

Evaluation of Transitions from Human Rights Components in UN Peace Operations to Other Types of Field Presences



FINAL REPORT **June 2020**

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An external Consultant team has prepared this report. The views expressed herein are those of the Consultants and therefore do not necessarily reflect the official opinion of OHCHR

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3. Table of Acronyms

CSO	Civil Society Organization
DPO	United Nations Department of Peace Operations
DPPA	United Nations Department of Political Affairs and Peacebuilding
ESCR	Economic, social and cultural rights
FOTCD	Field Operations and Technical Cooperation Division
HC	Humanitarian Coordinator
HIPPO	High Level Independent Panel on Peace Operations
HQ	Headquarters
HRO	Human Rights Officer
IAP	Integrated Assessment and Planning
IFIs	International Financial Institutions
I(M)TF	Integrated (Mission) Task Force
IOT	Integrated Operational Team
LGBTI	Lesbian, Gay, Bisexual, Transsexual, Intersectional
MINUJUSTH	United Nations Mission for Justice Support in Haiti
MINUSTAH	United Nations Stabilization Mission in Haiti
MINURCAT	United Nations Mission in the Central African Republic and Chad
MONUSCO	United Nations Organisation Stabilization Mission in the Democratic Republic of the Congo
NGO	Non-governmental organization
NHRI	National human rights institution
OECD-DAC	Development Assistance Committee of the Organization for Economic Cooperation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIOS	United Nations Office for Internal Oversight Services
OMP	OHCHR Office Management Plan
PBRB	OHCHR Programme and Budget Review Board
PDA	Peace and Development Adviser
PPMES	OHCHR Policy, Planning, Monitoring and Evaluation Systems
PSMS	OHCHR Programme Support and Management Services
RC	Resident Coordinator
RGA	Regional Gender Advisers
SAMs	Strategic Assessment Missions
SOPs	Standard Operating Procedures
SRSR	Special Representative of the Secretary-General
TAMs	Technical Assessment Missions
TSs	Transition Specialists
UNDP	United Nations Development Programme
UNEG	United Nations Evaluation Group
HRC	United Nations Human Rights Council
UNICEF	United Nations Children Fund
UNCTs	UN country teams
UNMIL	United Nations Mission in Liberia
ONUCI	United Nations Mission in Côte d'Ivoire
UNVs	United Nations Volunteers
UPR	Universal Periodic Review

4. Executive Summary

Background

This report evaluates the planning and management of the transition of the human rights components of United Nations Peace Operations into other types of field presences by the Office of the United Nations High Commissioner for Human Rights (OHCHR). It is written to help inform the development of future transition planning and ensure that strategies for achieving transformation and start-up of new FPs are timely, comprehensive, and well-coordinated within OHCHR and with its partners within and outside the United Nations system.

Transitions are becoming an increasingly important agenda item throughout the United Nations. Missions are in the process of winding down often in contexts where peace is fragile and human rights challenges persist. In some countries, transition plans have included the establishment of OHCHR Country Offices after a mission withdraws. In a number of cases it has not been either necessary or possible to establish Country Offices and OHCHR has instead deployed Human Rights Advisers (HRAs), Human Rights Project Offices,¹ or covered the country through the relevant Regional Offices. In some countries, there has been no in-country follow-on presence. Given the scale of the human rights challenges in many post-transition countries, the absence of a follow up human rights presence is a serious problem.

Methodology

The evaluation was conducted between October 2019 and May 2020 by two independent evaluators who were each contracted for 60 days, working under the supervision of an Evaluation Manager and the guidance of a Reference Group. The data collection methodology consisted of semi-structured interviews with stakeholders in New York and Geneva, field missions to Liberia, Haiti and Sudan, observations from these field visits, a large number of telephone and Skype interviews with other mission staff and a review of both the United Nations and OHCHR's 'grey literature' (reports, evaluations, policy guidelines and directives, lessons-learned documents, minutes of meetings, etc.) and a secondary documentary analysis.

Main Findings

Relevance

Proper planning for and management of the transition from a United Nations peacekeeping mission is crucial because of its implications for the sustainability of peace and security in the country. The draw-down or closure of a mission without appropriate mechanisms for engagement in place risks undermining the accomplishments attained and even a relapse into conflict. Transitions do not always occur in conducive environments and the United Nations' ability to plan for and implement them will be affected by the context and timing of their trigger.

¹ These are technical cooperation projects deployed in the field for specific purposes and usually with tied donor funding.

There is wide agreement on the need for early and integrated planning and that missions should identify clear objectives and associated performance measures, such as benchmarks and capacity gap analyses. OHCHR participation in Strategic Assessment and Technical Assessment Missions deployed at the onset of the transition process is widely agreed to be essential. OHCHR interviewees repeatedly stated that they had been involved in contributing to such assessments and planning, but sometimes their participation was not sufficiently reflected in the subsequent plans. On other occasions, they did secure the formal support of their United Nations colleagues, but the creation of a field presence deemed most adequate by OHCHR FP was hindered either by lack of host state consent or by lack of donor support.

OHCHR interviewees who had been involved in transition planning generally seemed to have aimed at the establishment of a Country Office, with the fall back options being an HRA or, more rarely, some type of project office. The Evaluation Team is concerned that focusing on these limited options can backfire and leave OHCHR with no fall back options when it cannot secure the funds or the host country rejects the idea. OHCHR needs to articulate a clear strategic objective well in advance and consider different modalities and mechanisms for engaging with the country to address the human rights challenges and achieve the strategic objectives. It was also widely felt that OHCHR needs to become much better at communicating its vision for post-transition scenarios within the UN system and to donors and other external stakeholders.

Effectiveness

In most cases where transitions have taken place there has been a significant reduction in resources and capacity and it has not been possible for the follow-on human rights field presence to maintain the same scope of coverage and results of the previous mission human rights components. The Evaluation Team encountered examples of serious attempts by OHCHR to try to ensure that its human rights FPs could continue to achieve results during and after the transitions. In some cases these were not successful due to failures in the overall planning of the transitions process by the wider UN system, but in others there are examples of good practice which can be built on. The relevance and value-added of an OHCHR field presence is widely recognised by external stakeholders and a number specifically cited the OHCHR's value in helping to prepare governments and civil society organisations (CSOs) in post-transition countries for their interaction with regional and international human rights mechanisms. Others stressed the growing importance of OHCHR's work on social, economic and cultural rights and ensuring compliance with the Human Rights Due Diligence Policy (HRDDP).

Efficiency

Decreased international attention amongst donors and partners that often accompanies the ending of a mission at a stage when the country requires targeted financial and technical support for re-building critical institutions can be devastating, leading to what is often described as a 'financial cliff'. Even in the most successful transitions this is huge problem for OHCHR FPs. OHCHR field staff typically lack the skills and experience of fund-raising, program management and financial reporting necessary to sustain offices dependent on external project funding. The UN Development Program is sometimes seen as the 'natural successor' to take on some of the programs previously implemented by the human rights component of the mission. , However, it should be stressed that no other UN entity has the structure and mandate to undertake the critical human rights

monitoring, advocacy and reporting functions which OHCHR fulfils. The Evaluation Team encountered numerous examples of good practice in the three-way communication between OHCHR's offices in New York, Geneva and the field. Some external stakeholders, however, stated that OHCHR needs to engage more consistently with a wider range of potential partners to show the relevance of its mandate during transition processes. OHCHR should be more active in fora such as the Global Focal Point for Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations and the Peace Building Commission (PBC).

Impact Orientation

A transition will almost inevitably lead to a drastic reduction in the capacity of a human rights field presence to fulfil the functions of monitoring, investigating, reporting, advocacy, and providing technical assistance and cooperation previously undertaken by the human rights component of the mission. While it is very difficult to assert a causal impact between the human rights situation in a country and this reduction of human rights monitoring, advocacy and capacity-building, it is significant to note the increasingly wide acceptance within the wider UN system of the relevance of promoting and protecting human rights to creating the conditions for strengthened resilience and sustained peace in countries emerging from conflict. Effective transition planning by OHCHR can have a positive impact on the human rights situation in the country concerned.

Sustainability

All of the human rights components in the Peace Operations that the Evaluation Team examined had the mandate to start capacity-building programmes early on in the life of their respective missions. These all appear to have been based on analysis of capacity gaps, collaboration and comparative advantage and clear theories of change and outcomes. Subsequent OHCHR Country Offices and other field presences had built on these achievements through follow-on programmes focused on supporting National Human Right Institutions (NHRIs), CSOs and state justice sector institutions. Where transitions were still in progress, or had resulted in the establishment of Country Offices, the human rights field presence was clearly aiming to capacitate NHRIs or CSOs to progressively take on the human rights monitoring, reporting and advocacy functions. Interviewees also stressed the long-term importance of OHCHR's ongoing work on social, economic and cultural rights, supporting the reporting processes of international human rights mechanisms and ensuring HRDDP compliance.

Gender Integration

The Evaluation Team found that while the UN is formally committed to integrating a gender perspective into its transition planning, practical application remains weak. The problem is not a lack of gender-sensitivity, *per se*, but a failure to ensure that the voices of the most vulnerable sections of the population are genuinely listened to during transitions. OHCHR has attempted to put in place structures to ensure the integration of a gender perspective during transitions and to contribute towards the goal of gender equality and women's rights afterwards, but in the context of a significant reduction of the work of its post-transition field presences. UN Women clearly regard OHCHR's field presences as an ally in the field and the two entities cooperate well together.

Conclusions and Recommendations

Much effort has been made by OHCHR to improve its planning and management of transitions, but it is clearly still work in progress. This report highlights areas where it could improve, which the following Recommendations seek to address:

1. OHCHR should institutionalize transition planning as an OHCHR office-wide engagement requiring the involvement of senior staff from its different units, including Programme Support and Management Services (PSMS). It should continue to enhance cooperation between the New York and Geneva HQs and its field presences.
2. OHCHR should think strategically about the value that its own mandate adds to the United Nations' work on peace and development and prevention during discussions on transitions and consider producing a strategic guidance framework showing how this can, with adequate resources, contribute to lasting and durable peace and to the prevention of future conflicts. It needs to be able to present a strong holistic vision of its potential role during transitions using language that resonates with those involved in debates about protection, peacebuilding and development.
3. OHCHR should ensure that it can designate a team of senior staff in its HQ – drawn from all relevant parts of the Office and fully conversant with its work – that can be independently deployed during transitions, well in advance of the closure of a Peace Operation, to participate in Needs Assessments and Technical Missions and to strategically engage with the wider UN system at the HQ and field level, in order to be able to influence decisions related to the future human rights field presence.
4. OHCHR should increase its engagement with human rights components of Peace Operations through more regular interactions and visits, including by senior management, to all missions.
5. OHCHR should be sensitive to the usually complex situation in post-transition situations and the need to carefully navigate around the difficult challenges it is likely to face. It should, therefore, ensure that it deploys staff for these new field presences who have the appropriate level of seniority, fully understand OHCHR's strategic objectives, are technically competent, have good levels of judgement and diplomacy, can effectively communicate in delicate environments, and who preferably know the country. OHCHR should continue to provide them with support, training and mentoring as required.
6. OHCHR transition planning should include consideration of all viable options and account for all foreseeable scenarios, with fall-back options included. These alternatives are understood to be Country Offices, Human Rights Advisers (HRAs) and Project Offices; as well as human rights teams within the Office of the Resident Coordinator's (RC) Office, running the programmes directly from Geneva or assigning their responsibility to Regional Offices. Transition plans

should be based on an evaluation of the achievements of the human rights component of the UN mission, comparative strengths and weaknesses of other partners, including national CSOs, and of outstanding human rights challenges and needs.

