferences, symposia and meetings have developed priorities and actions plans on a range of human rights-related issues.

### **3. Lessons Learned, NDS and ICI Relevance, Cross-Cutting Issues, and Agency Experience in Iraq/in the Sector**

#### ***Background/context:***

The establishment of a Human Rights Commission in any country is the signal that the country's leadership is dedicated to observing and implementing its international human rights obligations. Iraq is no exception. Human rights are a key element in the nation's reconciliation and peace building process.

The proposed project is a pivotal intervention in supporting the Government of Iraq (GoI) in achieving its NDS and ICI goals related to the creation of a comprehensive human rights regime throughout the country. The GoI is in the process of finalizing its National Development Plan (NDP) 2010-2014, and the draft Chapter 12 on governance establishes human rights as a priority for the nation and its leaders. Through the establishment of the HCHR, the GoI will have the capacity to address:

#### **NDS:**

Section 8.3 (Human Rights) Goal: Uphold and protect human rights, establish the rule of law, overcome the legacy of the recent and distant past, with the indicative action being 8.3.1 Establish a comprehensive Iraqi owned human rights regime country wide.

#### **ICI Benchmarks (as per the Joint Monitoring Matrix 2008):**

Section 3.3 (Human Rights) Goal: Uphold and protect human rights, establish rule of law, and overcome the legacy of the recent and distant past. The indicative action is 3.3.1: Establish a comprehensive human rights regime country wide.

The project will take place within the context of a newly elected government, which poses both challenges and opportunities, as stated in the previous section.

Articles 4 & 5 of the enabling Law stipulate that the HCHR will, inter alia:

- Protect human rights set out in the Iraqi constitution and international law, including through the investigation of complaints.
- Provide advice, opinions, studies and research to relevant authorities and bodies on matters pertaining to human rights
- Evaluate the national implementation of human rights international instruments
- Offer technical and training supports for the public sector, security institutions, and civil society
- Cooperate with national and international stakeholders in the field of human rights
- Monitor the national human rights situation and submit an annual report to the Council of Representatives
- Visit and report on detention facilities and other places of deprivation of liberty

#### **Lessons Learned:**

The National Institute for Human Rights (NIHR) in Iraq and the UN agencies have previously undertaken educational courses and awareness raising campaigns. Lesson learned from this include that emphasis should be put on the important values of human rights (liberty, equality, dignity, justice, forgiveness, pluralism, dialogue, sharing), along with an effort to dispel the prevailing confusions in understanding such values in order to enhance awareness to the common human traditions and their diverse tributaries, and to assert the positive aspects of national culture in the enrichment of common (international) human traditions. The NIHR has the potential to play a vital role in providing support for the efforts to promote the culture of human rights and its education in the Iraqi society to contribute to providing the necessary support for civil sectors, non-governmental organizations and the High Commission for Human Rights when it comes into being.

#### **Assessment of Cross-cutting Issues:**

Human rights: As the primary focus of this project, it is intended that the need for an independent and capable institution to promote and protect human rights in Iraq will be firmly established and supported. This will

enable the GoI to honour its obligations to the numerous international conventions and agreements to which it is signatory.

Gender equality: Within the context of this project, the issues of gender will be addressed at two levels. The first is through the selection criteria adopted for the formation of the Commission itself, and the second is through the actions of the Commission to address gender equality as a human rights issue. It will be imperative that the Commission embodies the principles of equity it purports to defend.

Key environmental issues: While not a direct focus of the project, the protection of the environment as part of the human rights framework of ensuring quality of life for all will be one of the areas of concern for the Commission.

Employment generation: This project will not generate employment beyond the Commission employees, all of whom will be supported ultimately by the GoI budget.

#### **Agency Experience in Iraq/in the Sector:**

UNAMI/HRO, as the OHCHR support office to the SRSO, has the mandate and experience within Iraq to undertake all human rights interventions. Established in 2004, the HRO has joined with many of the UN agencies to implement the full spectrum of HR activities in Iraq, providing technical advice and support both through its own staff and in coordination with the OHCHR. It is currently supporting the GoI in the UPR process, capacity building to undertake mass graves processing, participating in technical support projects and programmes in the areas of education, juvenile justice and violence against women and has been supporting the development of the commission as well as the overall capacity of the MoHR and the GoI's human rights capacities. UNAMI/HRO has deployed international and national staff in Baghdad, Erbil, Kirkuk and Basra. It has been the key player in bringing the GoI to this current point in time to establish the HCHR, having worked for over four years strengthening the Ministry of Human Rights (MoHR) and advocating with the GoI to recognise the importance and to support the creation of the Commission.

UNDP has as part of its global mandate the support to governance and rule of law, which includes human rights. In the past four years, UNDP has developed a governance project of significant depth and breadth, and is recognised by the GoI as a key partner in this area. UNDP is the development agency of the UN Country Team with a mandate and resources to support Justice, the Rule of Law and Human Rights, and is the lead agency in this thematic area under the Iraq UN Development Assistance Framework (UNDAF) 2011-2014.

