

United Nations Development Group Iraq Trust Fund
Project #76154: C9-34
Date and Quarter Updated: 1 January to 31 March 2012 - Q1 2012

Participating UN Organisation: UNDP **Sector: Governance**

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

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| Title | High Commission for Human Rights in Iraq: Capacity Building and Technical Support | | | | |
| Geo. Location | Baghdad, Iraq | | | | |
| Project Cost | USD 500,000 | | | | |
| Duration | 18 months + 6 months extension | | | | |
| SC Approval Date | 27.06.2010 | Starting Date | 25.08.2010 | Completion Date | 25.02.2012 extended to 30.09.2012 |
| Project Description | <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> | | | | |

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| Development Goal and Immediate Objectives |
| <p>National priority or goals (NDS 2007- 2010 and ICI):</p> <p>NDS:</p> <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;</p> <p>8.3.1 Establish a comprehensive Iraqi owned human rights regime country wide.</p> <p>ICI Benchmarks (as per the Joint Monitoring Matrix 2008):</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.</p> <p>3.3.1: Establish a comprehensive human rights regime country wide.</p> <p>Sector Team Outcome(s):</p> <p>Outcome 3: Enhanced rule of law and respect and protection for human rights in line with international standards.</p> <p>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.</p> <p>Country Programme Action Plan and Project Outcome(s):</p> <p>Enhanced rule of law and respect and protection for human rights in line with international standards.</p> |

| Outputs, Key activities and Procurement | |
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| Outputs | <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> |
| Activities | <p>Output 1.1:</p> <ul style="list-style-type: none"> • 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. <p>Output 1.2:</p> <ul style="list-style-type: none"> • 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). <p>Output 1.3:</p> <ul style="list-style-type: none"> • 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. |
| Procurement | Office equipments and supplies; Advisory Services for capacity development activities. |

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| Funds Committed | \$114,263.00 | % of approved | 22.85% |
| Funds Disbursed | \$339,395.60 | % of approved | 67.88% |
| Forecast final date | 30.09.2012 | Delay (months) | 6 |

| Direct Beneficiaries | Number of Beneficiaries | % of planned |
|-----------------------------------|--|---------------------|
| Men | N/A | |
| Women | N/A | |
| Children | N/A | |
| IDPs | N/A | |
| Others | Includes the 11 Human Rights Commissioners and three substitutes, HCHR staff -both temporary and 2010 recruited staff, Human Rights Committee at CoR, and Experts Committee. The constitutive law provides for women representation within the Commissioners of not less than one third, and minority representation within the Commissioners not less than one member and one alternative member. | 100% |
| Indirect beneficiaries | All of Iraq'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. | 50% |
| Employment generation (men/women) | | |

| Quantitative achievements against objectives and results | % of planned |
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| <p>Output1.1</p> <p>1.1.1. Procurement of basic office equipment and supplies, to be transferred to the Secretariat once established.</p> <p>1.1.2. Placement of advertisements for nominations of the Commissioners.</p> <p>1.1.3 Provision of technical assistance and advisory services.</p> <p>1.1.4 Support for outreach and public information on the process of nomination and selection of Commissioners.</p> | <p>- The Project Manager has been recruited and arrived in 2011.</p> <p>- Request and procurement for IT Equipment to the support the work of the Secretariat has been processed.</p> <p>- Conducted a five day Workshop for 20 members of the Secretariat and Committee of Experts to assist in the establishment of the selection mechanism and framework of the Human rights Commissioner 1-7 June 2011.</p> <p>- Conducted a second five day workshop for 20 members of the Secretariat and the Committee of Experts which examined international experiences and best practices in the establishment of Human Rights Commissions. Representatives from South African, Malaysia, and Palestine Human Rights Commissions were invited and presented their experiences on the establishment of their respective Commissions. During this workshop each Commission Rep explained the organizational structure of the various Commissions, and the criteria used for the selection of the Commissioner. 6-10 September 2011.</p> <p>-Several outputs identified as an outcome of the workshops included;</p> <ul style="list-style-type: none"> o Defined the cycle and different phases in the selection of the Human Rights Commissioners; o Reached agreement on a future support requirements to define the organisational structure of the Human Rights Commission; o Reached consensus on the role of the Commissioners; o Defined final selection criteria for shortlisting of Commissioners; o Interview framework identified and established. <p>- Interview framework, questions and mechanisms for evaluation operationalized 1st Quarter 2012.</p> <p>- Training course conducted on the interview questions and the scoring of candidates 1st Quarter 2012.</p> <p>- Interviews for Commissioners conducted by the COE with the support of the Secretariat 1st Quarter 2012.</p> <p>- Logistical and advisory support provided to the interview process with 49 candidates interviewed.</p> <p>- 11+3 Human Rights Commissioners were nominated and approved by the COR 1st Quarter 2012.</p> |

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| <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> | <ul style="list-style-type: none"> • Organised and conducted two public information campaigns on the selection process and completed in Baghdad and Erbil. • Conducted one media campaign to raise awareness on Human Rights issues and the mechanism of prevention and protection in Iraq. • Conducted one Human Rights Civil Society Round Table with participants from 18 NGOs on the selection process and the role of the Independent High Commission for Human Rights in Baghdad. November 2011. • Recruited a Technical Advisor 4th Quarter 2011. • Developed interview and evaluation framework. • Conducted training course on the evaluation of interview questions. <p>A draft proposal for a public information campaign submitted. A sub-committee established within the Committee of Experts to finalize the public information campaign document. Human Rights Training Programme discussed. Approval anticipated during 2nd Quarter 2012. . Plan of the capacity development through technical advisors commenced.</p> | 80% |
| <p>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.</p> | <p>- Exposed COE during 3rd Quarter 2011 to relevant experiences and best practices of HR Commissions including Palestine, South Africa and Malaysia. COE trained on interview, scoring, and evaluation techniques during 4th Quarter 2011. - Ongoing technical advisory support to Commissioners to define the structure of the Commission.</p> | 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 commenced upon arrival of the Project Manager in April 2011. An assessment report and work-plan was 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 temporary Human Rights Secretariat were nominated and endorsed by the Council of Representatives. The Members commenced their duties and responsibilities regarding the selection of the Commissioners.

