

**United Nations Development Group Iraq Trust Fund**

**Project #76154: C9-34**

**Date and Quarter Updated: 1 October to 31 December 2011 - Q4 2011**

**Participating UN Organisation: UNDP**

**Sector: Governance**

**Government of Iraq – Responsible Line Ministry: Council of Representatives (High Commission for Human Rights once established)**

<b>Title</b>	C9-34 High Commission for Human Rights in Iraq: Capacity Building and Technical Support				
<b>Geographic Location</b>	Baghdad, Iraq				
<b>Project Cost</b>	USD 500,000				
<b>Duration</b>	18 months Discussions have opened for a no cost extension of six months				
<b>Approval Date (SC)</b>	27 June 2010	<b>Starting Date</b>	25 August 2010	<b>Completion Date</b>	25 February 2012
<b>Project Description</b>	<p>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.</p>				

**Development Goal and Immediate Objectives**

**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.

**UNDAF Priority 1:** Improved Governance, including the protection of human rights. **Outcome 1.4 Human Rights:** Government and non-governmental institutions protect and promote the human rights of all people in Iraq, with a focus on the most vulnerable.

**Country Programme Action Plan and Project Outcome(s):**

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

<b>Outputs, Key activities and Procurement</b>	
<b>Outputs</b>	<p>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.</p> <p>Output 1.2: HCHR temporary secretariat is able to support the work of the HCHR.</p> <p>Output 1.3: HCHR has an enhanced capacity to perform its mandate.</p>
<b>Activities</b>	<p>Output 1.1:</p> <ul style="list-style-type: none"> <li>• Procurement of basic office equipment and supplies, to be transferred to the Secretariat once established;</li> <li>• Placement of advertisements for nominations of the Commissioners;</li> <li>• Provision of technical assistance and advisory services;</li> <li>• Support for outreach and public information on the process of nomination and selection of Commissioners.</li> </ul> <p>Output 1.2:</p> <ul style="list-style-type: none"> <li>• Procurement of additional basic office equipment;</li> <li>• Limited support for HCHR Secretariat operations until it receives its GoI budget allocation;</li> <li>• Support for the establishment of the HCHR's outreach and public information office;</li> <li>• Training for Commissioners and Secretariat staff;</li> <li>• Technical Assistance and advisory support for the IHCHR (travel of experts from Geneva; contract of specialized technical assistance).</li> </ul> <p>Output 1.3:</p> <ul style="list-style-type: none"> <li>• Training of Commissioners and key stakeholders on HR protection, prevention, women's rights, and outreach;</li> <li>• Exposure of Commissioners to relevant experience of HR Commissions in select countries;</li> <li>• Development by HCHR of basis for a medium and long term Strategic Plan.</li> </ul>
<b>Procurement</b>	Office equipments and supplies; Advisory Services for capacity development activities.

<b>Funds Committed</b>	USD 99,753 *	<b>% of approved</b>	0
<b>Funds Disbursed</b>	USD 227,089 *	<b>% of approved</b>	80 %
<b>Forecast final date</b>	30 June 2012	<b>Delay (months)</b>	6

\*UNDP has initiated the IPISA financial system as of 1 Jan 2012 which will slightly adjust fund reporting

Direct Beneficiaries	Number of Beneficiaries	% of planned (current status)
Men	N/A	
Women	N/A	
Children	N/A	
IDPs	N/A	
Others	Includes the 11 elected Commissioners and three substitutes, HCHR staff (both temporary and newly recruited staff in 2010), HR 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.	90%
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 IHCHR.	50%
Employment generation (men/women)		

Quantitative achievements against objectives and results			
Output 1.1		% of planned	100%
1.1.1. Procurement of basic office equipment and supplies, to be transferred to the Secretariat once established.	- The Project Manager has been recruited		
1.1.2. Placement of advertisements for nominations of the Commissioners.	- Request for IT Equipments to the support the work of the Secretariat has been processed.		
1.1.3 Provision of technical assistance and advisory services.	- A five day Workshop was organised for 20 members of the Secretariat and Committee of Experts in Beirut 1-7 June to assist in the establishment of the selection mechanism and framework		
1.1.4 Support for outreach and public information on the process of nomination and selection of Commissioners.	- A five days workshop was organised for 20 members of the Secretariat and the Committee of Experts in Istanbul 6 to 10 September to examine international experiences and best practices, by representatives from South African, Malaysia, and Palestine Human Rights Commissions who were invited to present their experiences on the establishment of their respective Commission, to explain the organizational structure of the various Commissions, and the criteria used for the selection of the Commissioners.		