UNDP and HRO jointly formulated and implemented an important project of human rights training for staff of the Ministry of Interior and Ministry of Defence, implemented in 2008-2009. UNDP has international and national staff presence in Baghdad, Erbil, Basra, Najaf and Anbar. Implementation and delivery of a broad range of governance projects is ongoing throughout Iraq. UNDP directly worked on the support of the Ministry of Human Rights and the National Institute for Human Rights in Iraq.

#### **4. The Proposed Project**

This project is quite straightforward in its approach and design, as the focus is clearly defined, namely: support to the establishment of a competent and independently functioning High Commission for Human Rights (HCHR). This project support involves a first phase (Outputs 1.1 and 1.2) dedicated to the setting up of the HCHR through the provision of support to the selection process of the Commission members; followed by support to the establishment of the Commission Secretariat to ensure it is operational and also has mechanism to ensure outreach and public information. The timing of its creation implies that financial resources are not available from the current GoI budget. This first phase will by necessity entail some limited initial capacity development activities as part of ensuring the HCHR and its Secretariat are operational. This will enable the HCHR to then adequately prepare the Commission's budget and work plan to facilitate and secure funding from the national budget in following years. Additionally, such initial capacity development and technical assistance activities will also ensure that the HCHR and the Secretariat are equipped with the skills to actively and meaningfully participate in an assessment and review of their capacity development needs and to determine any

further support required which would focus on technical assistance and capacity building in order to ensure HCHR ownership. Also at the end of the first phase a review of any developments such as interventions or plans of other stakeholders to provide resources will be undertaken to avoid any potential overlaps and to maximize the benefits of potential future resource allocations to the HCHR.

This project support also involves a second phase (Output 1.3) which involves some further capacity development activities which will provide the fundamental skills in human rights areas, development of communication mechanism, possible exposure to experiences of other Human Rights Commission and strategic planning skills. These fundamental capacity building activities are also considered essential at the outset and to provide the a “carry over” until potential additional funding support from the GoI budget, other donors and other resource mobilization activities for support to the Commission come into effect. Again, these skills acquired through this critical second phase, will equip the HCHR to lead the processes of future planning, understand the nature of an independent Commission and take ownership of resource mobilization processes. It is worthwhile to note that at this stage there has been interest, expressed either in policy documents or media announcements, by some other donors (such as European Union, Sweden and Denmark) to potentially support such a human rights mechanism.

The strategy of the project is to undertake those activities that are not reliant upon a governmental approval, emphasizing the independence of the Commission in this regard. The appointment of the Commissioners will be done by the newly elected CoR. The project has the flexibility to engage on support activities such as the recruitment of technical support, development of trainings and the procurement of essential equipment for the Commission Secretariat regardless of the progress in the Commission selection process; so that once the Commissioners are on post there will be enabling support immediately available.

UNAMI/HRO will lead the project technically, with UNDP as the implementing partner for all project outputs.

**Support to the selection process:**

UNAMI/HRO, with support from OHCHR, will be responsible for guiding the CoR and the Experts Committee during the nomination and selection process for the HCHR, to ensure that international standards are applied and that the Commission, once established, will embody the principles of human rights as well as conform to the Paris Principles.

**Capacity development of the Commission:**

UNDP and UNAMI/HRO will assist the newly established HCHR to become a fully operational independent institution by providing procurement and technical support for the establishment of the Commission’s offices. Through close collaboration with the CoR, UNAMI/HRO together with UNDP will support a temporary operational capacity to accomplish the selection and nomination process; and will support the establishment of basic technical and operational capacities for the newly established Commission to begin to function according to the Iraqi Constitution and the constitutive law of the HCHR in conformity with the Paris Principles.

Once appointed, the Commissioners and the new staff of the HCHR will require support to ensure they have the requisite knowledge, skills and work tools to carry out their important work and that these capacities are in place before significant programming is undertaken. UNAMI/HRO and UNDP will support capacity building activities for the expert panel and CoR on proficiency based nomination and selection; the new Commissioners and staff on human rights promotion and protection.

The HCHR is a constitutional institution that requires full financial support from the State budget. However, as a temporary measure and to ensure its timely initiation, given the constraints of the Iraqi budget cycle, the project foresees the procurement of some office equipment to enable the Commission to start its activities as mandated by its constitutive law No 53 (2008). As the project funds are limited and intended only to enable the start-up of operational capacity of the HCHR, an agreement will be reached with the GoI to provide the premises, security and salaries of the Commission.

It is assumed that the HCHR will be established outside the International Zone in Baghdad, in order to ensure its accessibility to the population, and will operate throughout the country. The CoR has already allocated the former premises of the Council of Representatives, to the HCHR. It is further assumed that the commitment and political leadership will be present to ensure continuity and credibility of the Commission once it starts to perform its functions in this sensitive field.