7. OHCHR should produce its own 'good practices' and 'lessons learned' guidance and Standing Operating Procedures on transitions, which should be incorporated into the induction of all relevant field staff, desk officers and others directly involved in transitions. It should promote regular substantive discussions and interaction with OHCHR's more senior leadership during transition processes.
8. OHCHR should more explicitly align its field deployment strategy to the Secretary-General's peacebuilding and sustaining peace agenda and Integrated Platform on Prevention, and the 2030 Sustainable Development Agenda, and enhance engagement with the UN HQ integrated transition processes and other initiatives. It should continue to work to promote the full range of human rights, economic, social and cultural as well as civil and political, in its field work
9. OHCHR should increase its advocacy on the integration and operationalization of human rights in the United Nations system and with other institutional partners and stakeholders and develop fundraising strategies around this, with the aim of securing regular budget funding for human rights activities. Relying on field presences to fundraise for their own offices may be over-ambitious.
10. OHCHR should develop tools and guidance and provide training and technical support to facilitate the integration of gender in transition situations.
11. OHCHR should find ways to more actively engage the UNCT, the host government and other national stakeholders (e.g. CSOs) to strengthen national mechanisms for human rights promotion and protection and, in this regard, consider the strategic use of the recommendations from regional and international human rights mechanisms, including the Universal Periodic Review (UPR).
12. OHCHR should ensure that its own administrative staff are brought into the discussion and planning of transitions from early on and are properly supported in dealing with the administrative and logistical aspects and the hand-over of assets. If necessary, it should provide temporary administrative support to new field presences to facilitate this.
13. OHCHR should bring to the attention of those who manage liquidation of assets UN policy on information sharing, transfer and archiving, particularly in relation to the security and confidentiality of the human rights component's files.

5. Introduction

5.1. Programme Background

The transition from United Nations Peace Operations is becoming an increasingly important agenda item throughout the United Nations system as several missions draw down or close. Between June 2017 and March 2018 respectively, the United Nations closed its longstanding peacekeeping missions in Côte d'Ivoire and Liberia, while the United Nations presence in Haiti was reconfigured, first to a peacekeeping operation focusing on justice, human rights, and policing, and then into a special political mission.² The Security Council has also since mandated the closure of the peacekeeping operation in Darfur and the initial drawdown of the political mission in Guinea-Bissau,³ and requested an independent strategic review to articulate options for an exit strategy for the mission in the Democratic Republic of the Congo (DRC).⁴

According to the 2013 United Nations policy on transitions, these should be 'first and foremost a response to significant change in a country's political and security situation and its economic and social development . . . [their] goal is for post-conflict countries to reach a point where no further UN presence is required' because the responsibilities that the United Nations had previously assumed have been handed over to national actors.⁵ As will be discussed in this evaluation report, however, the United Nations is coming under increasing pressure to transition out of Peace Operations for a variety of reasons which are not solely based on objective conditions in the country concerned.

United Nations Peace Operations are by their very nature short-term palliatives and, despite their increasingly ambitious mandates, were never designed to conclusively resolve the diverse structural causes of conflict.⁶ Transitions have taken place in countries where progress in upholding human rights and the rule of law, building solid state

² UN Security Council, Special Report of the Secretary-General on UNOCI, UN Doc. S/2016/297, March 31, 2016; *Final progress report of the Secretary-General on the United Nations Mission in Liberia*, S/2018/344, 13 April 2018; and Security Council Resolution 2476, 25 June 2019; *Security Council marks transition from 15 years of Peacekeeping in Haiti*, 15 October 2019.

³ Security Council Resolution 2429, 31 July 2018 (Darfur); Security Council Resolution 2458, 1 March 2019 (Guinea Bissau).

⁴ Security Council Resolution 2463, 29 March 2019

⁵ Policy on UN Transitions in the Context of Mission Drawdown or Withdrawal, Endorsed by the Secretary General, 4 February 2013, para 3. See also *The Secretary-General's Planning Directive for the development of consistent and coherent UN Transition processes, in line with Executive Committee decision 2018*, UN internal, 25 February 2019. This builds on, and complements, the 2013 Policy as well as, the Integrated Assessment and Planning Policy, both of which are to be used by the UN System as the main guidelines when planning and managing mission transition processes.

⁶ For further discussion see: Adam Day, *To Build Consent in Peace Operations, Turn Mandates Upside Down*, UN University Centre for Policy Research, 19 January 2017; Karin Landgren, *Nailing Down the Primacy of Politics in UN Peacekeeping: An Insider Perspective*, International Peace Institute Global Observatory, 16 August 2018; Richard Gowan, *Political Gap in Reform Agenda Leaves Questions on A4P Mechanisms*, International Peace Institute Global Observatory, 19 July 2018; Adam Day and Jake Sherman, *Political Solutions Must Drive the Design and Implementation of Peace Operations*, International Peace Institute Global Observatory, 20 June 2018; Lisa Sharland, *How Peacekeeping Policy Gets Made: Navigating Intergovernmental Processes at the UN*, International Peace Institute, May 2018

institutions and fostering reconciliation has been limited.⁷ Upcoming transitions will likely occur in contexts where civilians face significant security threats from both state and non-state actors.

The preparation for transitions is a key priority for the Secretary-General, in line with the recommendations of the High-Level Independent Panel on Peace Operations (HIPPO) and the Advisory Group of Experts for the 2015 Review of The United Nations Peacebuilding Architecture (AGE).⁸ The AGE report particularly noted that the United Nations system needed to pay more attention to transitions, describing them as ‘frequently poorly timed and poorly managed’, and stated that the drawdown of a Peace Operation usually comes with visibly diminished political attention and a rapid drop-off in financing.⁹ Along with a reorganization of United Nations Headquarters (HQ) to bring together two of the pillars of the Organization’s work – Peace and Security, and Development – in a more strategic manner, the Secretary-General has called for more ‘tailored, sequenced, and flexible mandates and variable mission designs’ and he has issued a directive requesting missions and United Nations country teams (UNCTs) to plan integrated transitions more proactively.¹⁰ To address this priority, the Executive Committee (EC) has included a review of transitions as an agenda item every six months and requested the updating of the Integrated Assessment and Planning (IAP) policy and the Transitions policy, as well as giving renewed attention to critical transition issues, including support to national peacebuilding plans, capacity assessments, gender equality, and consideration of United Nations leadership in transitions.

The Office of the United Nations High Commissioner for Human Rights (OHCHR) has a rich and varied experience of participating in United Nations Peace Operations.¹¹ Each transition has been different, partly in reflection of the Operations themselves, but there has been a clear evolution, both on the part of OHCHR and the wider United Nations system around how transitions are handled. OHCHR has initiated its own ‘good practices’ and ‘lessons learned’, in this regard, but these have not been particularly well-documented or captured systematically so there is little in the way of Guidance or Standing Operating Procedures (SOPs) on transitions for OHCHR staff.

It is now widely accepted that strengthening institutions and governance in post-conflict situations is crucial to sustainable peace and development. Promoting and protecting the full range of human rights codified in international law also helps protect the most vulnerable and prevents a relapse into conflict. As the Secretary General’s Report,

⁷ For example: *Final progress report of the Secretary-General on the United Nations Mission in Liberia*, S/2018/344, 13 April 2018; Daniel Forti and Lesley Connolly, *The Mission Is Gone, but the UN Is Staying: Liberia’s Peacekeeping Transition*, International Peace Institute, December 2018; Fiona Blyth, *Transitioning to National Forces in Somalia: More Than an Exit for AMISOM*, International Peace Institute, April 2019; Alexandra Novosseloff, *Lessons Learned from the UN’s Transition in Côte d’Ivoire*, International Peace Institute, December 2018.

⁸ *Report of the High-Level Independent Panel on Peace Operations. 16 June 2015; and Report of The Advisory Group of Experts for the 2015 Review of The United Nations Peacebuilding Architecture. The Challenge of Sustaining Peace*, 29 June 2015.

⁹ *Ibid.*

¹⁰ *Restructuring of the United Nations peace and security pillar Report of the Secretary-General*, A/72/525, 13 October 2017

¹¹ *Evaluation of the effectiveness of human rights monitoring, reporting and follow-up in the United Nations multi-dimensional peacekeeping operations*, Office of Internal Oversight Services, 8 March 2019

Peacebuilding and Sustaining Peace, noted the international human rights framework provides a critical foundation for this and the 'collective work of the United Nations system to advance human rights should help to identify the root causes of and responses to conflict. In that respect, it will remain imperative for the peace and security and development pillars to make better use of the existing human rights mechanisms, such as special procedures, the treaty bodies and the universal periodic review, and their recommendations in support of Member States.¹² The capacity of OHCHR field presences is obviously vital to enable more systematic engagement with various partners for monitoring, reporting, protection of civilians, building the capacity of state rule of law institutions and technical assistance in critical situations.

The human rights components of United Nations Peace Operations usually enjoy a strong Security Council mandate, have wide geographical coverage and their monitoring and advocacy functions are well-understood. Mandated tasks generally include: monitoring and reporting, early warning and analysis; capacity and institution building; promoting accountability, combating impunity; protection of civilians; and transitional justice. The need for continuing to engage on human rights during and after the transition from a Peace Operation, usually through a human rights field presence, is, at least formally, increasingly recognized within the wider United Nations system.¹³ It is important to have the right modality of engagement that can allow OHCHR to effectively continue to support the promotion and protection of human rights in the post mission phase.

In some countries, transition plans have included the establishment of OHCHR Country Offices after a mission withdraws. Transition plans for the United Nations missions in Haiti, Côte d'Ivoire and Liberia all recommended strengthening national human rights mechanisms following the transition.¹⁴ However, where new Country Offices have been established, they lack the capacity and political leverage of human rights components of missions, and their activities may more easily be contested by the host government or subject to practical limitations. In some cases, such as Burundi, OHCHR was unable to maintain a fully operational Country Office after the transition, for reasons that will be discussed further later in this report.¹⁵ In such situations OHCHR has instead relied on Human Rights Advisers (HRAs), Human Rights Project Offices, or Regional Offices based in adjacent countries.¹⁶

There is no magic formula by which OHCHR can reposition itself during a transition process to maintain and fully execute its mandate in the follow-on arrangement, as this will largely depend on the will of the host government and the availability of resources. It may also be the case that an objective, strategic needs-assessment concludes that OHCHR does not need to maintain an in-country presence after a Peace Operation ends, given the prevailing national human rights situation and competing priorities elsewhere. This report, however, concludes that OHCHR needs to more systematically engage with other parts of the United Nations system and external stakeholders to better highlight and integrate the need to protect and promote human rights into the debates about forthcoming

¹² *Peacebuilding and sustaining peace Report of the Secretary-General, A/72/707-S/2018/43*, 18 January 2018, para 21

¹³ Interviews conducted in Geneva, New York and with OHCHR FPs, October 2019 – February 2020.

¹⁴ *Ibid.*

¹⁵ *Ibid.*

¹⁶ OHCHR Field Deployment Strategic Priorities for 2018-21, Internal Discussion Paper SMT 14 May 2018 - Item 1 FOTCD, 8 May 2018.

transitions. It needs to ensure that this engagement takes place at the right level (including the rank and seniority of the staff involved) and at the right time, taking into account these organizations' own planning processes. It needs to use appropriate language to the peace and development and prevention debates and to think strategically about the value that its own mandate adds to their work. And it needs to have a clear strategy and plan for transitions based on sound assessments.

OHCHR's expanded presence in New York has clearly helped this process, but it needs to constantly consider how it can improve three-way communication between the wider United Nations system, its New York and Geneva offices and its FPs located in Peace Operations. Transitions must be a priority for a whole-of-office engagement both with the rest of the Organization and with external stakeholders. The former include: Department of Peace Operations (DPO), Department of Peacebuilding and Political Affairs (DPPA), the Executive Office of the Secretary General (EOSG), the Peacebuilding Support Office (PBSO), the United Nations Development Coordination Office (UNDCO), and can involve some United Nations agencies, funds and programmes. OHCHR also needs to strategize its communication with external stakeholders including host governments, civil society organisations (CSOs), donors and International Financial Institutions (IFIs) before, during and after transitions.

5.2 Evaluation Background and Methodology

The background and methodology of this evaluation was discussed in more detail in the Inception Report, which was produced at the start of the evaluation, discussed with the OHCHR Reference Group and amended after the Scoping Missions to New York and Geneva. This is attached as an Annex to this Report and its contents are not repeated here for reasons of space. The methodology followed the OECD/DAC evaluation criteria,¹⁷ and the UNEG Norms and Standards for Evaluation in the UN System, as well as the UNEG Handbook for Conducting Evaluations of Normative Work.¹⁸ The evaluation questions that this report addresses are in the section immediately below. The evaluation paid particular attention to gender equality to ensure that this was both mainstreamed into the report's overall findings and addressed as a specific section within these findings as well.