	<p>-As a result several outputs were identified including the final phase of selection of the human rights commissioners, agreement on a future support to define the organisational structure of the commission, what the role of the commissioners should be, and the exact final selection criteria and interview framework to be.</p> <p>- Technical advisory support has been provided to the COE as a result final selection framework has been developed and approved by the COE, one training course have been conducted on interview and evaluation mechanism</p> <p>- Logistical support has been provided to conduct interviews for 49 Candidates out of which are 17 female participants.</p> <p>- Ongoing technical support is ensured to support the final evaluation of 11+3 Human Rights Commissioners.</p>		
<p>Output 1.2.  1.2.1. Procurement of additional basic office equipment.  1.2.2. Limited support for HCHR Secretariat operations until it receives its GoI budget allocation.  1.2.3. Support for the establishment of the HCHR's outreach and public information office.  1.2.4. Training for Commissioners and Secretariat staff.  1.2.5. Technical Assistance and advisory support for the IHCHR (travel of experts from Geneva; contract of specialized technical assistance).</p>	<p>A draft proposal for a public information campaign submitted.</p> <p>A sub-committee established within the Committee of Experts to finalize the public information campaign document.</p> <p>Human Rights Training Programme discussed and partially implemented with the appointment of a Technical Advisor in the 4<sup>th</sup> Quarter 2011 to develop the TOR.</p> <p>Plan of the capacity development through technical advisors commenced.</p> <p>- Two public information campaigns have been organized in Baghdad and Erbil on the selection process.</p> <p>- One Human Rights Civil Society Round Table has been organized with the participants of 18 NGOs in Baghdad and close areas on the selection process and the role of the IHCHR.</p> <p>- One media campaign has been conducted to raise awareness on Human Rights issues and the mechanism of</p>	<p><b>% of planned</b></p>	<p>70%</p>

	prevention and protection in Iraq.		
Output 1.3. 1.3.1. Training of commissioners and key stakeholders on HR protection, prevention, women's rights, and outreach. 1.3.2. Exposure of commissioners to relevant experience of HR Commissions in select countries. 1.3.3. Development by HCHR of basis for a medium and long term Strategic Plan.	CoE exposed during 3 <sup>rd</sup> Quarter 2011 to relevant experiences and best practices of HR Commissions including Palestine, South Africa and Malaysia.  Phase III shortlist completed identifying 164 candidates with 37 female applicants.  Interviews initiated with 49 interviews conducted of which 17 were female candidates have been interviewed during the period of time from 6 to 13 February 2012 in Baghdad.	<b>% of planned</b>	40%

### Qualitative achievements against objectives and results

#### **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.**

Implementation of the project has commenced and recruitment of the Project Manager completed with her arrival in April 2011. An assessment report and work-plan has been shared and approved by UNAMI Human Rights Office (HRO) identifying support to the Committee of Experts (COE) on the establishment of the Secretariat, within a limited timeframe.

Members of the Secretariat have been nominated and endorsed by the Council of Representatives. The Members commenced their duties and responsibilities regarding the selection of the Commissioners. The Committee of Experts received a substantive amount of 3,085 applications for the 11 Human Rights Commissioners' posts.

UNDP and UNAMI HRO with technical support from the Asian Pacific Forum organised a five day workshop 1-7 June 2011 to assist in the establishment of the selection mechanism and framework. Twenty participants from the Secretariat and Committee of Experts participated in this workshop where general criteria for the selection of the Commissioners were outlined. This framework remains as draft and will need to be finalized and endorsed by the CoR. Technical and operational support to the Secretariat continued throughout 3<sup>rd</sup> Quarter to assist in the selection of the Human Rights Commissioners and support the organisational structure of the Commission.

UN continued to provide support to COE on the selection of the Human Rights Commissioners. At a meeting 7 August 2011, the CoE requested that the UN strengthen its support for the process, specifically requesting the opportunity to examine different experiences, best practices, and lessons learnt from other Commissions.