UNDP will procure the services and assets agreed under the project, according to its own procurement procedures. At the end of the project, these assets will be handed over to the authorized Executive Officer of the IHCHR. UNDP will be responsible for the monitoring and verification of activities and assets management under the project.

## **Outputs and activities:**

The strategic areas of the project reflected in the project outputs and related activities will include the following:

1. CoR and Experts Panel have in place a transparent process of nomination and selection of Commissioners.
  - Procurement of basic office equipment and supplies, to be transferred to the Secretariat once established.
  - Placement of advertisements for nominations of the Commissioners
  - Provision of technical assistance and advisory services
  - Support for outreach and public information on the process of nomination and selection of Commissioners
2. HCHR will have an enhanced capacity to establish and operate its Secretariat, including an Office of Public Information, through the following support:
  - Procurement of additional basic office equipment
  - Limited support for HCHR Secretariat operations until it receives its GoI budget allocation.
  - Support for the establishment of the HCHR's outreach and public information office
  - Training for Commissioners and Secretariat staff
  - Technical Assistance and advisory support for the IHCHR (travel of experts from Geneva; contract of specialized technical assistance)
3. HCHR will have an enhanced capacity to perform its mandate, through:
  - Training of commissioners and key stakeholders on HR protection, prevention, women's rights, and outreach
  - Exposure of commissioners to relevant experience of HR Commissions in select countries
  - Development by HCHR of basis for a medium and long term Strategic Plan

It is anticipated that, by the end of the project, the following will have been achieved:

- The HCHR is nominated through a timely and transparent process
- The HCHR and its Secretariat are operational
- The HCHR has mechanisms to ensure outreach and public information
- The staff and structures of the Secretariat will have received initial capacity development
- The HCHR budget and work plan are developed, to ensure secured funding from the national budget for the next year.

### **Beneficiaries:**

Direct Beneficiaries include the 11 elected Commissioners and three substitutes, HCHR staff (both temporary and newly recruited staff in 2010), HRs committee at CoR, and Experts Committee. The constitutive law

provides for women representation of the Commissioners of not less than one third, and minority representation of the Commissioners not less than one member and one alternative member.

Indirect Beneficiaries All of Iraqi's population with no discrimination to gender, race, ethnicity or political affiliation, will benefit as indirect beneficiaries, with special focus on marginalized and vulnerable communities including women, minorities, and population in rural areas and underdeveloped urban areas, will benefit from the establishment and the functioning of the HCHR.

## 5. Results Framework

**Table 1: Results Framework and Indicators**

<b>Project Title:</b>	<b>High Commission for Human Rights in Iraq: Capacity Building and Technical Support</b>						
<b>NDS/ICI priority/ goal(s):</b>	<p>Section 8.3 (Human Rights) Goal: Uphold and protect human rights, establish the rule of law, overcome the legacy of the recent and distant past; 8.3.1: Establish a comprehensive Iraqi owned human rights regime country wide.</p> <p><b>ICI Benchmarks (as per the Joint Monitoring Matrix 2008):</b></p> <p>Section 3.3 (Human Rights) Goal: Uphold and protect human rights, establish rule of law, and overcome the legacy of the recent and distant past. 3.3.1: Establish a comprehensive human rights regime country wide</p>						
<b>UNCT Outcome</b>	Strengthened governance institutions and processes for political inclusion, accountability, rule of law and efficient service delivery.						
<b>Sector Outcome</b>	Outcome 3: Enhanced rule of law and respect and protection for human rights in line with international standards						
<b>JP Outcome 1</b>	Enhanced rule of law and respect and protection for human rights in line with international standards			<b>NDS / ICI Priorities: Same as above</b>			
<b>JP Outputs</b>	<b>UN Agency Specific Output</b>	<b>UN Agency</b>	<b>Partner</b>	<b>Indicators</b>	<b>Source of Data</b>	<b>Baseline Data</b>	<b>Indicator Target</b>
JP Output 1.1: Council Of Representatives (CoR) Committee on Human Rights (HR) and Experts Panel have a transparent process of nomination and selection of Commissioners and for the staff of the temporary Secretariat	CoR Committee on HR and Experts Panel have a transparent process of nomination and selection of Commissioners and for the staff of the temporary Secretariat	UNDP	UNAMI HRO, CoR Committee on HR and Experts Panel	1.1.1 Selection Process in place	Project progress report	No	Yes
				1.1.2 Experts panel and HR committee of CoR trained on proficiency based nomination and interviews	Proficiency based interview procedures Training reports	No	1
				1.1.3 Number of Public information campaigns on the process of nominations and selection of commissioners	Campaigns reports	0	2
				1.1.4 Temporary Secretariat in place	Project progress report	No	Yes