The data collection methodology consisted of semi-structured interviews with stakeholders in New York, Geneva, field missions to Liberia, Haiti and Sudan, (which are in different stages of transitions) observations from these field visits, a large number of telephone and Skype interviews with the staff of other missions and a review of both the United N and OHCHR's 'grey literature' (reports, evaluations, lessons-learned documents, minutes of meetings, etc.) and a secondary documentary analysis. A list of all the documents consulted and interviews conducted is contained as an Annex to this Report. Since the evaluation concerned how OHCHR handles an organizational process, rather than a thematic issue or geographical presence, it was felt that the emphasis should be on qualitative rather than quantitative data and it was unlikely that data collection methods such as questionnaires or surveys would yield significant data.¹⁹

¹⁷ <http://www.oecd.org/dac/evaluation/daccriteriaforevaluatingdevelopmentassistance.htm>

¹⁸ UNEG Handbook for Conducting Evaluations of Normative Work in the UN System, November 2013, para 14

¹⁹ For discussion see Greet Peersman, Irene Guijt and Tina Pasanen *Evaluability Assessment for Impact Assessment*, Overseas Development Institute, 2015; Simon Hearn and Anne Buffardi, *When and How to Develop Impact Orientated*

The evaluation was conducted between October 2019 and April 2020 by two independent evaluators who were each contracted for 60 days, working under the supervision of an Evaluation Manager and the guidance of a Reference Group. The main target audience of the evaluation is OHCHR's senior management, staff working on Peace Operations or thematic issues related to the Organization's field work, including Heads of FPs. This final report will be published on OHCHR's website as a publicly available document for external stakeholders to enhance accountability.

Evaluation Questions

Relevance
Evaluation Question 1: Was OHCHR prepared for the transition and was there a transition plan and strategy, based on general guidance?
Evaluation Question 2: What was the planning process leading to the transition? Did OHCHR conduct a comprehensive analysis of the human rights situation in the country, with the participation of national stakeholders, as the basis for the transition decision? Did OHCHR participate in UN transition processes including Strategic Assessment and Technical Assessment Missions (SAMs and TAMs)?
Evaluation Question 3: Did the relevant country program change as a result of, or part of, the transition? If so, have these changes contributed to the relevance of the field presence and its programs to the human rights situation in the country and the needs of stakeholders? Were key stakeholders adequately consulted about this process?
Effectiveness
Evaluation Question 4: What has been the effect of these transitions in the achievement of results by the country programs involved and has it been possible to uphold the expected results through and after the transition?
Evaluation Question 5: What was done to ensure that the human rights presence could continue to achieve results during and after the transition?
Efficiency
Evaluation Question 6: To what extent did the availability or not of funding and other resources (human, financial, time, logistics, etc.) impact on the transition (including delays in the establishment of the field presences, and human resources and budgetary differences between peace operations and stand-alone presences) and have these affected the achievement of results?
Evaluation Question 7: What changes in the communication and coordination between the field presences and headquarters, as well as within units at HQ in terms of programmatic, financial and administrative issues have occurred as a result of the transitions during the planning, strategies and start-up phases? Was the political engagement adequate?
Evaluation Question 8: How has been the communication and coordination among the country office and the local and external stakeholders (rights-holders, duty-bearers, partners, donors, other UN agencies) during the different stages of these transitions?
Impact Orientation
Evaluation Question 9: What impact, if any, has the transition had on the human rights situation in the country?
Sustainability
Evaluation Question 10: What measures were taken to ensure that the results achieved by the field presence/country program would be sustained (for example cultivating ownership, ensuring participation of local stakeholders, building local capacity, advocating for changes in legislative/policy framework)? Was a realistic exit strategy considered when planning the transition and establishing the new presence?
Gender Integration
Evaluation Question 11: Has a gender perspective been considered in the planning and implementation of the transitions, including the participation of women and other vulnerable groups?
Evaluation Question 12: Has the organization put in place structures to ensure the integration of a gender perspective and to contribute towards the goal of gender equality and women's rights after the transitions?

6. Main Findings presented according to evaluation criteria

Evaluation Question 1: Was OHCHR prepared for the transition and was there a transition plan and strategy, based on general guidance?

The ultimate responsibility for deciding on how and when to draw down a United Nations Peace Operation rests with the host state government and the Security Council. Transitions are highly political processes and host countries, regional actors and international partners can have diverging views on their timing, phasing, scope and nature. Ideally, the trigger for a mission drawdown will be an objective assessment that sufficient progress has been made towards the implementation of the mission's mandate. Transitions may, however, also be triggered by the withdrawal of consent of the host state government or by other developments within the Security Council, including financial and political pressures to wind-down a mission.

Proper planning for and management of transition from a United Nations peacekeeping mission is crucial for the Organization because of its implications for the sustainability of peace and security in the country and the potential need for future United Nations assistance. The draw-down or closure of a peacekeeping mission without appropriate mechanisms in place to continue support risk undermining the accomplishments attained by the mission and poses the risk of a relapse into conflict. Nevertheless, transitions do not always occur in conducive environments and the ability of the United Nations to plan for and implement them will be affected by the nature and timing of their trigger. As the 2013 Policy on United Nations Transitions states:

the planning of the transition is the joint responsibility of the UN leadership on the ground, working in close coordination with national partners, the UNCT and UNHQ. The Special Representative of the Secretary-General or Head of Mission (SRSG/HOM) and the wider UN leadership in the field play a critical role in creating and sustaining momentum for UN transitions by proactively engaging the political leadership and other key national and local stakeholders in a dialogue on the transition process. . . . The SRSG/HOM should clarify transition responsibilities at the beginning of the process and designate focal points across the mission for transition planning. Equally, the Resident Coordinator (RC) should designate UNCT transition planning focal points. Strategic planning units in the mission and in the RC's office should be adequately resourced and staffed to address the increased planning needs.²⁰

This policy was supplemented in 2019 by a planning Directive which stresses that 'transition planning is the responsibility of the entire senior leadership team under the leadership of the SRSG' and requests focal points to be established for the mission to engage with as early as possible.²¹ It also requests that short integrated transition calendars should be produced, 'indicating the timelines and key milestones for developing a detailed transition plan'. Amongst the activities that the plan should include are 'human

²⁰ Policy on UN Transitions in the Context of Mission Drawdown or Withdrawal, Endorsed by the Secretary General, 4 February 2013, paras 11-13.

²¹ *Secretary-General's Planning Directive for UN Transition processes*, February 2019.

rights and gender-responsive analyses that prioritize and address conflict and peace drivers, and safeguard, and optimize the transformative outcomes on gender equality and women, peace and security'.²² Transition calendars should, *inter alia*, indicate:

- Benchmarks for the mission's withdrawal and host government preparedness
- Assessment of critical peacebuilding priorities – to sustain peace – beyond the mission
- Mapping of Government, UNCT and regional organizations against priorities and identify gaps
- Comparative advantage analysis of major actors, particularly national
- Resource mobilization strategy based on identified gaps
- The UNCT and the leadership of United Nations agencies, funds and programmes within their respective mandates and comparative advantages, to also develop transition plans at least 24 months prior to withdrawal or reconfiguration, to include possible realignment of resources and a strategy to mobilize any additional resources.

Planning processes should identify capacity gaps emerging during transitions and the follow-on configurations necessary to take on responsibilities related to peacebuilding, protection, and human rights. Capacity assessments should improve the Security Council's strategic engagement with transitions and better inform how it makes final decisions by providing a realistic picture of what peacebuilding and development responsibilities the UNCT will be able to take on and what additional expertise and resources are required.

Critics, however, have noted 'the distance between the political worlds of headquarters and the field' arguing that the Security Council 'often fails to provide missions on the ground the political back up they need' while missions 'are not feeding information and analysis to offer more useful strategic direction'.²³ It has also been argued that during the early stages of a drawdown, Security Council resolutions tend to focus disproportionately on the withdrawal of troops and police and security oriented tasks such as the handover to national security institutions and security sector reform, because host state governments use transitions as an opportunity to consolidate their own security services while minimizing scrutiny over their – often limited – progress on peacebuilding. The result is that:

mandates have not consistently focused on preparing for the civilian transition. When they have—usually during the penultimate or final mandate—the emphasis has been on transferring mission tasks to the UNCT, national government, and other stakeholders. Not only is this too late in the transition process, but it also masks a critical tension: transitions are not linear processes, and other actors cannot carry out the mission's tasks in the same way. As a result, this approach can strain both missions and UNCTs, which must substitute rapid responses for long term planning processes and operational transformations.²⁴

²² Ibid.

²³ Richard Gowan, *The Politics of A4P*, Challenges Forum Policy Brief 2019: 3 February 2019

²⁴ Daniel Forti and Lesley Connolly, *Pivoting from Crisis to Development: Preparing for the Next Wave of UN Peace Operations Transitions*, International Peace Institute, July 2019

A related dilemma surrounds what the transition will be to, which will also be heavily influenced by subjective dynamics. If a Peace Operation transitions to a political mission this will provide the Security Council with greater political leverage and operational oversight of the United Nations work in the host state and will also ensure that post-conflict peacebuilding activities, including human rights monitoring and reporting, continue to receive funding from the United Nations regular budget. For precisely these reasons, however, both the host state government and United Nations Member States may be more reluctant to support this and instead prefer to plan for a transition to the more limited activities that can be undertaken by a UNCT.

Transitioning from a peacekeeping mission directly to a UNCT signals a shift toward a more development-oriented approach, which might resonate with the political trends described in the introduction of this report. Such a transition can, however, leave a UNCT confronting massive expectations without the same level of attention and resources from the Security Council or international donors. A number of interviewees in Côte d'Ivoire and Liberia referred specifically to this problem.²⁵ Conversely, in Haiti, where a Peace Operation has transitioned twice to successively smaller political missions, which retain human rights components in reduced form, some interviewees felt that the UNCT was already thinking beyond the mission's two year life-span and failing to fully utilize the SRSG's 'good offices' functions for advocacy with the Haitian government.²⁶ Some OHCHR staff noted that once a transition starts, so long as the host government has received sufficient security-related assistance, they often lose their interest in a UN presence continuing.

When the mission nears the point of transition, they [governments] enter into legacy mode and tend to focus on successes they have achieved; reminders that there are outstanding mandate areas and counter-narratives about persisting problems are not welcomed.²⁷

As will be discussed further in this report, some governments are very keen to shed the image of a nation in crisis which is usually associated with a United Nations presence and use the transition to push the narrative that they can handle the outstanding challenges and only require development assistance. Sometimes the United Nations, itself, wants to portray a transition as a success story, for both political and budgetary reasons.

More recent transition plans usually include benchmarked exit strategies, which lay out the Security Council's desired trajectory for a mission to draw down and exit. Progress toward benchmarks depend on a wide range of factors, including the political will of key actors and dynamics on the ground, and these can be designed, prioritized and interpreted in different ways during negotiations within the Security Council. Holding missions and governments accountable for progress against benchmarks is an important part of an exit strategy, particularly given the pressures referred to above, but it clearly requires balancing political pressures within the Security Council with operational realities on the ground. In some interviews it was stated that for OHCHR to take a contrary position in these discussions, even if this is fully justified by objective conditions, may jeopardize the alliances it needs to make with the host government, donors and the wider United

²⁵ Interviews conducted in Liberia and Sierra Leone, November 2019.

²⁶ Interviews conducted in Haiti, February 2020.

²⁷ For discussion see Workshop Report, Planning Transitions for Human Rights in Peace Operations, New York, 26-27 September 2017.

Nations system, while positioning itself in negotiations about the post-transition structures. In other words, there is a fundamental tension between OHCHR's proactive preparations for the transition and its responsibility to fulfill its core mandate.

Evaluation Question 2: What was the planning process leading to the transition? Did OHCHR conduct a comprehensive analysis of the human rights situation in the country, with the participation of national stakeholders, as the basis for the transition decision? Did OHCHR participate in UN transition processes including Strategic Assessment and Technical Assessment Missions (SAMs and TAMs)?

United Nations transitions involve the reconfiguration of the overall United Nations presence, strategy and objectives, not just the drawdown and withdrawal of a mission. As such, they must be planned, coordinated and managed jointly by all relevant United Nations actors from the outset, at both the field and HQ level. There is wide agreement on the need for early and integrated transition planning from the very outset of the deployment of a mission and that missions should identify clear objectives and associated performance measures, such as benchmarks, once a mandate of the reconfigured mission has been issued.²⁸ As discussed above, this involves a considerable number of actors across a range of different fora. As the 2013 United Nations policy states:

When it becomes apparent that a UN transition will lead to the establishment of a new mission, discussion should begin immediately among the headquarters offices concerned. If there is a change in lead departments, the current lead department should invite the new lead department to enhance its engagement with the Integrated Mission Task Force I(M)TF. The new lead department must take on the responsibility to lead the planning for the configuration of the new UN mission prior to mission withdrawal. When a UN transition leads to the return of an exclusive UNCT presence, discussion should begin immediately with DPA and the relevant regional UNDG, and they should be invited to strengthen their I(M)TF engagement.²⁹

OHCHR participation in Strategic Assessment and Technical Assessment Missions (SAMs and TAMs) deployed at the onset of the transition process is widely agreed to be essential for consideration of human rights priorities in the Organization's recommendations for future engagement in the country.³⁰ Although there have been some occasions where OHCHR was not included in these missions, such as during the closure of MINURCAT in the Central Africa Republic in 2009,³¹ OHCHR's participation in UN transition planning has been more systematic in the past few years. The evidence suggests better involvement in the integrated transition processes and at higher levels and that they were notified earlier about and was able to participate in Integrated Operational Teams (IOTs) where the SG report on transitions was discussed. Interviewees reported good OHCHR

²⁸ Policy on UN Transitions, 4 February 2013, para 17.