In response, UNDP and UNAMI HRO organized a workshop from 6-10 September 2011 to provide a forum for the CoE to discuss several outputs including the final phase of selection of the human rights commissioners, agreement upon the future organizational structure of the commission, what the role of the commissioners should be, and the exact final selection criteria and interview framework to be used in the identification of the 11 Commissioners. At this meeting representatives from South African, Malaysia, and Palestine Human Rights Commissions were invited to present their experiences on the establishment of their respective Commission, to explain the organizational structure of the various Commissions, and the criteria used for the selection of the Commissioners.

As a result of this workshop, 164 out of the 3,085 applications have been processed and shortlisted for the final

selection phase of the human rights commissioners, including 37 female applicants. COE has agreed to conduct a collective evaluation to be carried out by all members of the COE to identify the top 50 candidates for interview. The COE aims to nominate the 11+3 Human Rights Commissioners before the end of the year 2011.

UNAMI HRO and UNDP agreed to extend the UN support to the Council of Representative Human Rights Committee as the Committee is expected to fill the institutional void while the Commission is being established.

UN anticipates the recruitment of four Advisors in 4<sup>th</sup> Quarter 2011. Three Technical Advisors will work closely with the Committee of Experts and the COR Human Rights Committee to support the development of the organizational structure, the mandate of the Commission as well as the strategic action plan for the COR Human Rights Committee. Additionally recruitment is anticipated for an IT expert to assist the establishment of the database and the website of the Commission.

COE has submitted the draft public information campaign to the UN. Upon approval by the COE, UNDP will disburse the funds for this activity.

UNDP and UNAMI HRO recruited a technical Advisor to support the final phase of the selection of the Human Rights Commissioners, through this support final selection and evaluation criteria have been developed and approved by the COE, as a result of this support 49 candidates out of which 17 female applicants have been interviewed from 6 to 13 February 2012. UNDP organised and conducted one training course on the questions of the interview, evaluation and technique to the COE. UNDP provided the logistical support to the interview process which took place in Al Rasheed Hotel in Baghdad.

UNDP and UNAMI HRO continue to provide technical support to the very final stages of the evaluation and nomination of 11+3 Human Rights Commissioners. It is anticipated that the selection of names of the Commissioners will be concluded and submitted to the Council of Representatives with final endorsement taking place in the course of mid-March. With this step the selection will be concluded and the IHCHR will be officially established.

Technical Advisor has been recruited for 6 months to provide the required support to the Commissioners, assist thru capacity develop training programmes, and develop set of strategies to ensure that the Commission will effectively perform its function and duties.

Human Rights activities have been planned aiming at promotion of Human Rights and the role of the IHCHR, these activities will be conducted by Civil Society Organisations.

Human Rights campaigns was organised and broadcast during the observance of International Human Rights Day, a day of observance as well has been organised in partnership with the COR to recognise the importance of Human Rights and the support to the establishment of the IHCHR. This day was attended by the Speaker of COR and all Donors Communities, head of agencies, where the COR and GOI confirmed their support and commitment to the process.

#### **Main implementation constraints and challenges (2-3 sentences)**

The endorsement of the members of the Secretariat, by the CoR, generated delay in the provision of support.

Criterion for the selection of candidates was developed through an in-depth consultation process and South-South cooperation, which initiated the process.

The substantive number of applications received by the Secretariat, coupled with limited human resources, has resulted in selection delays of the Commissioners.

Project implementation could not commence until the CoR established the Committee of Experts (COE) and was endorsed under the new Government, noting that Law No 53 (2008) 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 UN, mandated to carry out procedures for the nomination of the Commissioners to be appointed by the CoR.

The COE agreed to conduct a vetting of shortlisted candidates including by the Integrity Commission, Police and De-Ba'athification Commission. The UN will continue as a member of the COE to promote the transparency of the process.

The final selection of Candidates is expected to result in the confirmation of 11+3 Human Rights Commissioners. The final evaluation will be conducted through voting by the COE for each of the top 20 candidates. Candidates will be considered for the post if they achieve 10 out of 15 votes of the COE. UN will continue to observe the process to ensure the voting has been done in fair and transparent manner.

It will take time for the Human Rights Commissioners to take up their responsibilities and assume their function, during this time UNDP will enhance the capacity of the COR Human Rights Committee continue to fill this void