JP Output 1.2: HCHR temporary secretariat is able to support the work of the HCHR	HCHR temporary secretariat is able to support the work of the HCHR	UNDP	UNAMI HRO and HCHR	1.2.1 Number of work stations equipped for secretariat staff	Project progress report	0	6
				1.2.2 Organigramme for the secretariat is in place	Project progress report	No	Yes
				1.2.3 Terms of reference for the secretariat and staff drafted	Project progress report	No	Yes
				1.2.4 Work plan for the secretariat is prepared	Project progress report	No	Yes
				1.2.5 Operational budget for the permanent secretariat in place	Project progress report	No	Yes
				1.2.6 Number of secretariat staff trained on operations and management issues related to the secretariat	Training report	0	8
				1.2.7 Percentage of secretariat staff fully satisfied with the quality of the training in terms of relevance and usefulness	Post training participants' assessment	NA	80%
				1.2.8 Number of secretariat staff trained on protection prevention, women's rights, and outreach	Training report	0	90%
				1.2.9 Percentage of secretariat staff satisfied with the quality of the training in terms of relevance and usefulness	Post training participants' assessment	NA	80%

				1.2.10 Needs assessment to determine future HCHR needs	Reports	No	Yes
JP Output 1.3: HCHR has an enhanced capacity to perform its mandate	JP Output 1.3: HCHR has an enhanced capacity to perform its mandate	UNDP	UNAMI HRO and HCHR	1.3.1 Number of commissioners trained on HR protection prevention, women's rights, and outreach	Training reports	0	80%
				1.3.2 Percentage of commissioners fully satisfied with the quality of the training in terms of relevance and usefulness	Post training participants' assessment	0	80%
				1.3.3 Number of public outreach activities undertaken	Activities reports Communication mechanism	0	20 (10 Press releases and 10 conferences)
				1.3.4 Number of Commissioners and staff trained on communication skills.	Training reports	0	80%
				1.3.5 Percentage of commissioners fully satisfied with the quality of the training in terms of relevance and usefulness	Post training participants' assessment	0	80%
				1.3.6 Number of commissioners exposed to relevant experience of HR Commissions in selected countries.	Study visits	0	3
				1.3.7 HCHR medium and long term Strategic Plan prepared	Strategic Plan document	No	Yes

## 6. Management and Coordination Arrangements

UNAMI/HRO will provide the overall substantive leadership to the project, in coordination and consultation with UNDP. UNDP will be responsible for formulating the capacity development methodologies and for implementation and supervision of contractual and logistical arrangements and provision of necessary organizational support to the HCHR. Both UNAMI/HRO and UNDP will provide advisory services and technical assistance for the formulation of future assistance to the HCHR. UNDP will contract an international Project Manager (PM), to be based in Baghdad once the security situation permits (otherwise based in Amman), to supervise management and implementation of the project. This post will be funded from UNDP core resources (50%) and ITF funds (50%). UNDP will further provide support to the project from its existing programme capacities of the Governance Pillar, Rule of Law, Justice and Human Rights programme.

UNAMI/HRO will ensure that the Paris Principles will be adhered to throughout the implementation of the process. Article 7 of the law establishing the HCHR provides that UNAMI is represented in the Experts Committee. Therefore, UNAMI/HRO will provide the overall substantive leadership on assistance to the HCHR.

In the absence of a permanent institutional structure for the HCHR, and until such time as the HCHR receives a budget allocation from the GoI, the project will support the formation of a temporary Secretariat through hiring of staff to serve in the secretariat for the duration of the project (no longer than 16 months). The staff will include an Executive Officer, Finance Associate, Logistics Associate, Human Resources Associates, Translator, IT Specialist, Report Writing officer, M&E Specialist, and Communication Officer. As it is important that qualified staff be hired and retained, salaries offered to the secretariat staff must be both competitive and sustainable once project funding is replaced by government funding.

**Executive Secretary (ES):** As indicated above, project funds will support staffing for the HCHR during this project (no longer than 16 months) and only up until the HCHR has a budget provided by the Iraqi government. Such staff will be recruited by the HCHR in a transparent process with participation of UNDP and UNAMI-HRO. The Executive Secretary (ES) of the HCHR will be the principal representative of the HCHR at the project level and therefore represents the HCHR at the Project Steering Committee (PSC). The primary functions of the ES are to act as Executive Officer of the HCHR and to act as focal point for UNDP and UNAMI-HRO on matters related to the project, ensuring that the project remains relevant to the HCHR's objectives and priorities. The ES will be responsible for achieving the outputs of the project from the side of the HCHR; and ensuring the co-operation and support of the UNDP and UNAMI/HRO.