²⁹ *Ibid.*, paras 15-16.

³⁰ For discussion see Workshop Report, 26-27 September 2017

³¹ *Report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad*, S/2010/611, 1 December 2010

participation in transition processes and SAMs and TAMs through New York or Geneva with effective input from the field.³²

This partly reflects better, more integrated transition planning in the wider United Nations system and innovations such as the United Nations Project on Transitions in Mission Settings.³³ The Organization now deploys Transition Specialists (TSs) well in advance to kick off planning processes and engage the support of the mission leadership and UNCT. To be successful, transitions require broad national buy-in and ownership, strong support of the Security Council, the Peacebuilding Commission (PBC), when relevant, as well as key donors and regional partners.³⁴

OHCHR interviewees repeatedly stated that they had been involved in contributing to the regular reviews that typically measure progress of benchmarks. Some staff expressed concern that their necessary role in highlighting ongoing human rights violations taking place within the mission context, could lead to them being perceived as obstructing transition planning processes.³⁵ Some gave examples of where their input was ignored or edited down. It was stated that this sometimes happened during the final drafting of the recommendations in the Secretary—General’s report in New York where human rights concerns were sometimes minimized for the final presentation to conform to the desired narrative that the mission had achieved success.³⁶

In both Côte d’Ivoire and Sudan, for example, transition plans were developed with benchmarks and indicators, but OHCHR interviewees felt that these had been designed to fit predetermined narratives. In Côte d’Ivoire, it was felt that the United Nations desire to portray that the mission had been successful, and that the Government was capable of dealing with the remaining issues, was over-optimistic.³⁷ In Darfur, while the plans correctly highlighted reductions in the scale and geographic scope of the violence, they failed to pay sufficient attention to the continuing existence of the underlying conflict-drivers and the vulnerability of nearly two million internally displaced persons (IDPs). Concerns raised by the human rights components of both missions were dismissed as ‘alarmist’ and even attempts by the staff concerned to ‘save their own jobs’.³⁸

OHCHR’s ability to carry out regular, comprehensive analyses of the human rights situation in the country where it has field presences, including through public reports, and as appropriate in consultation with national stakeholders is essentially its ‘core business’, but this can create a dilemma, since its own reports may show a transition to be premature. The Evaluation Team received several accounts of where OHCHR, in both HQ and the field, felt that they had fully participated in transition planning, but were unable to secure an effective field presence after the transition either because this was blocked by the host state government or there was insufficient donor support.³⁹ In Timor-Leste, Côte d’Ivoire and Sierra Leone host governments effectively opposed the establishment

³² Interviews conducted throughout this evaluation

³³ Jups Kluyskens, *Evaluation of the UNDP/DPKO-DFS/DPA Project on UN Transitions in Mission Settings*, December 2017

³⁴ Policy on UN Transitions 2013, paras 15-16.

³⁵ Interviews conducted in Geneva, New York and with OHCHR FPs, October 2019 – February 2020.

³⁶ Interviews conducted throughout this evaluation.

³⁷ Interviews conducted with former UNOCI and UNAMD staff members.

³⁸ Ibid.

³⁹ Interviews conducted in Geneva, New York and with OHCHR FPs, October 2019 – February 2020.

of OHCHR Country Offices, although in both Burundi and Liberia OHCHR was able to establish a Country Office.

In all post-transitions, the field presences faced intense pressures related to fund-raising, which will be discussed further in relation to individual countries in subsequent findings of this evaluation.

Another recurrent problem mentioned is that concrete planning for follow-up configurations after transitions really only begins once the Security Council has set a final deadline for the mission closure and this is then often rushed and subject to competing political and financial pressures discussed above.⁴⁰ It was repeatedly stated by a number of CSOs that once a decision had been taken to end a Peace Operation, consultation about the post-transition structure was felt to be token.⁴¹ Some United Nations acknowledged this and noted that forthcoming transitions are likely to be even more difficult than those already carried out. A number of staff, particularly those that had joined OHCHR during the course of a transition, told the Evaluation Team that they would have benefited from considerably more guidance from HQ at critical stages of these internal negotiations.

Evaluation Question 3: Did the relevant country program change as a result of, or part of, the transition? If so, have these changes contributed to the relevance of the field presence and its programs to the human rights situation in the country and the needs of stakeholders? Were key stakeholders adequately consulted about this process?

Clearly all of OHCHR's country programs have changed significantly in countries where transitions from Peace Operations have taken place. Most human rights components of Peace Operations have far greater resources than OHCHR Country Offices, including a generally wider geographical reach (with sub-offices), and guaranteed core and project funding. For as long as host state consent to the mission is maintained, their independence is guaranteed by the Security Council mandate and their monitoring and advocacy functions engage with both the United Nations mission leadership and OHCHR HQ. Even in the best-case scenario, therefore, the transition of a Peace Operation to an OHCHR Country Office represents a considerable reduction of the human rights activities carried out in the country, as can be seen for OHCHR's own field presences reports during and

⁴⁰ Ibid.

⁴¹ Interviews conducted with CSOs in Liberia, Sierra Leone, GuineaBissau and Haiti.

after transitions.⁴² Only a minority of the human rights components of Peace Operations had transformed into OHCHR Country Offices and these remained under considerable financial and/or political pressure to maintain their activities.

In interviews with government and CSO representatives that the Evaluation Team spoke to, the reasons for these changes was generally understood and there were no complaints about the handling of transitions specifically directed against OHCHR.⁴³ As discussed above, the changes that came about as a result of these transitions were essentially imposed upon OHCHR by factors beyond its control and so consultation with CSOs and other external stakeholders could only be of limited relevance.

OHCHR Country Offices are generally recognized to be the most effective type of human rights field presence as they allow direct and continued monitoring and analysis of human rights developments and related advocacy, regular dialogue with all relevant counterparts, as well as targeted technical assistance based on their monitoring and analysis.⁴⁴ The two basic requirements for a Country Office are host state consent, which can always be withdrawn, and sufficient funding to both sustain its own presence and to carry out project activities. Country Offices are usually established through a host country agreement signed by the Government and OHCHR. Other options for an in-country presence are a HRA to the UNCT and RC, and Human Rights Project Offices (with far more limited monitoring and reporting mandates). If no presence can be established, the country is covered by the relevant Regional Offices or, exceptionally, by a Desk Officer in Geneva.

It was clear from a range of sources that OHCHR staff who had been involved in transition planning generally seemed to have aimed at the establishment of a Country Office to coincide with the winding-down of a Peace Operation, with other options being an HRA

⁴² OHCHR Selected Field Presences Reports: End of Year Progress report - Burundi (2014); End of Year Progress report - Burundi (2015); End of Year Progress report - Burundi (2016); End of Year Progress report - Burundi (2017); End of Year Progress report - CO Burundi (2018); Mid-Year Review - Burundi (2019); Country Programme for Burundi /a (2018-2021); Country Note for Burundi (revised) /a (2014-2017); End of Year Progress report - Chad (2014); End of Year Progress report - Chad (2015); End of Year Progress report - Chad (2016); End of Year Progress report - Chad (2017); End of Year Progress report - CO Chad (2018); Mid-Year Review - Chad (2019); Country Programme for Chad /a (2018-2021); Country Note for Chad (revised) /a (2014-2017); End of Year Progress report - Côte d'Ivoire (2014); End of Year Progress report - Côte d'Ivoire (2015); End of Year Progress report - Côte d'Ivoire (2016); End of Year Progress report - Côte d'Ivoire (2017); Country Note for Côte d'Ivoire (revised) /s (2014-2017); Country Note for Liberia (revised) /a (2014-2017); End of Year Progress report - Sierra Leone (2014); End of Year Progress report - Sierra Leone (2015); End of Year Progress report - Sierra Leone (2016); End of Year Progress report - Sierra Leone (2017) End of Year Progress report - Haiti (2014); End of Year Progress report - Haiti (2015); End of Year Progress report - Haiti (2016); End of Year Progress report - Haiti (2017); End of Year Progress report - Haiti (MINUJUST) (2018) Mid-Year Review - Haiti (2019); Country Programme for Haiti /a (2018-2021); Country Note for Haiti (revised) /a (2014-2017); End of Year Progress report - Liberia (2014); End of Year Progress report - Liberia (2015); End of Year Progress report - Liberia (2016); End of Year Progress report - Liberia (2017); End of Year Progress report - CO Liberia (2018); Country Programme for Liberia /a (2018-2021). End of Year Progress report - Guinea-Bissau (2014); End of Year Progress report - Guinea-Bissau (2015); End of Year Progress report - Guinea-Bissau (2016); End of Year Progress report - Guinea-Bissau (2017); End of Year Progress report - Guinea-Bissau (UNIOGBIS) (2018); Mid-Year Review - Guinea-Bissau (2019); Country Note for Guinea-Bissau /a (2014-2017); Country Programme for Guinea-Bissau /a (2018-2021).

⁴³ Interviews conducted with external stakeholders, October 2019 – February 2020.

⁴⁴ OHCHR Field Deployment Strategic Priorities for 2018-21, Internal Discussion Paper SMT 14 May 2018 - Item I FOTCD, 8 May 2018.

or some type of project office.⁴⁵ The effectiveness, efficiency and sustainability of these types of field presences will be discussed in more detail below. It is clear, however, that the establishment of a Country Office is sometimes an unrealistic objective and that pursuing it may, in some circumstances, weaken the organization's strategic objective of securing an effective field presence in the post-transition scenario. OHCHR field staff noted that they typically lack the skills and experience of fund-raising, programme management and financial reporting necessary to sustain such offices through project funding and nor is there adequate capacity to support this in HQ. Some external stakeholders felt that OHCHR sometimes seemed to approach discussions as an exercise in obtaining staff posts and funding activities in the post-transition arrangement instead of articulating its strategic goals. It was widely felt that the organization needs to become much better at communicating its human rights vision and strategy for post-transition scenarios.⁴⁶

A number of OHCHR's post-transition field presences have quite significantly changed the emphasis of their country programmes after the transition from monitoring of conflict-related human rights violations, to working more with civil society and taking on a broader range of violations of social, economic and cultural as well as civil and political rights.⁴⁷ Field staff who have been trained to monitor conflict-related violations may need additional support to work on a wider range of social, economic and cultural rights and this needed to be factored into the planning of transitions.⁴⁸ Some senior field staff interviewed stated that they had not received such support from OHCHR HQ, beyond general policy guidance. It was noted in Haiti, for example, that while the human rights component of the UN Integrated Office in Haiti (BINUH) did an excellent job monitoring gang-related violence or police misconduct in the country's capital city, more people were dying due to lack of adequate health care, access to water or provision of basic services in the interior.⁴⁹ Such violations can disproportionately affect women and care should be taken to ensure that such training fully incorporates a gender perspective.

In some countries where transitions have or are taking place, UNDP has been seen as the 'natural successor' to take on some of the programmes previously implemented by the human rights component of the mission.⁵⁰ It has been argued that UNDP's 'mandate for conflict prevention, peacebuilding, rule of law, reconciliation, and support to state institutions overlaps with the peacekeeping mission's substantive priorities' and this together with its 'large staff, and financial capacities' has allowed the agency to 'recalibrate their strategic approaches, programming, and allocation of resources to better address the remaining priorities and, where possible, continue work initiated under the mission'.⁵¹ At the same time it is recognized that 'UNDP presences on the ground have not previously played an explicit role in support of political processes, despite the need for such a role in many situations (e.g. Guinea, Sierra Leone and Burundi)'.⁵² UNDP's

⁴⁵ Interviews conducted in Geneva, New York and with OHCHR FPs, October 2019 – February 2020.

⁴⁶ Ibid.

