*Check against delivery*

**Human Rights Council**

**34th session, item 10**



**Oral statement by**

**Mr. Christopher Sidoti**

**Chairperson of the Board of Trustees of the Voluntary Fund for Technical Cooperation in the Field of Human Rights (VFTC)[[1]](#footnote-1)**

**Geneva, 22 March 2017**

**President, Deputy High Commissioner, Excellencies, Distinguished representatives of Member and Observer States and of Civil Society**

**Introduction**

**I thank the Deputy High Commissioner for Human Rights, Ms. Kate Gilmore, for her comments today and her support throughout the year.** Through the Deputy High Commissioner, on behalf of Members of the Board of Trustees[[2]](#footnote-2) of the Voluntary Fund for Technical Cooperation in the Field of Human Rights (VFTC), **I also thank the High Commissioner and his Office for their continuing excellent assistance in carrying out the Board’s mandate.**

In accordance with resolutions 18/18 and 33/28, under which the Council requested the VFTC Board’s report to be presented annually to the March session of the Council, I present the Board’s report for 2016. The VFTC is the second largest trust fund administered by OHCHR. It provides financial support for technical cooperation in implementation of international human rights standards at national level. The members of the VFTC Board also constitute the Board of Trustees of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. The report of that Fund will be presented at the June session of the Council. I request that the Council reconcile the differing reporting sessions for the two Funds to facilitate better discussion of the reports.

**In its dual capacity as the Board of Trustees of the Voluntary Fund for Technical Cooperation in the Field of Human Rights (VFTC) and the Board of Trustees of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review, the Boards provides policy advice and guidance on technical cooperation relevant to OHCHR’S work on the ground in support to State efforts for the promotion and protection of human rights and, in particular, the implementation of UPR recommendations. The members of the Boards, as overseers of the two Funds, seek to promote the complementary and, hence, more effective use of the resources in both Funds.**

The VFTC Board’s report to this session of the Council covers its forty-third session held in Guatemala in October 2016 and provides an update on the use of the VFTC during the period under review. The visit to the OHCHR Country Office in Guatemala was its second to this type of OHCHR field presence in the Latin American Region.

The Board had an excellent opportunity to observe first-hand the type of technical cooperation that OHCHR is best placed to offer, starting with and based upon its monitoring role.

**Board visit to Guatemala Country Office**

As in other OHCHR country offices, the Guatemala Office uses its technical expertise and close interactions with all partners on the ground to gather evidence-based information and credible, validated data on the human rights situation and challenges. It subsequently designs appropriate responses, discusses and suggests possible technical cooperation programmes with the State on the basis of that information. The support of the Office and the openness in-country in ensuring the integration of all rights – civil, cultural, economic, political and social – is very effective in ensuring better promotion and protection of human rights.

**This visit once again demonstrated that, when the Office is given the opportunity to use strategically the full mandate of the High Commissioner to support to a country’s human rights efforts, the results are tangible and sustainable, and the Office is accepted as a key, reliable partner.**

The Board has expressed this view in its past annual reports and presentations to the Human Rights Council. It will continue in future to provide examples to promote a better understanding of the type of technical cooperation that the Office is best placed to offer and provide. The value of the work of the Guatemala Office was emphasized by all counterparts in country, including State institutions, civil society, United Nations agencies and diplomatic representatives with whom the Board met.

The physical presence of its Office in Guatemala has enabled OHCHR to add to the initiatives of local partners the value of its unique mandate. The added value is particularly evident in the space OHCHR opens and provides to human rights defenders, journalists and the victims of human rights violations. The Board met with many representatives of these groups, including indigenous representatives. On many occasions they expressed their appreciation for the capacity-building and accompanying role that the Office provides to indigenous and other marginalised and at-risk groups and for the support OHCHR offers to State efforts in the defence of human rights. They considered themselves empowered through the Office’s initiatives.

**This endorsement by marginalised people and by those experiencing or at risk of human rights violations combined with the excellent cooperation with relevant State institutions to effectively address the challenges faced by these groups, is the best endorsement OHCHR could want for the effectiveness of its efforts.**

A key part of empowering people is enabling their participation. The Office creates important channels of participation through its convening role and in providing trusted space for dialogue. This was emphasised in many meetings but particularly by indigenous community leaders the Board met. The Board heard that in practice participation often seemed to be reduced to prior consultation. The right to participation, however, is not a right to mere consultation but a right to full, free and informed consent. Because of the trust gained from all actors, the Office plays a critical role as facilitator of real participation as required by international human rights law.