**International Project Manager (PM) Responsibilities include:**

1. Provide day-to-day support to the co-ordination and management of all project activities;
2. Manage the administration of the project in accordance with the project document and the policies and procedures for DEX projects, as adapted for the purposes of this project
3. Service as focal point for the project to the IHCHR, providing frequent briefings to UNAMI-HRO and UNDP;
4. Prepare and update project work plans and budgets;
5. Organize and oversee the mobilization of project inputs, including the services of national and international consultants, in coordination with the HCHR and its ES;
6. Support the development of the capacity of the HCHR to manage support projects directly, including bilateral agreements
7. Assume direct responsibility for managing the project budget
8. Contribute to the preparation of Annual Project Reports and the Terminal Report as scheduled, and organize Project Review Committee reviews and evaluation missions in co-ordination with UNDP
9. Supervise project staff and local or international experts/consultants working for the project;

10. Report regularly to the IHCHR through the ES, including on the status of the project, as well as any problems experienced in its management and implementation.

**Project Steering Committee (PSC):**

A Project Steering Committee will be formed to ensure GoI oversight and ownership of the process, as well as to initiate the institutionalization of the Commission’s management structure. Members of the PSC will be a representative from the CoR Human Rights Committee (until such time as the HCHR is sworn in), UNAMI/HRO, and UNDP (including the Project Manager, who will act as the secretariat to the PSC). It is expected that the CoR HRC representative will chair the meeting, to be replaced by the HCHR, at which time the CoR HRC will become co-chair. With the consent of the members of the PSC other groups can be invited to attend meetings as observers and when required.

The primary role of the PSC will be to give strategic guidance to the implementation of the project by:

- Providing overall guidance and support in the implementation of the project as per the project work plan;
- Facilitating smooth implementation of project activities and ensuring effective co-ordination with other initiatives;
- Reviewing, monitoring and assessing the project activities and progress on a regular basis;
- Providing advice and recommendations for resolving implementation problems noted;
- Making recommendations for adjusting future courses of action as necessary and approving changes to the work plan, as requested by the HCHR, following completion of the HCHR’s strategic planning process.

At its regular meetings, the PSC will review the following documents prepared by the Project Manager (with inputs from UNAMI HRO), which must be circulated to them at least two weeks in advance:

- A summary report on the achievement of major project activities as forecast in the work plan and budget document;
- A variance report setting out justification(s) for any significant delay in meeting project deadlines, as these relate to substantive activities, together with a revised schedule; and
- A summary report on any other challenges experienced with regard to implementation, as well as recommendations for resolving such challenges.

**National and international consultants** will be jointly selected by UNAMI/HRO and UNDP. It is anticipated that there will be the following consultants recruited:

Title	National	International
Women’s Rights consultant	X	X
Human Rights promotion consultant	X	X
Human Rights Protection consultant	X	X
Outreach Consultant		X
Consultant to carry out needs assessment, and prepare project document		X
Consultant to develop, and train the expert panel and COR on proficiency based interviews		X
Public Information Consultant		X
Report Writing Consultant		X
Communication Consultant		X

## **SOT Coordination**

This project document takes into account other related projects sponsored by the UN under the Protection and Governance Sector Outcome teams.

## **Application of Funds to Activities**

The funding of the international project manager will be sourced 50% from ITF funds and 50% from UNDP funds, such that funding from the Belgium contribution will not be utilized for the international project manager.

## **7. Feasibility, risk management and sustainability of results**

**Security** The prevailing security situation may negatively impact on the project in a variety of ways. Most fundamentally, sectarian violence and the revenge it breeds may weaken the will of politicians, leaders and/or the people of Iraq, or sections thereof, to accept and act on the principles of human rights, however much the application of these principles are important, in the medium and long-term, to reducing violence and revenge. In particular, there is a risk that sentiment might hold that restrictive laws, policies and actions are acceptable in the name of security, however much they breach human rights principles. This might limit the capacity of the IHCHR to operate effectively, and/or, in the event that it opposes the restrictions, cause it to lose credibility or acceptance in some quarters.

It is assumed that the HCHR will be established outside the international zone in Baghdad, in order to ensure its accessibility to the population, especially to the most vulnerable groups, and will operate throughout the country. This has security implications that must be factored into project design. It is anticipated that as the activities of the HCHR progress and deepen, there will need to be consideration of the purchase of equipped armored vehicles and hiring security personnel by the HCHR. However, within the framework of this initial intervention, it is not feasible, due to financial constraints. Therefore, consultations and advocacy with the Government to include the HCHR under existing security arrangements will be a priority for UNAMI/HRO.

From an operational point of view, the security situation may limit the ability of the HCHR to carry out its programming at all, or, at a minimum, to delay the delivery of the programming. It will certainly make programming both more complicated and more costly. The security situation may also impede individuals, physically or psychologically, from accessing and/or supporting HCHR services. This might be especially so where safety concerns may cause complainants and witnesses to abandon their actions, or in the case of potential complainants and witnesses, to stay silent altogether. These factors may be especially serious as regards human rights claimants who raise issues that are perceived to be a threat to traditional values. Again at a minimum, this will impose cost and administrative burdens on the Commission. These issues will remain a factor in the planning of future support initiatives to the Commission as well as in the Commission's financial and management planning anticipated within the context of this proposed project.