⁴⁷ OHCHR Selected Field Presences Reports. See also, Francesca Jessup and Koffi Kouate, *Evaluation of OHCHR's support to national human rights institutions (NHRIs)*, October 2015.

⁴⁸ Interview conducted December 2019.

⁴⁹ Interview conducted Haiti, 20 February 2020.

⁵⁰ Megan Price and Lina Titulaer, *Beyond Transitions: UNDP's role before, during and after UN mission withdrawal*, Conflict Research Unit, The Clingendael Institute. The Hague. September 2013.

⁵¹ Forti and Connolly, 2019.

⁵² Report of the PBC Working Group, No Date.

structure, role and mandate mean that it is not intended to fulfil the monitoring reporting and advocacy functions of the human rights component of a Peace Operation.

It is clear from a wide range of sources that an OHCHR FP has a relevance and value-added contribution to the situation in the country and the needs of stakeholders during and after the transition.⁵³

Evaluation Question 4: What has been the effect of these transitions in the achievement of results by the country programs involved and has it been possible to uphold the expected results through and after the transition?

It is clear from an analysis of OHCHR Selected Field Presence Reports, supplemented by interviews with OHCHR Desk Officers and Field staff, that in most cases where transitions have taken place, follow-on presences or operations do not have the resources and capacity of human rights components and therefore tend to have significantly scaled down operations and programmes. OHCHR FPs have not been able to achieve the results of the previous mission components as stand-alone Country Offices, HRAs, or other types of presences and nor should they be expected to have. The following is a brief summary of the results in the transitions that have taken place to date.⁵⁴

The United Nations Mission in Liberia (UNMIL), which deployed from October 2003 to March 2018, contained a human rights protection section. This carried out a wide range of monitoring, reporting and advocacy functions as well as providing technical support and capacity building to the Independent National Commission on Human Rights, the NHRI in Liberia. The OHCHR Liberia Country Office was established in April 2018 pursuant to a host country agreement signed between the Government of Liberia and OHCHR, which allows the Office to exercise its full human rights promotion and protection mandate – as is standard practice for all OHCHR country offices – although, obviously, with far fewer resources. Amongst the responsibilities inherited by the office is to provide technical support, capacity-building and advisory services to the NHRI. The Office has to fundraise locally to meet both core costs and all project activity, the problems of which will be discussed further below.

In Burundi, OHCHR initially established a Country Office in 1995. This was then embedded into the successive UN Peace Operations and political missions in the country from 2004 to 2015. A comparatively smooth and successful transition saw the reestablishment of the Country Office in 2015, with host state consent and significant support from international donors and other parts of the UN system. The Office conducted monitoring during the election that followed the transition – which was marked by considerable violence and human rights violations – and subsequently implemented a number of rule of law and justice sector projects. This included supporting the work of the Burundian National Independent Human Rights Commission and the Truth and Reconciliation Commission and running training and capacity-building projects with the Ministry of Justice. In 2016, however, the Government suspended cooperation with the Office, which was forced to close in February 2019. The closure of this Office constitutes a major gap in terms of human rights monitoring and reporting, not least as

⁵³ Interviews conducted in Geneva, New York and with OHCHR FPs, October 2019 – February 2020.

⁵⁴ All information in this section is based on OHCHR Selected Field Presence Reports, supplemented by interviews with OHCHR Desk Officers and Field staff.

the capacity for independent civil society organizations to safely and freely operate is considerably limited.

In Sierra Leone, OHCHR maintained a presence in the human rights sections of successive United Nations Peace Operations from 1998 to March 2014. The sections provided technical support to the Independent National Human Rights Commission, which it was instrumental in establishing, capacity-building to the police, prison service, justice system and Ministry of Foreign Affairs. It supported a transitional justice process and the Truth and Reconciliation Commission, worked closely with civil society, supported a variety of initiatives to combat violence against women and worked to mainstream human rights throughout the United Nations system. When the mission closed the section was replaced by a single HRA, but with a small amount of project funding to support civil society, based on a Peacebuilding Fund (PBF) grant. At the time of this evaluation, this post was no longer being filled and human rights issues were being dealt with by a UN Peace and Development Advisor (PDA).

The Human Rights Section of the UN Mission in the Central African Republic and Chad, MINURCAT, had given support to national NGOs, including those fighting against gender-based violence, and helped the government of Chad to develop a National Action Plan in the field of human rights (although the latter is yet to be implemented). The mission closed at the end of 2010 and a HRA was deployed to Chad in 2011, located in the RC's Office. Host state consent was obtained to open a Country Office, and it was eventually established, but a lack of resources repeatedly delayed its physical opening.

In Côte d'Ivoire, the human rights division of the United Nations mission, ONUCI, which deployed from February 2004 to June 2017, established an extensive network of regional offices across the country. These had considerable experience of monitoring, reporting, advocacy, training and coordination-related activities. The division paid special attention to violations committed against women and children with the view to ending impunity and developed close links to civil society groups, religious leaders and international organizations. When the mission wound up, the country's President personally vetoed the establishment of an OHCHR Country Office because he thought it would send the 'wrong signal' to international investors about the country. The UN had failed to develop a fallback position, such as the deployment of an HRA, and so the Office has no in-country presence at the time of writing this report and the country is covered by the Regional Office for West Africa.

In Haiti, the United Nations Stabilization Mission MINUSTAH, transitioned first to the United Nations Mission for Justice Support in Haiti (MINUJUSTH) and then to BINUH, both of which involved a considerable downsizing of human rights component. While the latter is continuing its monitoring, reporting and advocacy activities, it has far less resources and no more presence outside the capital city. It is also concentrating its activities on building the capacity of the national human rights commission, including with a view to handing over many of its activities when the mission finally closes.

The African Union - United Nations Hybrid Operation in Darfur (UNAMID) was established in July 2007.⁵⁵ Its core mandate includes the protection of civilians, contributing to security for humanitarian assistance, the promotion of human rights and the rule of law, and monitoring and reporting on the situation along the borders with Chad and the Central African Republic (CAR).⁵⁶ From the start, UNAMID operated in a particularly challenging environment and received little cooperation from the Government of Sudan.⁵⁷ The human rights mandate in particular faced a lot of obstacles, including the denial of visas to staff, restriction of movement and access, and the harassment of CSOs.⁵⁸ By June 2015 UNAMID had suffered 212 fatal casualties, the highest of any contemporary peacekeeping mission.⁵⁹ It was also one of the most expensive United Nations missions and its record has been widely criticized.⁶⁰ In July 2017, the Security Council started to scale down UNAMID operations with closure scheduled for October 2020.⁶¹ Political unrest in early 2019 culminated in the removal of the Omar Al-Bashir's Government in April 2019 and the eventual establishment of a transitional government which has been keen to cooperate with the United Nations and more amenable to human rights and receptive to a continuing United Nations presence. Nevertheless, the Security Council decided to go ahead with the planned closure of the mission as scheduled. Meanwhile, in September 2019, OHCHR signed a Host Country Agreement with the transitional government to establish an OHCHR Country Office in Sudan.

From the above it is clear that, although there are some examples of good practice, the effect of these transitions has been largely negative for OHCHR. While follow-on field presences have often been able to achieve results, they are doing so with far fewer resources, capacity and political support.

Evaluation Question 5: What was done to ensure that the human rights presence could continue to achieve results during and after the transition?

The Evaluation Team encountered numerous examples of serious attempts by OHCHR to try to ensure that human rights presences could continue to achieve results during and after the transitions by participating in the planning processes discussed above. In some cases these were not successful due to failures in the overall planning of the transitions process by the wider United Nations system, but in others there are examples of good practice which can be built on. OHCHR is also working effectively through its Field Operations and Technical Cooperation Division (FOTCD) on field deployments that

⁵⁵ UN Security Council Resolution 1769 of 31 July 2007. It was initially supposed to consist of 19,555 troops and 19 Formed Police Units (FPUs), although it was slow to reach full strength.

⁵⁶ UN Security Council Resolutions 1828 of 31 July 2008; 1881 of 30 July 2009; 1935 of 30 July 2010; 2003 of 29 July 2011; 2063 of 31 July 2012; 2113, of 30 July 2013; 2173 of 27 August 2014, and Resolution 2233 of 29 July 2015.

⁵⁷ For further discussion see *Darfur: Draft Framework Plan for a Possible Transition to a United Nations Operation*, 2 June 2006. See also *Report of the Secretary-General and the Chairperson of the African Union Commission on the Hybrid Operation in Darfur*, S/2007/307/Rev.1 of 5 June 2007; *Report of the Secretary-General on Darfur, proposing the establishment of UNAMID*, S/2007/462, of 27 July 2007; and *Report of the Secretary-General on the deployment of UNAMID*, S/2007/517, of 30 August 2007.

⁵⁸ *Report of the Secretary-General on UNAMID*, S/2012/771, of 16 October 2012.

⁵⁹ UN Peacekeeping Home page, Fatalities,

http://www.un.org/en/peacekeeping/fatalities/documents/stats_3.pdf, accessed 22 June 2015.

⁶⁰ For a detailed discussion see Conor Foley, *UN Peacekeeping Operations and the Protection of Civilians: saving succeeding generations*, Cambridge University Press, 2017, pp.298-324.

⁶¹ UN Security Council Resolution 2363 of 29 June 2017.

sometimes complements its work on transitions. This section of the report briefly highlights some of these developments.

At the global level, the FOTCD is aiming at establishing in all regional offices dedicated to anticipate and promptly respond to crises by integrating Emergency Response Teams, following the model initiated in the Regional Office for Southern Africa and now operational in Southeast Asia and West Africa..⁶²

OHCHR is also continuing to support the deployment of HRAs in 39 countries, including in post-transition UNCTs where it is currently not possible to open Country Offices, or where a HRA is considered as the most adequate presence to achieve the objectives defined by the Office, and is considering a more targeted deployment with specific skills, linked to peacebuilding, based on the PDA model.⁶³ There are currently 49 PDAs deployed with RCs and UNCTs, based on an agreement between the UN Department of Political Affairs and Peacebuilding (DPPA) and UNDP and overseen by a clear governance structure.⁶⁴ The PDAs report to the RC and advise the UNCT, including those agencies whose programs have a peacebuilding or development component. They also have a dual reporting structure to the UNDP Resident Representative and the relevant Regional Division of DPPA.

At the country level, as discussed above, OHCHR has faced numerous challenges, but also some positive developments to build on. In Liberia, for example, a UNCT capacity-mapping exercise highlighted the need for significant investments by United Nations agencies, funds and programmes as the mission withdrew, but the findings from the exercise were only delivered to the Security Council after it had adopted the resolution on the closure of UNMIL and was therefore not reflected in the language of the resolution.⁶⁵ Nevertheless, an Integrated Transition Plan was endorsed by the Security Council and identified critical peacebuilding needs, including programmes costs, deadlines, responsible parties and milestones.⁶⁶ The transition plan included a matrix which assigned a lead on the plan's priorities before and after mission closure, and elaborated joint programmatic work among UNCT members. One recent evaluation described this plan as a 'reality check' of the extent to which the UNCT could assume the responsibilities for key peacebuilding work after the mission closed, ensuring that discussion about capacity and funding for programmes were at the heart of the transition discussion.⁶⁷ One concrete outcome of this was that the PBF funded a joint programme on rule of law between the human rights component of UNMIL and UNDP, which then continued between OHCHR and UNDP after UNMIL left.⁶⁸

In Côte d'Ivoire, joint programming between various mission components, much of it supported by the PBF, proved critical to the substantive work of the United Nations on

⁶² OHCHR Field Deployment Strategic Priorities, 8 May 2018.

⁶³ Monika Zabel and Elizabeth Gibbons, *Evaluation of the programme supported by human rights advisers (HRAs)*, February 2016.

⁶⁴ See Issue Brief | Peace and Development Advisors | UNDP, <https://www.undp.org › conflict-prevention>, accessed 21 February 2020.

⁶⁵ Forti and Connolly, July 2019.

⁶⁶ Security Council Resolution 2333, 23 December 2016.

⁶⁷ Kluyskens, December 2017.

⁶⁸ Interviews conducted in Liberia and Sierra Leone, November 2019.