A Committee of Experts was formed in 2011 to manage the selection process of the HCHR 11+3 Human Rights Commissioners. A substantive amount of interest was generated which resulted in 3,085 applications being submitted for the 11+3 Human Rights Commissioner posts. These numbers were reduced to 164 applicants, which included 37 female candidates. Further shortlisting took place in 2011 with 49 candidates, selected for interview. The final selected candidates are to be interviewed in Quarter 1, 2012 and this project will continue to provide logistical support for this process. If interviews go well there is potential for the naming of Human Rights Commissioners within the first half of 2012.

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. The resulting framework was finalized and endorsed by the CoR. Technical and operational support to the Secretariat continued throughout 4th Quarter to assist in the selection of the Human Rights Commissioners and support the organisational structure of the Commission.

UNDP continued to provide support to the Committee of Experts (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. This workshop brought together twenty participants from the Secretariat and Committee of Experts and representatives from Human Rights Commissions in South Africa, Malaysia and Palestine who were invited to present their experience on the establishment of their respective Commission and to explain the organisational structure of the various Commissions, and the criteria used for selection of Commissioners.

The resulting framework was finalized and endorsed by the CoR. Technical and operational support to the Secretariat continued throughout 4th Quarter 2011 to assist in the selection of the Human Rights Commissioners and support the organisational structure of the Commission.

As a result of strategic outcomes developed in the workshop, 164 out of the 3,085 applications were processed and shortlisted for the final selection phase of the Human Rights Commissioners, including 37 female applicants. The Committee of Experts (CoE) carried out a collective evaluation to identify the top 50 candidates for interview.

Two public information campaigns were conducted to raise awareness on the role of the Human Rights Commission which highlighted transparency within the selection process of the Human Rights Commissioners.

Human Rights campaigns were organised and broadcast during the observance of International Human Rights Day, organised in partnership with the COR, to recognize the importance of Human Rights and to show support to the establishment of the IHCHR. The event was attended by the Speaker of COR, Donors, Heads of Agencies. Support has been provided to the Human Rights Film festival, to advance the promotion of Human Rights culture in Iraq.

A Human Rights Civil Society roundtable was organised, in November 2011, in Baghdad with participation of 18 NGOs. Two papers were presented and adopted on: a) Framework on effective engagement of Civil Society with the Human Rights Commission and the COR Human Rights Committee. b) Framework on establishment of a partnership between Civil Society and UN agencies to promote Human Rights in Iraq.

The CoR voted to approve the law on Iraq's accession to the UN Convention on the Rights of Persons with Disabilities 23 December 2011 with ratification anticipated in early 2012.

A Technical Advisor was recruited 4th Quarter 2011 for 6 months to provide the required support to the Commissioners, assist capacity develop training programmes, and develop a set of strategies to ensure that the Human Rights Commission will effectively perform its function and duties.

Forty-nine (49) candidates out of which 17 female applicants were interviewed from 6 to 13 February 2012, under the support of this project. UNDP organised and conducted one training course on the interview process, candidate evaluation and techniques to the COE. UNDP provided the logistical support to the interview process which took place in the Al Rasheed Hotel in Baghdad. As a result COE finalized the selection of 11+3 Human Rights Commissioners, out of which are 3 females.

On 9 April 2012, the Council of Representatives voted, in an overwhelming majority, to endorse the package of nominees to the Board of Commissioners.

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. The ongoing technical advisory support will continue to provide the required support to the Commissioners, assist through capacity development training programmes, and develop a set of strategies to ensure that the Commission will effectively perform its function and duties.

Additionally, joint support with IAU is approved, to assist the establishment of the database and the website of the Commission.

Two public information campaigns were conducted to raise awareness on the role of the commission and highlighting the transparency of selection process of the human rights commissioners.

At Regional level, a Concept Note has been developed and shared with KRG on UN support to the establishment of KRG Human Rights Board. Proposed cost-sharing for this support is under discussion with Ministry of Planning.

UNDP conducted a Conference on Best Practices of Human Rights Committees April 30-May 2. Members of the Committee on Human Rights of the Iraqi Parliament had the chance to discuss challenges of promoting Human Rights standards through legislation and oversight with representatives from South African and Romanian Parliaments. The conference was a forum to exchange best practices and improve awareness and knowledge of constitutional functions as MP's, particularly as members of Human Rights Committees. MPs discussed challenges in drafting legislation, implementing Human Rights standards, oversight of policy implementation, how to improve the transparency and accountability of the decision making process, how to build consensus on Human Rights related topics, and how to develop proper public outreach mechanisms to involve the Iraqi people in legislative process.

Main implementation constraints and challenges

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

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

Project implementation could not commence until the CoR established the Expert Committee 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. The UN will continue as a member of the COE to promote the transparency of the process.