**Political will:** The changes within the CoR may have an impact on the timely selection process of the Commissioners. However, it is anticipated that UNAMI/HRO will be able to support the selection process immediately and with swift progress, in an attempt to have the Commissioners identified as soon as possible once the new CoR is seated and the Human Rights Committee formed followed by the formation of the Experts Committee. There is also a risk that the appointment of commissioners is significantly delayed by political disputes as was seen in previous selection process in the first months of 2009. However, there are activities that can continue regardless of the appointment of the commissioners, particularly in terms of procurement, which would ensure that the process can be rapidly accelerated as commissioners and staff are brought on line.

**Budget inclusion:** There is the risk that the HCHR will not be included in the Iraqi government budget. UNDP and UNAMI/HRO will be responsible for ensuring that this remains high on the agenda for discussion with the GoI, as well as supporting the Commission's budget planning process in such a way as to promote for cost-efficient and effective planning.

**Credibility:** In the immediate, medium and long-term it is vital that the HCHR be accepted by the general public and all key stakeholders as fair, credible and independent. There are potential threats that might lead to diminished HCHR credibility. The expectations raised through the establishment of the HCHR might be so high that it will be impossible for it to succeed as anticipated. Given the suffering of the Iraqi people over the last quarter century and more, it is understandable that expectations may be high. At the same time, the length and severity of that suffering, and its impacts on society, will make it harder for the HCHR to operate effectively and efficiently from the outset. Moreover, if the HCHR does fail or is seen to fail, especially in highly public and visible ways, early in its operations, there is a risk that its long-term credibility will suffer. This risk is especially pronounced in the complaint-handling and remedy provision areas.

Another scenario is that Commissioners appointed by a government that is seeking support for its actions may be perceived to be too close to the Government, thereby undermining the Commission's credibility. Independence in reality as well as in law, and a representative Board of Commissioners and Advisory Council, will be critical in managing these risks.

There is also a risk that some segments of Iraqi society might see the HCHR as a foreign model, one that is being imposed on them, or at least use that rationale to attempt to discredit the new Commission. If this charge sticks, it might limit the effectiveness of the project, as well as the Commission. Legislation that is passed by the Iraqi government itself establishes ownership of the project, and placing the HCHR outside of the International zone is a key strategy to help Iraqis see the HCHR as accessible and part of the Iraqi system of governance and oversight.

The risks associated with a loss of credibility are mitigated in a number of ways. The project, as a deliberate policy, has been developed to ensure as light a foreign influence as possible. The project supports significant capacity development of the HCHR before it embarks on substantive project activity. It also supports efforts to develop cooperative ties between the HCHR and government stakeholders. The project foresees that the HCHR will have the opportunity to realign project activities based on its own assessment of needs following a strategic planning process. The development of internal programs to manage knowledge and sustain good information systems will help the HCHR to better capture and access the learning and information resulting from training and from promotion activities.

The international community, the national government and the HCHR itself, however, must make every effort to ensure that the expectations for the new HCHR are consistent with the very difficult situation in which it will be operating. The national government must, through its actions, demonstrate that it truly supports an independent HCHR.

### **Ensuring sustainability**

The following expected outputs of the project must be sustainable if the Commission is to develop and maintain institutional capacity and credibility. Some of these outputs will occur with subsequent funding, but are illustrated here to show the progression of events that will ensure sustainability.

- Ensuring that approaches, including management arrangements, respect and support the fundamental notions set out in the Paris Principles, including independence. This will be done, *inter alia*, by ensuring that the HCHR, through its strategic planning process, has the capacity to respond to its priority concerns. Similarly, management arrangements should be such that the government does not interfere, directly or indirectly, in the running of the HCHR.

- Require all managerial, administrative and operational systems, policies and procedures be developed in close cooperation with HCHR staff and its members, as appropriate, to ensure the quality and utility of the product, as well as ownership and internalization of the result. Knowledge transfer and continuity will be made possible in part by assigning an HCHR counterpart to all international and national experts/consultants, as well as by integrating project staff into the appropriate functional divisions of the HCHR. The strategic development of knowledge management as a key area of intervention will support the development of internal capacity.
- Training will be structured so as to ensure the development of genuine in-house training capacity. Where possible, staff and members will be involved in the development of training material and its delivery and guidelines, as well as the evaluation of training projects. Where necessary, training modules will be included as a deliverable in all externally sourced training so that HCHR trainers can apply them in subsequent training. Specialized ‘training for trainers’ courses will be provided to appropriate HCHR staff (knowledge transfer, peer to peer, on the job training, etc)
- Since the sustainability of the project objectives will depend in part on the development of a wider culture of human rights within the country as a whole, recipients of training initiatives will include appropriate governmental and NGO representatives where possible.
- Since the sustainability of the project will depend in part on a high degree of mutually beneficial collaboration between stakeholders in human rights, the project will ensure that collaborative partnerships are developed and that stakeholders deliver certain project activities jointly.
- To ensure quality and continuity of staff, salaries offered to staff, including project staff, must be competitive, but they must also be sustainable once project funding is replaced by government funding.
- The project will ensure that the technologies being introduced are not overly complex given the state of development of the HCHR and that they can be successfully applied by the HCHR. The project will, where necessary, ensure training is provided and require the development of user manuals to facilitate this. The project will also ensure that medium and long-term IT strategies contemplate adequate provisions for maintenance of equipment and infrastructure, as well as their replacement.