Demobilization Disarmament and Reintegration (DDR) and security sector reform.⁶⁹ UNOCI also supported the SRSG's 'good offices' functions until the very end of its mandate. Unfortunately, as previously discussed, the United Nations 'failed to insist that the Ivorian Government meet all of the established benchmarks, thus enabling it to reframe its own narrative as a country that has moved beyond a period of political turmoil'.⁷⁰ As another report noted:

the UN country team lacked adequate capacity to take on the responsibilities the mission passed on to it in June 2017. There was no proper handover at UN headquarters, and mission leadership in the field was largely preoccupied with completing its mandate. As a result, the country team was left unaware of some of the mission's activities and had little capacity to take over tasks in areas such as political analysis and the rule of law. Moreover, many donors were scaling back their presence at the same time as the mission, leaving the country team with no additional funding to support its expanded responsibilities.⁷¹

In Haiti, the Security Council reluctantly accepted benchmarks for MINUSTAH's transition to MINUJUSTH—which diplomats considered 'vague, difficult to measure, and unrealistic'—in order to stay on its predetermined schedule.⁷² Nevertheless, the mission and UNCT established a joint rule of law programme to support a legal assistance system and implement community policing and community violence reduction plans.⁷³ No one interviewed by the Evaluation Team in Haiti felt that the transition into BINUH, which represented a further downsizing pending the mission's final closure, was justified by the objective conditions in the country at the time.⁷⁴

In Burundi, OHCHR was fully involved in the establishment of a Transition Steering Group involving all the relevant United Nations actors as the mission wound down in 2014.⁷⁵ This drew up a Joint Transition Plan in consultation with the Government and civil society, and ensured that the residual tasks of the mission, including human rights monitoring of the 2015 elections which, as expected, were marked by serious violence and an attempted *coup d'état*.⁷⁶ The Security Council resolution mandating the transition explicitly referred to the need for promoting and protecting human rights, transitional justice and a truth and reconciliation process.⁷⁷ Funding for the first six month of the establishment of an OHCHR Country Office was provided by the PBF.⁷⁸ The former head of the United Nations mission recalls that:

A Statement of Mutual Commitment was drawn up with the government early in the involvement of the Peacebuilding Commission—the next best thing to having a full-blown compact with the government. Subsequently my colleagues in the

⁶⁹ Novosseloff, December 2018.

⁷⁰ Forti and Connolly, July 2019.

⁷¹ Novosseloff, December 2018.

⁷² Forti and Connolly, July 2019.

⁷³ Namie Di Razza, *Mission in Transition: Planning for the End of UN Peacekeeping in Haiti*, International Peace Institute, December 2018.

⁷⁴ Interviews conducted in Haiti 17 – 22 February 2020.

⁷⁵ Skype Interview with OHCHR Desk Officer for Burundi, December 2019.

⁷⁶ Ibid.

⁷⁷ Security Council Resolution 2137, 13 February 2014.

⁷⁸ Report of the PBC Working Group, No Date.

Burundi mission and I developed detailed benchmarks to accompany the mandate of the UN Office in Burundi, negotiated and agreed upon with our government counterparts. The growing return of benchmarking to mission mandates is a welcome development, as it brings greater clarity to defining what will constitute success—or at least a good enough outcome—and, in the longer run, to setting out the mission exit strategy.⁷⁹

A BPC Working Group paper has noted that ‘the improved coordination between UNDP and the Department of Political Affairs (DPA) through such initiatives as the Peace and Development Adviser Programme, the establishment of DPA liaison offices and the creation of stand-alone human rights offices are among those measures that helped address the gap to sustain political engagement created as a result of the withdrawal of United Nations missions.’⁸⁰ Considerable space, therefore, appears to exist to ensure that some kind of human rights presence will remain in post-transition countries. OHCHR needs to consider how it can capitalize further on these opportunities in forthcoming transitions.

External stakeholders also specifically cited OHCHR’s value in helping to prepare governments and CSOs in post-transition countries for their participation in the reviews by international human rights mechanisms, such as the Universal Periodic Review (UPR) process, which is widely considered an extremely relevant means of strengthening the protection and promotion of human rights. Where governments have accepted particular UPR recommendations, the OHCHR field presence could work with national and international actors, including IFI’s – as relevant - to help ensure implementation. Where causes of concern have been identified, the field presence could follow up with monitoring and advocacy. The Evaluation Team believes that human rights field presences could use these processes more strategically in advising RCs and UNCTs in how they could support them in post-conflict and post-transition scenarios and engaging with both donors and national governments on this basis.

Evaluation Question 6: To what extent did the availability or not of funding and other resources (human, financial, time, logistics, etc.) impact on the transition (including delays in the establishment of the field presences, and human resources and budgetary differences between peace operations and stand-alone presences) and have these affected the achievement of results?

The continuity of peacebuilding efforts throughout and beyond transitions requires the sustained political and financial commitment of national and international actors. This is reflected in the 2013 United Nations Policy on Transitions, which states that: ‘sustaining political support and mobilizing predictable donor funding for ongoing peacebuilding programs is critical during and beyond UN mission transition processes. Where possible, the lead department at UNHQ should encourage the creation and/or continuation of Member States fora such as “groups of friends” and “contact groups” that can help sustain coordinated support to host countries . . . The UN leadership should work closely with the World Bank and other partners to encourage that national planning and budgeting

⁷⁹ Karin Landgren, *Nailing Down the Primacy of Politics in UN Peacekeeping: An Insider Perspective*, International Peace Institute Global Observatory, 16 August 2018

⁸⁰ Report of the PBC Working Group, No Date.

processes prepare for financial and capacity gaps that national institutions are likely to experience due to the drawdown and withdrawal of a mission'.⁸¹

In practice, however, mobilizing resources during and after transitions is a challenge for both the development system and peacekeeping missions. UNCTs are often expected to assume responsibility for a wide array of substantive tasks without sufficient increases in resources. Unlike missions, which have guaranteed funding from the United Nations regular budget, UNCTs are dependent on donor preferences, as well as on changing realities and priorities of the countries concerned. At the same time the withdrawal of a mission often causes huge economic destabilization in the host state as the departure of a large number of United Nations personnel has a negative impact on the local economy, reducing potential tax revenues and increasing unemployment. The decreased international attention amongst donors and partners that often accompanies the ending of a mission at a stage when the country requires targeted financial and technical support for rebuilding critical institutions can be economically devastating, leading to what is often described as a 'financial cliff'.⁸²

The Evaluation Team was repeatedly told by external stakeholders that the withdrawal of international peacekeeping troops heightened insecurity amongst the local population, made some people afraid to travel and placed an extra burden on the national police and security services. Even in what are considered the most successful transitions this is a huge problem. The OHCHR Country Office in Liberia, for example, does not receive any funding from either OHCHR HQ or the wider United Nations system and has to fundraise locally to fulfill its mandate. While the Office was launched with PBF funds and receives support from the Swedish Government, this required considerable negotiation and remains administratively burdensome.⁸³ OHCHR field staff do not tend to have backgrounds in fundraising and matching the financial reporting requirements of donors with the United Nations reporting procedures can often be an extremely fraught and time-consuming process.⁸⁴

Follow-on field presences are typically much smaller presences than the human rights component of a Peace Operation and it was also repeatedly stated that OHCHR relies too heavily on UNVs and junior staff in its post-transition arrangements.⁸⁵ Staff in such field presence need the seniority and maturity to effectively engage with counterparts in both host state governments and their counterparts within the United Nations system. While such problems are containable in the context of the relatively large human rights components of a Peace Operation, when this downsizes to a smaller political mission or a stand-alone field presence, they can be much more serious. OHCHR Country Offices which are implementing donor-funded programmes can have their credibility damaged by excessive staff turnover or too many junior staff. These problems were raised in relation to Sierra Leone, Chad, Côte d'Ivoire, Guinea Bissau and Haiti.⁸⁶

⁸¹ Policy on UN Transitions, 4 February 2013, paras 35-6.

⁸² Report of the PBC Working Group, No Date.

⁸³ Interviews with OHCHR staff in Liberia.

⁸⁴ For further discussion of this problem see Conor Foley and Katerina Stolyarenko, *Evaluation of the Regional Office for Central Asia*, October 2014.

⁸⁵ Interviews conducted throughout this evaluation.

⁸⁶ Interviews conducted throughout this evaluation.

A related problem is that even when OHCHR is able to recruit regular staff positions to fill project-funded field presences, delays surrounding such recruitment and deployment can make timely implementation of critical projects difficult. OHCHR staff members are then placed in the invidious position of simultaneously stressing to donors the urgency of supporting such projects to ensure smooth and seamless transitions, while also having to plead for delays in implementation or subsequent project extensions, because it is not able to get its own staff into place in time.⁸⁷ It was also stated that relying on a single HRA to provide a field presence can lead to its effective disappearance when that particular person leaves his or her post.

The Evaluation Team heard repeatedly from both OHCHR field staff and external partners that the Organization struggles with the challenges of moving from a situation in which its core-funding for staff salaries, transport, accommodation and so forth are paid from the United Nations assessed budget to covering such expenditure from programme costs. This problem has been exacerbated by the current financial crisis that the United Nations is experiencing, which is squeezing its regular budget. At the same time, some interviewees stated that the human rights components of United Nations Peace Operations were inhibited from making direct contact with national ministries or justice sector institutions to discuss capacity-building too early in a transition process, as this could usurp the authority of the SRSG and then the UNCT, since all parts of the mission have some responsibility for capacity-building.⁸⁸

Evaluation Question 7: What changes in the communication and coordination between the field presences and headquarters, as well as within units at HQ in terms of programmatic, financial and administrative issues have occurred as a result of the transitions during the planning, strategies and start-up phases? Was the political engagement adequate?

Effective planning and management of transitions requires good communication among the key actors directly involved in the process, an Office-wide approach that draws on the full range of OHCHR expertise, as well as timely and effective administrative advice and support. Overall, interviewees noted that there has been substantial improvement in communication across the various parts of OHCHR and fruitful engagement at critical moments.⁸⁹ The relocation of PMSS to New York and its increased capacity has enabled OHCHR to more closely follow the United Nations processes in New York. Regular communication and the timely exchange of information between the New York office and Geneva as well as with the human rights component is indispensable for this to work well through the various phases of transition. The Evaluation Team encountered numerous examples of good practice in the three-way communication between OHCHR's offices in New York, Geneva and the field in relation to transitions. In some cases, however, it was felt that this triangulation of coordination could be improved.

The OHCHR offices in New York and Geneva regularly communicate to exchange and seek information, including updates about relevant developments, and to coordinate positions to be conveyed within the United Nations and externally. Most of the communication, about transitions, is with FOTCD, particularly the relevant desk, Section

⁸⁷ For further discussion of this problem see Foley and Stolyarenko, October 2014.

⁸⁸ Interviews conducted throughout this evaluation.

⁸⁹ Interviews conducted throughout this evaluation.

Chief and Branch chief and through the Chief with the FOTCD Director. Colleagues in both New York and Geneva appreciate the communication but also see room for further improvement. Communication between New York and the human rights components in Peace Operations is also generally good, particularly during the preparation for TAMs and SAMs where information and feedback flows are seen to have improved significantly. For example, interviewees in UNAMID expressed satisfaction with regular updates that they were receiving from colleagues in New York about the drawdown of the mission and discussions about the follow-on arrangements. This was particularly useful when they were sometimes unable to get information through mission channels.

Mission staff also stated that they appreciated regular consultations on transitions arrangements and were able to respond to requests from New York, while noting challenges in dealing with the urgent nature of some of these. Conversely, some staff in New York noted that they sometimes have difficulty getting responses and feedback on time and when needed. Some of that is a function of the volume and pace of things in both the field and both HQs with staff thinly stretched and having to deal with many other issues and management challenges.⁹⁰

Among the other challenges noted, it was stated that sometimes information falls through the cracks and it is challenging to synchronize views and effectively consult, especially in an environment of constant urgency where information is needed at very short notice and there is little time for deliberation. Some interviewees in the field stated that most communication was usually from HQ seeking information and reports. They stated that they would welcome more regular substantive discussions and interaction with OHCHR's more senior leadership during the process of transitions and to be provided with more advice and guidance from earlier on in the process. It was felt that OHCHR senior leadership is mainly engaged with the transition processes through the discussion of projects in the Programme Budget Review Board (PBRB) and through Senior Management Team (SMT) approval of initiatives and proposals. Staff in both New York and the human rights components of missions interviewed by the Evaluation Team said that there were times when they are not sure about the views of senior leadership and would appreciate more hands-on guidance.

Good practices and challenges were also noted in the way that OHCHR deals with administration, donor relations and public information. For instance, PSMS and the Donors and External Relations Section (DEXREL) appear to have worked well together with the Africa Branch in the current efforts to establish a field presence in Sudan, in identifying and approaching potential donors and clarifying details related to staffing, the budget process, procurement, logistics and premises. DEXREL pointed out that sometimes they are brought in very late in these processes when key decisions have already been made and that can create frustrations and delays.