The Board particularly welcomed the priority that the Guatemala Office has afforded to human rights issues of indigenous peoples and the approach in that of building on the recommendations of the UPR, the treaty monitoring bodies and the Special Procedures following their country visits. The Board observed first-hand the Office’s partnership with indigenous organisations and found the Office’s programmes and priorities appropriate and necessary. It commends in particular the Maya programme that has supported indigenous initiatives through strategic litigation and other forms of advocacy. The Board considers that the achievements of the Maya programme have been made possible by the overall work of the Guatemala Office in many fields that are well coordinated in a comprehensive office strategy. It is convinced that OHCHR as a whole and its field presences generally would benefit from incorporating the experience of the Guatemala Office into its core work components, as an integral part of its key technical cooperation toolbox.

The Board was also informed of human rights issues affecting the people of African descent in Guatemala. It considered it timely and appropriate to accord higher priority to their situation, especially in the context of the International Decade for People of African Descent.

The composition of the Guatemala Office reflects the variety of Guatemalan society, an element that certainly plays an important role in the relevance, efficiency and effectiveness of its programmes. In this too it provides a useful model for all OHCHR field presences.

In Guatemala, the Board was able to obtain a deeper insight into the importance and relevance of its mandate relating to both the Voluntary Fund for Technical Cooperation and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. During its meetings and in discussions with other OHCHR representatives during the session, the Board noted that, although Guatemala is not currently a recipient of the UOPR implementation fund, the implementation of UPR recommendations was a fully integrated aspect of the Office’s programmes, as was work related to implementation of the recommendations made by other human rights mechanisms. OHCHR is clearly well placed to provide expert technical assistance in this regard. I will return to this issue shortly.

The Board saw in Guatemala the relevance, indeed importance, of the OHCHR Office in providing information to other United Nations agencies and programmes operating in Guatemala and in advising them on international human rights standards. In meetings with the Board those agencies affirmed this OHCHR role and the assistance the OHCHR Office provided them in supporting the State’s efforts to fulfil its international human rights obligations.

The role of OHCHR in United Nations country teams, particularly in developing and implementing the human rights-based United Nations programmatic tools, is now more significant than ever in the light of the 2030 Agenda for Sustainable Development. In a country like Guatemala, where overcoming discrimination and exclusion continues to feature prominently in all national and United Nations efforts, leaving no one behind while ensuring full respect of human rights is an inevitable responsibility for the State and for the international community.

The Board took the opportunity of its session in Guatemala to meet, in person or through conference calls, with other OHCHR presences in the region: the Country Offices in Colombia, Honduras and the Plurinational State of Bolivia, the regional offices in Panama and Chile, and the Human Rights Advisers in Paraguay and Jamaica. The Board was particularly impressed by the experiences shared and discussed with members of the country office in Colombia, where so much has been accomplished in difficult circumstances and with the new office in Honduras, which is now fully operational and already establishing solid partnerships in supporting the State in achieving tangible results.

**The Board is convinced that the approach taken in Guatemala, and indeed in other country offices, should be more widely known; the lessons learned should be applied in the establishment and strengthening of the work of all country offices but also shared openly with Member States. States should be more open in recognizing publicly the proven benefits of having direct, local access to the technical expertise that an OHCHR field presence offers.**

**Principles for effective technical cooperation: follow up to recommendations of international human rights mechanisms**

Some years ago the Board proposed a set of principles for effective technical cooperation technical cooperation in the field of human rights. Following its practice, the Board this year elaborates on the principle that, to be effective, technical cooperation in the field of human rights should be based upon and support implementation and follow up of the recommendations made by international human rights mechanisms, including treaty monitoring bodies, the UPR and the special procedures of the Council.

**The Board considers that, to have effective sustainable results for the promotion and protection of human rights, technical cooperation programmes should be aimed at translating into reality the obligations and commitments of Member States within the international human rights legal framework.**

This principle responds to the expectations and demands Member States rightly face in relation to their international human rights obligations and to their responses to recommendations of the international mechanisms.

**At its field sessions, the Board has observed the technical support provided by OHCHR for legislative and policy development and for capacity building for rights holders and civil society. This support is in practical terms based on international standards and recommendations. It is informed by evidence-based information and credible and validated data on the situation and challenges on the ground.**

OHCHR technical cooperation programmes should make a practical contribution to ensure that the standards and recommendations of international and regional human rights systems inform the development of national plans of action and of meaningful indicators.