## **8. Monitoring, Evaluation, and Reporting**

Reporting will be in accordance with UNDG ITF rules and regulations, in addition to UNDP’s rules and regulations. Accordingly, all financial reports, annual narrative progress reports, quarterly fiches, and project completion report will be prepared and directly submitted to the MDTF office. As a minimum, UNDP jointly with UNAMI/HRO will be responsible for monitoring the implementation and satisfactory completion of all contracts related to staffing, procurement, and provision of services. Reporting to the PSC will take place at each meeting.

All contractors will report to UNDP in accordance with the terms of the agreements, and these reports will be incorporated into the regular reporting on the project's progress to the UNDG ITF and the PSC.

The Project Manager will prepare a closing Project Report at the last meeting of the PSC. The Project Report will address the following issues, amongst others:

- The actual execution and implementation of project activities, including financial administration;
- The quality of activities and assistance provided;
- The performance of long-term advisers and short-term consultants;
- Overall sustainability of the project and suggested next steps taken from the assessment; and
- An overall review of the project activities, including analysis of any other interventions or plans of other stakeholders to provide support, to inform the development of the next potential phase of support which would focus on technical assistance and capacity building.

The progress of the project will be periodically reviewed by the PSC. At the end of the project, there will be a final evaluation of the project, following the UNDG ITF guidelines.

## 9. Work Plans and budgets

Work Plan for: Capacity-building and Technical Support to the IHCHR in Iraq

Period Covered: 01 July 2010 – 31 December 2011

<b>Sector Outcome (s): Enhanced rule of law and respect and protection for human rights in line with international standards</b>									
<b>JP Outcome(s): Enhanced rule of law and respect and protection for human rights in line with international standards</b>									
UN Organization-specific Annual targets	Major Activities	Time Frame (by activity)						Implementing Partner	PLANNED BUDGET (by output)
		Q1	Q2	Q3	Q4	Q5	Q6		
<b>JP Output 1: Council Of Representatives Committee on Human Rights and Experts Panel have a transparent process of nomination and selection of commissioners and temporary Secretariat</b>								<b>250,000</b>	
Council Of Representatives Committee on Human Rights and Experts Panel have a transparent process of nomination and selection of commissioners and temporary Secretariat	1.1.1 Selection process	X	X					UNDP	<b>Distribution: 250,000 (ITF)</b>
	1.1.2 Training of COR HRs committee and expert panel on proficiency based interviews		X						
	1.1.3 Public information campaigns on the process of nominations and selection of commissioners		X						
	1.1.4 Establishment of the temporary Secretariat	X	X						
<b>JP Output 2: HCHR temporary secretariat is able to support the work of the HCHR</b>								<b>650,000</b>	
HCHR temporary secretariat is able to support the work of the HCHR	1.2.1 Purchase of required equipment for secretariat staff	X	X					UNDP	<b>Distribution: 250,000 (ITF) 350,000 (Belgium) 50,000 (UNDP core)</b>
	1.2.2 Recruitment of secretariat staff	X	X						
	1.2.3 Identification and recruitment of consultants		X						

	1.2.4 Identification and contracting of training institutions		X	X					
	1.2.5 Development of Organigramme for the secretariat		X						
	1.2.6 Draft Terms of reference for the secretariat and staff	X	X						
	1.2.7 Prepare Work plan for the secretariat		X	X					
	1.2.8 Training of secretariat staff on protection, prevention of women's rights, and outreach			X					
	1.2.6. Training of secretariat staff on operations and management issues related to the secretariat		X	X					
	1.2.7 Conduct Needs assessment of the HCHR future needs			X	X				
	1.2.8 Develop project document in support of the HCHR				X	X			
	1.2.9 Mobilize Resources for the implementation of the new project					X	X		
	1.2.10 Follow-up on Operational budget for the permanent secretariat				X	X			
<b>JP Output 3: HCHR has an enhanced capacity to perform its mandate</b>									<b>502,000</b>
HCHR has an enhanced capacity to perform its mandate	1.3.1 Training of commissioners and key stakeholders on HR protection, prevention, women's rights, and outreach			X	X			UNDP	Distribution; 52,000 (Belgium) 450,000 (UNDP core)
	1.3.2 Exposure of commissioners to relevant experience of HR Commissions in select countries					X	X		
	1.3.3 Development by IHCHR of basis for a medium and long term Strategic Plan				X	X			
	1.3.4 Development of communication mechanism			X	X				
<b>Total</b>									<b>\$1,402,000</b>