Overall, the Evaluation Team encountered evidence that OHCHR is improving its communication and coordination of the way it handles transitions, although there are still many areas where the engagement seems *ad hoc* and inconsistent. FOTCD mentioned the establishment of task forces at the beginning of transition discussions and Africa Branch made reference to this process for consultations with different parts of the Office in connection with the establishment of the Country Office in Sudan. These meetings dealt,

⁹⁰ Interviews conducted throughout this evaluation.

inter alia with resources and priority areas and activities. The Evaluation Team was not able to fully investigate how such task forces work, but they seem to be quite informal and unsystematic, attended by junior staff and not integrated into OHCHR's leadership or decision-making structures.

Evaluation Question 8: How has been the communication and coordination among the country office and the local and external stakeholders (rights-holders, duty-bearers, partners, donors, other UN agencies) during the different stages of these transitions?

The Evaluation Team spoke to a number of representatives of government and civil society in countries that are going through or have gone through transitions. In practice, national actors often see the United Nations as one massive presence without distinguishing between peacekeeping contingents and civilian staff from the mission or the UNCT. As stated above, these generally understood the reason for the downsizing and there were no specific criticisms made of how OHCHR had communicated this externally. Sometimes it was stated that the consultation about post-transition structures had been 'token', but this was generally a criticism levelled at the United Nations rather than OHCHR. Some OHCHR field staff also expressed frustration about their inability to communicate better with external stakeholders about the post-transition structures, but this was because of the high degree of uncertainty surrounding the process described earlier in this report.

OHCHR is also well connected to other actors within the wider United Nations system. It worked particularly closely with the United Nations Office for West Africa and the Sahel (UNOWAS),⁹¹ which played a key role during UNOCI's transition in Côte d'Ivoire. During Liberia's 2017 election period, UNOWAS coordinated and supported the African Union and the Economic Community of West African States (ECOWAS) in presenting common messaging and engaging national political leaders to defuse election-related tensions.⁹² Some external stakeholders, however, stated that OHCHR needs to engage more consistently with a wider range of potential stakeholders to show the relevance of its mandate during transition processes. It was stated, in particular, that OHCHR should be more globally active in fora such as the Global Focal Point for Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations (GFP)⁹³ and the PBC.⁹⁴

The role of the PBC in adequately resourcing the peacebuilding components of relevant peace operations during mission transitions is widely recognized and the Security Council regularly requests and considers its advice.⁹⁵ The PBC can help host countries generate attention on their progress and challenges and offer informal space to discuss issues with

⁹¹ Skype interview with the UNOWAS human rights officer, November 2019.

⁹² Forti and Connolly, July 2019.

⁹³ *Review of The Global Focal Point For Police, Justice, And Corrections*, Center on International Cooperation, Folke Bernadotte Academy, and the Norwegian Institute of International Affairs, August 2018.

⁹⁴ <https://www.un.org/peacebuilding/commission>, accessed 22 February 2020.

⁹⁵ See for example, Security Council Resolution 2282, 27 April 2016. The Council can invite the PBC to report annually during the first three years following the drawdown on the mandated mission in the country concerned. The Council can either identify specific areas on which the PBC should be expected to report or can set broader guidelines for monitoring developments in the country concerned.

external stakeholders, including Member States, IFIs, civil society, and regional organizations.⁹⁶ When countries hosting transitioning peacekeeping missions are also on the PBC agenda (for example, Liberia and Guinea-Bissau), the chairs of these country-specific configurations have served as unofficial advocates for smooth transitions. In the case of Liberia, the PBC ‘helped consolidate national development plans’ and supported their implementation and monitoring, as well as creating ‘space in New York for deeper analysis of the UN and the government’s preparations for the transition and elections.’⁹⁷ The PBF has also been a key donor to OHCHR FPs during and after transitions.

Together with the United Nations Office of Rule of Law and Security Institutions (OROLSI), the GFP provides the main coordination of and support for rule of law programming in United Nations Peace Operations. It essentially functions as a forum for cooperation amongst agencies that retain their own mandates, functions and reporting lines and it was created on a ‘cost neutral’ basis, given the overall financial constraints faced by the United Nations. The idea behind the GFP is to strengthen the ability of the Organization to fill critical civilian capacity gaps in the aftermath of conflict, facilitate collaborative work from the early planning phase onwards, leverage resources, draw on external assets and avoid duplication of efforts. Typical tasks often include training and capacity-building of the police and prison services, monitoring court procedures, inspecting prisons, reviewing criminal laws and procedures, and more general human rights training of public officials and monitoring of the overall human rights situation.⁹⁸

Clearly, the work of both the PBC and GFP can be an important tool for OHCHR, including to support the work of its field presences. Yet a number of external stakeholders stated that OHCHR’s participation in both fora was too infrequent and that it could be much better at framing its interventions in ways that more effectively contributed to these bodies own planning processes.⁹⁹ This could be simply due to lack of resources. Although the OHCHR New York office has recently expanded although it remains a small presence. Staff are spread thinly and have to prioritize the nature and extent of their engagement with other parts of the wider United Nations system. OHCHR in New York also has few staff of sufficient seniority to engage with some of their colleagues in some fora and a similar point was noted in some FPs. One external stakeholder stated that it was simply not possible for OHCHR to send a P4 staff member into a meeting where all other agencies were represented by DIs and expect to be taken seriously.¹⁰⁰ OHCHR field staff also noted that this tension became particularly acute during transition planning where they sometimes felt excluded from some key decision-making meetings.

Some OHCHR interviewees – in both HQ and the field – stated that the meetings and procedures of groups such as the GFP and PBC were sometimes difficult to follow, not fully transparent and of limited relevance to their own mandates. Since much of their work appears to be done through networking and informal exchanges such impressions may be justified, but it is still important for OHCHR to be seen to be ‘in the room’ for such discussions and to be presenting its work and mandate in an accessible and

⁹⁶ Policy on UN February 2013, para 38.

⁹⁷ Forti and Connolly, July 2019.

⁹⁸ For details see Conor Foley, Rule of Law as a Component of Peace Operations. In: Richmond O., Visoka G. (eds) *The Palgrave Encyclopedia of Peace and Conflict Studies*. Palgrave Macmillan, Cham, 2020.

⁹⁹ Interviews conducted in Geneva, New York and with OHCHR FPs, October 2019 – February 2020.

¹⁰⁰ Interview conducted in New York, November 2019.

constructive manner. Some external stakeholders stated that OHCHR staff sometimes came across as ‘human rights purists’ rather than ‘team players’ in peace and development work. A recent evaluation of transitions also noted that the Peace Building Support Office ‘is not sufficiently involved to support transition processes, and in particular to align plans or build upon ongoing or planned activities in regions and countries’.¹⁰¹ This was supported by interviews conducted by the Evaluation Team where a representative of the PBF in one mission-hosting country complained of her exclusion from a UN transitions working group.¹⁰²

The Evaluation Team believes that OHCHR needs to more explicitly align its field deployment strategy to the Secretary-General’s peacebuilding and sustaining peace agenda and Integrated Platform on Prevention, and the 2030 Sustainable Development Agenda. It should also specifically build closer links with the PBC and consider how to establish or increase its presence in countries benefitting from the PBF or seeking eligibility to get such support. OHCHR needs to be able to present a strong holistic vision of its potential role during this transition using language that resonates with those involved in debates about protection, peacebuilding and development, who may be less familiar with OHCHR terminology based on international human rights law.

The Evaluation Team spoke to numerous OHCHR staff who had been through or were going through the process of transitions and it is clearly a stressful experience. The biggest problem was the lack of certainty about the timescale and nature of the transition. Staff members were not sure whether or not they would be out of a job at the end of the process or what would happen to the programs that they had built up or partners that they had worked with. Equally, external stakeholders often felt abandoned by the United Nations and complained of a lack of information and meaningful consultation.¹⁰³ The dilemma, which exists across the wider United Nations system, is how to balance the need to carefully manage expectations, through clear and consistent messaging, while reassuring those affected that they are not being abandoned. The 2013 United Nations policy on transitions states that:

Building confidence in the national institutions and the transition process and clearly articulating its implications are critical to successful transition planning. The UN mission and UNCT leadership should work together to develop joint communication strategies, drawing on an analysis of the perceptions, concerns and priorities of key stakeholders. Maintaining a public information officer/spokesperson as part of the liquidation team should also be considered. In relation to internal expectations, as a mission draws down its senior management should engage in an active information campaign from the beginning of the transition planning process in order to reduce anxiety of staff. Such a campaign may include regular town hall meetings, bulletins, broadcast messages, a dedicated intranet site, and regular visits to sections by senior managers.¹⁰⁴

Personnel who are about to or may lose their jobs when the mission closes are likely to spend at least as much time applying for other positions as they do to forward planning for future programming, which may, or may not, be possible depending on the final

¹⁰¹ Kluyskens, December 2017.

¹⁰² Interview conducted by Skype, December 2019.

¹⁰³ Interviews conducted in Geneva, New York and with OHCHR FPs, October 2019 – February 2020.

¹⁰⁴ Policy on UN Transitions, 4 February 2013, paras 29-30.

outcome of the transition process. The most visible international staff in a Peace Operations are usually police and soldiers who have usually been seconded by their national governments. Many other staff, such as prisons and corrections staff, and a variety of other justice sector professionals are often seconded into peace missions by a variety of different arrangements. Such staff can expect to return to their previous professional positions at the end of the secondment. The staff of the mission's human rights component, by contrast, have no similar national institutions from which to draw personnel and the downsizing or transition of a mission may have a disproportionate impact on mid-career or senior human rights professionals. As a relatively small and specialist section within the wider United Nations system, OHCHR staff in missions have fewer opportunities for re-deployment elsewhere, particularly at a senior level, and this problem is becoming increasingly acute in view of the general downsizing of Peace Operations.

Some OHCHR staff had only been notified of a contract renewal days before their current ones expired. Others had left the United Nations system and then returned after performing different jobs. Many others had left the Organization and were not available to interview. It is an obvious concern that the main task of transition planning in the field should fall on staff in these personal circumstances and that these same staff should be the main public face of OHCHR when communicating and coordinating with external stakeholders. As discussed above, the recruitment procedures for OHCHR, as part of the United Nations Secretariat, are slow and cumbersome and that post-transition planning has often been severely hampered by staff turnover with posts in the new FP often going unfilled for many months.

Evaluation Question 9: What impact, if any, has the transition had on the human rights situation in the country?

The impact of a transition will almost inevitably lead to a reduction of the capacity of the OHCHR FP to fulfil functions of the previous human rights component of a Peace Operation. Whether this will have a direct impact of the human rights situation in the country concerned depends on a range of circumstances that are beyond the scope of this evaluation to analyze fully. In some of the countries that the Evaluation Team analyzed, where transitions had already occurred, there had been a marked deterioration of the human rights situation, in some cases, such as Burundi, leading to the closure of the OHCHR field presence. In others, OHCHR had been unable to maintain a presence for other reasons, essentially due to the lack of State consent and lack of funding, but there had not been a marked deterioration in the human rights situation.

In some cases, it seems reasonably clear from an objective assessment of the human rights situation that the transition had been premature. In Timor Leste, the United Nations had to re-establish its Peace Operation in 2006 when, due to a renewed outbreak of conflict shortly after the mission's closure the previous year.¹⁰⁵ In others, such as Sierra Leone and Liberia, most observers agree that there is little imminent risk of a return to conflict. Opinions were more mixed in relation to a number of other countries in which transitions are either planned, ongoing or have already taken place. The Evaluation Team, therefore, believe it is very difficult to assert any causal impact between the human rights situation

¹⁰⁵ For details, see, UN Peacekeeping Homepage, United Nations Integrated Mission in Timor Leste, UNMIT, <https://peacekeeping.un.org/mission/past/unmit/background.shtml>, accessed 31 March 2020

in a country and the transition from a United Nations Peace Operation to another type of presence.