Through its experience on the ground, the Board is convinced that technical support and capacity-building programmes directed at national institutions, including legislative, judiciary and national human rights institutions fully compliant with the principles relating to the status of national institutions (the Paris Principles), or institutions that are moving towards full compliance with those Principles, are strategically critical to ensure thorough implementation and follow up of the recommendations of international human rights mechanisms.

In drawing attention to the importance of promoting and monitoring implementation of recommendations of international mechanisms, **the Board emphasizes that promotion and follow up are not ends in themselves but means to achieve the goal of full compliance with international human rights obligations. Follow up enables transparency and accountability which are critical elements in ensuring implementation.** Evaluating past performance and identifying future measures promote greater compliance. This monitoring is of no benefit without evaluation of the past and strategizing for the future. The Board considers that technical cooperation should enable this kind of past and future-oriented follow up efforts in close cooperation with the relevant institutions.

**VFTC activities in 2016**

**In 2016 the Fund continued to provide resources for technical cooperation to build strong national human rights frameworks**

**in 27 regions, countries and territories through**

* **13 human rights advisers** (in Chad, Kenya, Madagascar, the Niger, Papua New Guinea, Paraguay, the Republic of Moldova, the Russian Federation, Rwanda, Serbia, South Caucasus (Georgia), Sri Lanka and Timor-Leste)
* **10 human rights components of peace missions** (in Afghanistan, the Central African Republic, Côte d’Ivoire, Guinea-Bissau, Haiti, Kosovo\*, Liberia, Libya, Somalia and the Sudan (Darfur)) and
* **four country/stand-alone offices** (in Bolivia (Plurinational State of), Mauritania, Mexico and the State of Palestine).

Through the Fund, the Office at country level has

* facilitated efforts to incorporate international human rights standards into national laws, policies and practices, including through follow-up to recommendations made by international human rights mechanisms
* contributed to the establishment and strengthening of national structures, institutions and capacities to ensure adherence to these standards
* supported the strengthening of the administration of justice, including support in increasing access capacities for individuals and groups facing discrimination and exclusion, and in increasing capacities to promote gender equality and women’s rights
* assisted the establishment and strengthening of national human rights institutions compliant with the Paris Principles and
* supported human rights education programmes.

In addition, through the Fund, United Nations resident coordinators and country teams have seen their human rights capacity strengthened by the deployment of human rights advisers.

**The total expenditure of the Fund at 31 December 2016 was $13,179,139. The reductions compared with previous years largely corresponded to the reduction of a number of programmes to better align expenditures with income. By 31 December 2016, the Fund had received a total of $12,178,823. The deficit was covered through the Fund’s reserves.**

**Conclusion**

**Many States remain shy at recognizing the assistance the Office can provide to their human rights implementation when the Office is close to the realities on the ground. States are challenged to examine anew how the Office can assist them to comply more fully with their international human rights obligations.**

**States are also challenged to provide the financial support they could to OHCHR’s technical cooperation efforts. Further, they often contribute under short-term agreements that limit the Office’s capacity to develop solid, long-term strategic partnerships to support effective implementation.**

**OHCHR itself is challenged to develop enhanced capacity, both at headquarters and in the field, to provide the type of technical cooperation that it is best placed to offer, given its mandate and expertise. In a climate of resource constraint OHCHR is inevitably constantly challenged to do more, and to be more effective, with less.**

**The Board greatly appreciates the quality of assistance and support it receives from the Secretariats of the two trust funds and from OHCHR offices and field presences. We are greatly encouraged by the deep commitment and high level of competence of so many of those we work with and so many of those we meet during the course of our work.**

**The Board looks forward to the panel discussion, at the next session of the Council, on technical cooperation in the 10 years since the Council’s establishment. The Board considers that the discussion will identify substantial advances in technical cooperation in the field of human rights over that period. Yet significant challenges remain.**

\*Reference to Kosovo should be understood to be in full compliance with Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

1. In relation to the presentation of the Annual Report of the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, A/HRC/34/74 of 19 January 2017 at the Palais des Nations, Geneva, Switzerland. [↑](#footnote-ref-1)
2. The Board’s members appointed by the Secretary General from the five geographic regions are Mr. Christopher Sidoti (Australia and current chair), Ms. Mariclaire Acosta Urquidi (Mexico), Ms. Esi Sutherland-Addy (Ghana), Ms. Lin Lim (Malaysia) and Ms. Valeriya Lutkovska (Ukraine) who was appointed in February 2017 to fill the seat vacated by Ms. Ilze Brands Kehris from Latvia. The Board’s chairpersonship rotates annually among its members. [↑](#footnote-ref-2)