**PROJECT BUDGET (ITF)**

<b>PROJECT BUDGET</b>		<b>ESTIMATED UTILIZATION OF RESOURCES (US\$)</b>	
		<b>2010</b>	<b>2011</b>
<b>CATEGORY</b>	<b>AMOUNT (US\$)</b>		
<b>1. Supplies, commodities, equipment and transport</b>	23,679	23,679	0
<b>2. Personnel (staff, consultants and travel)</b>	424,500	156,500	268,000
<b>3. Training of counterparts &amp; Meetings</b>	0	0	0
<b>4. Contracts</b>	0	0	0
<b>5. Other direct costs (miscellaneous and security)</b>	22,409	9,009	13,400
<b>Total Project Costs</b>	470,588	189,188	281,400
<b>Indirect Support Costs</b>	29,412	11,824	17,588
<b>TOTAL</b>	<b>500,000</b>	<b>201,012</b>	<b>298,988</b>

- In addition to the ITF, US\$500,000 has been allocated from UNDP Core resources, and US\$402,751 from the Belgium Government

## ITF Project Budget

Activity	Unit Cost	Qty	Total	2010	2011
<b>Personnel</b>					
<b>*National Project Personnel</b>					
Executive Officer	3500	16	56,000	21,000	35,000
Finance Associate-(G-6)	2500	16	40,000	15,000	25,000
Human Resource Associate (G-6)	2500	16	40,000	15,000	25,000
Logistic Associate (G-6)	2500	16	40,000	15,000	25,000
Communication Officer	2500	16	40,000	15,000	25,000
Report writing officer-Baghdad NOA	3000	12	36,000	18,000	18,000
Sub-Total			252,000	99,000	153,000
<b>International Project Personnel</b>					
Project Manager: P-4 (salary and associated costs)	28,750	6	172,500	57,500	115,000
Sub-Total			172,500	57,500	115,000
<b>TOTAL PERSONNEL</b>			424,500	156,500	268,000
<b>Equipment</b>					
4 Lap tops for common use	2000	4	8000	8000	0
Meeting table and chairs for expert committee	15,679	1	15,679	15,679	0
<b>TOTAL Equipment</b>			23,679	23,679	0
<b>Project Sub –Total</b>			448,179	180,179	268,000
<b>Miscellaneous (3%)</b>			13,445.37	5,405.37	8040
<b>Security (2%)</b>			8,963.58	3,603.58	5360
<b>Agency Management Support Cost (6.25%)</b>			29,411.75	11,824.25	17,587.50
<b>PROJECT TOTAL</b>			500,000	201,012	298,988

**Annex A - Agency Project Status Profiles: UNDP – Governance (Updated March 2010)**

#	Project ID #	Project Title	Total Budget (US\$)	Implementation Rate (% as of March 2010)	Commitments (% as of March 2010)	Disbursements (% as of March 2010)	Remarks
1	C09-12	Support to GOI in International Assistance Coordination and Capacity Building	2,643,000	95.65%	0.02%	95.63%	
2	G11-22b	Support for Enhanced Media Coverage and Monitoring of Electoral Processes	1,004,772	0%	0%	0%	
3	C9-28	Support to the GoI in Implementing the Paris Declaration on Aid Effectiveness	1,000,000	19%	6%	13%	
4	C9-18	Institutional Strengthening Programme for the Board of Supreme Audit (BSA)	4,879,535	98.87%	0%	98.87%	
5	C9-24	Support to Decentralization and Local Governance for Service Delivery – Preparatory Phase	6,118,704	39%	0%	39%	
6	C9-26	Support the Media in its Role of Fostering Peace and Democracy	6,131,285	35.50%	0%	35.5%	
7	C9-27	Support to the Development of Justice and the Rule of Law	5,909,994	63%	0%	63%	
8	G11-14a	Institutional Development – Organizational and HR Capacity Building for the Independent Electoral Commission of Iraq and the Iraqi High Election Commission (IECI/IHEC)	3,735,426	100%	10%	90%	
9	G11-20	Technical Assistance to IHEC, Phase II	5,479,950	53%	3.9%	49.1%	USD1,805,214 additional fund received on April,06 2010
10	C9-29	Iraq Public Sector Modernization I-PSM	5,000,000	0%	0%	0%	
		<b>TOTALS (US\$)</b>	<b>41,902,666</b>	<b>54%</b>	<b>1.60%</b>	<b>52.4%</b>	