For the purposes of this evaluation, it is more significant to note that it is now widely accepted within the wider United Nations system that there is a clear connection between promoting and protecting human rights and creating the conditions for strengthened resilience and sustained peace in countries emerging from conflict. Human rights have been mainstreamed into conflict prevention and their relevance and impact is now far better understood. As a 2019 evaluation by the United Nations Office of Internal Oversight Services (OIOS) noted:

Human rights monitoring contributed to informing missions of impending crises in some cases. Their work positively influenced government structures, laws and processes, contributed to some improvement in accountability for violations, increased protection for victims, witnesses and human rights defenders, and enhanced awareness among rights-holders and duty-bearers. It also helped sensitize internal and external stakeholders on human rights issues. Finally, human rights reports were regularly used by the Security Council and other stakeholders, with more frequent reporting resulting in greater use.¹⁰⁶

It is also widely agreed that a smooth transition will enhance the prospects for sustained peace in countries emerging from conflict. The necessary steps are likely to include a gradual and seamless handover of mission responsibilities to national actors, informed by the realities on the ground, and in the most inclusive manner, while the United Nations remains a reliable partner throughout and beyond the transition. The Evaluation Team, therefore, believes that, with all the caveats stated elsewhere in this report, effective planning by OHCHR for the transition of the human rights components of missions into other types of field presences can have a positive impact on the human rights situation in the country concerned.

Evaluation Question 10: What measures were taken to ensure that the results achieved by the field presence/country program would be sustained (for example cultivating ownership/ensuring participation of local stakeholders)? Was a realistic exit strategy considered when planning the transition and establishing the new presence?

The Evaluation Team was impressed by the efforts of human rights components in Peace Operations, under the direction of OHCHR, and the follow-on human rights field presences, to strengthen national capacity for the protection and promotion of human rights. Both types of presences had supported state institutions and CSOs with human rights mandates through training and capacity-building.¹⁰⁷

Most of the human rights components in the Peace Operations that the Evaluation Team examined had started capacity-building programmes early on in the life of their respective missions. These all appear to have been based on sound analysis of capacity gaps, collaboration and comparative advantage and clear theories of change and outcomes. OHCHR Country Offices and other human rights field presences had built on these

¹⁰⁶ *Evaluation*, Office of Internal Oversight Services, March 2019.

¹⁰⁷ Interviews carried out with external stakeholders. See also Jessup and Kounte, 2015.

achievements through follow-on programmes, often supported by international donors. Most of these focused on supporting NHRIs, CSO and justice institutions.

National capacity development is a central tenet of peacebuilding and a consistent priority for both United Nations missions and UNCT partners, which is reflected in the United Nations policy on transitions.¹⁰⁸ Many of the external stakeholders that the Evaluation Team interviewed had previously worked as national staff in the missions concerned and these invariably stressed the quality of the training that they had received at this time. Other good practices that the Evaluation Team observed included co-location of United Nations and host government staff, and the donation of United Nations built/owned facilities for subsequent utilization. Where transitions were still in progress, or had resulted in the establishment of Country Offices, the human rights field presence was clearly aiming to capacitate NHRIs and CSOs to take on the monitoring, reporting and advocacy functions that they had previously fulfilled.

The biggest recurring problem mentioned to the Evaluation Team constraining the capacity-building work of OHCHR in transition and post-transition situations was the impact of funding constraints and restrictions by host state governments. Capacity-building mandates have to compete with a variety of other priorities in post-mission planning and are often pushed 'to the back of the queue' in discussions with governments and donors. As a senior UN official in Liberia stated in an interview, in many instances the real work of capacity building begins when the mission draws down and yet this is the moment when funds are reduced.¹⁰⁹

As discussed above, in some cases UNDP has been seen as the 'natural successor' to take on some of the programmes previously implemented by the human rights component of the mission but it is not mandated or structured to fulfil OHCHR's unique monitoring, reporting and advocacy functions. One other particular issue raised with the Evaluation Team concerned the United Nations Human Rights Due Diligence Policy (HRDDP), which should be a mandatory part of all training programmes and local capacity-building. The United Nations adopted HRDDP in 2013, acknowledging that the Organization has a 'responsibility to respect, promote and encourage respect for international humanitarian, human rights and refugee law'.¹¹⁰ This policy arose directly out of the United Nations Peace Operation in the Democratic Republic of the Congo which led to its Legal Counsel stating that if the mission had reason to believe that the Congolese armed forces [FARDC] were committing violations of IHL, international human rights law or refugee law the UN 'may not lawfully continue to support that operation'.¹¹¹

¹⁰⁸ Policy on UN Transitions, February 2013, paras 31-34.

¹⁰⁹ Interview, Liberia, November 2019.

¹¹⁰ *Human rights due diligence policy on United Nations support to non-United Nations security forces*, UN Doc. A/67/775-S/2013/110, 5 March 2013, para 1.

¹¹¹ Confidential note, leaked by the *New York Times*, from the UN Office of Legal Affairs to Mr. Le Roy, Head of the Department of Peacekeeping Operations, 1 April 2009, para.10. 'MONUC may not lawfully provide logistic or 'service' support to any FARDC operation if it has reason to believe that the FARDC units involved are violating any of those bodies of law . . . This follows directly from the Organization's obligations under customary international law and from the Charter to uphold, promote and encourage respect for human rights, international humanitarian law and refugee law.' For a more detailed description see Jeremie Labbe and Arthur Boutellis 'Peace operations by proxy: implications for humanitarian action of UN peacekeeping partnerships with non-UN security forces', *International Review of the Red Cross*, Vol. 95 No. 891/892 Autumn/Winter 2013, pp.539-59; and Helmut Philipp Aust, 'The UN Human Rights Due

The HRDDP has since been increasingly applied to an expanding range of support provided by the United Nations, but implementation and monitoring remain uneven. A number of OHCHR interviewees expressed concern that not all United Nations agencies were able to ensure that all capacity-building support was HRDDP-compliant. The Evaluation Team believes that this is a serious concern which OHCHR should ensure is raised further within the wider United Nations system. OHCHR has recognized expertise in ensuring compliance with HRDDP, and in post-transition scenarios, all members of the UNCT should be strongly encouraged to draw on this advice to ensure that their projects are compliant.

Beyond this, OHCHR and the wider UN system need to clearly advocate for more consistent support from IFIs for capacity-building support during transition processes and for including human rights compliance within this support. As a former head of three UN Peace Operations has noted:

Peace operations' engagement with UN agencies and international financial institutions seems to vary. Longer-term stability needs collective partner support from the outset. Mission transition is too late to be establishing agency roles or handing over "residual" tasks. A stronger, more consistent relationship between the SRSG and UN team should be cultivated, even though UN agencies do not work at the direction of either the Council or the secretary-general. . . Structural issues that perpetuate conflict, including factors inherent to a country's economic model or historical patterns of social exclusion, must be understood in designing the political strategy: in Liberia, engaging with country team members and international financial institutions active on land reform, extractive industries, and decentralization enhanced the UN mission's understanding and response.¹¹²

Monitoring, reporting and advocacy are core elements of OHCHR's mandate and these and other skills are widely recognized as bringing added value to the UN's work in post-transition countries. Issues such as combating impunity; transitional justice; rule of law capacity building; and combating gender-based discrimination and violence are of obvious relevance to these situations. A number of sources also stressed the long-term importance of OHCHR's work on social, economic and cultural rights, supporting UPR processes and ensuring HRDDP compliance and this is clearly not an exhaustive list. OHCHR's current management plan (2018-2021) has identified a number of 'frontier issues' that form part of the organization's strategic priorities, along with critical actors with whom it needs to engage. The Evaluation Team believe that OHCHR could usefully produce a strategic guidance framework showing how these issues and techniques can, with adequate support from IFIs, contribute to lasting and durable peace and prevent future conflicts.

Evaluation Question 11: Has a gender perspective been considered in the planning and implementation of the transitions, including the participation of women and other vulnerable groups?

Diligence Policy: An Effective Mechanism against Complicity of Peacekeeping Forces?, *Journal of Conflict and Security Law*, Oxford University Press, June 24, 2014; and Conor Foley, *The Protection of Civilians in UN Peace Operations*, Cambridge University Press, 2017.

¹¹² Karin Landgren, *Nailing Down the Primacy of Politics in UN Peacekeeping: An Insider Perspective*, International Peace Institute Global Observatory, 16 August 2018.

The Evaluation Team found that while the United Nations is formally committed to integrating a gender perspective into its transition planning, the practical application of this remains weak, for the reasons described elsewhere in this report. The 2013 policy on transitions states that:

Transition processes, and therefore all related learning and knowledge components need to ensure that gender related gains are retained and expanded through the presence of a well-staffed and budgeted gender architecture within the UN and the government. Robust gender analysis must be utilized to assess potential impacts of the transition on women, men, girls and boys. In all cases, and particularly when transitions lead to the return of an exclusive UNCT presence, consideration should be given to how to strengthen the capacity of the UNCT in areas of handover from the mission.¹¹³

Most of the United Nations documents and plans related to transitions that the Evaluation Team analyzed did contain a gender perspective and both OHCHR and UN Women have attempted to integrate this into the planning of the post-transition presence. Nevertheless, the participation of women and vulnerable groups in United Nations transitions appears to be extremely weak. One external evaluation of transitions, conducted in 2017, noted that 'in practice, gender as a concept, including a methodology to apply it to transitions, has been absent from the work. There are, however, gender sensitive elements in transition plans.'¹¹⁴ It further noted, in relation to Liberia, that a 'human rights-based approach has been fully applied and included in the narrative of the Plan. Moreover, a representation of the Office of the High Commissioner of Human Rights will be established (OHCHR) in Liberia which ensures that there is strategic attention to human rights after the mission leaves.'¹¹⁵ In a round table discussion with the main women's civil society organizations in the capital city, Monrovia, however, the Evaluation Team was told that the consultation on transition by the United Nations had been 'token' and that they had been given no meaningful opportunity to input into the planning process or discussion.¹¹⁶ The Evaluation Team heard similar sentiments in Sudan, although there it was exacerbated by the repressive conditions and restrictions on CSOs.

This criticism should be read alongside the other findings of this evaluation about the lack of consultation by the United Nations with CSOs during transition planning. The Evaluation Team believes that the problem is not a lack of gender-sensitivity, *per se*, but a failure to ensure that the voices of the most vulnerable sections of the population are genuinely listened to, empowered and supported during transitions and that post-transition structures are adequately funded. UN Women clearly regard OHCHR's field presences as an ally in the field and the two agencies cooperate well. Where OHCHR has been able to ensure the maintenance of a viable field presence post-transition, these have integrated a gender perspective as discussed further below.

The Global Study on the Implementation of Security Council resolution 1325 has noted the United Nations was still failing to deliver on peace and security issues from a gender

¹¹³ Policy on UN Transitions, February 2013, paras 18-24.

¹¹⁴ Kluyskens, December 2017.

¹¹⁵ Ibid.

¹¹⁶ Interview/round table discussion conducted in Liberia, November 2019.

perspective.¹¹⁷ The Evaluation Team support this conclusion that there needs to be a conceptual shift by the United Nations from peacebuilding as a set of post-conflict interventions towards ‘sustaining peace’ – understood to be both a process and a goal that encompasses addressing the root causes of violent conflict (which also have a strong gender dimension), mediation and identifying political solutions, conflict prevention, and creating the conditions for recovery and long-term development.¹¹⁸ Clearly, while many of these issues go far beyond the remit of this evaluation, integrating a genuine gender perspective into transition planning would require a far more inclusive approach to United Nations peacebuilding.

Evaluation Question 12: Has the organization put in place structures to ensure the integration of a gender perspective and to contribute towards the goal of gender equality and women’s rights after the transitions?

OHCHR has attempted to put in place structures to ensure the integration of a gender perspective and to contribute towards the goal of gender equality and women’s rights after the transitions, but in the context of a significant downgrading of the work of its post-transition field presences discussed elsewhere in this report.

In Sierra Leone, the HRA who became the OHCHR field presence during the transition and for a brief period afterwards developed a programme against Female Genital Mutilation (FGM) carried out under the guise of ‘traditional practices’ and the Liberia Country Office is currently running a similar programme.¹¹⁹ In Burundi, the OHCHR Country Office worked in close cooperation with the African Union Human Rights Observers deployed in July 2015 to monitor the human rights situation and particularly violations committed against women, children and marginalized groups of society.¹²⁰ It also advocated with judicial authorities to implement practices that promote women’s access to justice for sexual and gender-based violence crimes and guarantee their protection during all stages of court proceedings.¹²¹ In Chad, the Country Office, in consultation with the Government and civil society organizations, established a consultation framework on human rights and gender issues and helped the country adopt a new law against child marriage.¹²² It also monitored violence against women and girls with a changing emphasis from conflict-related sexual violence towards ‘traditional

¹¹⁷ *Preventing Conflict, Transforming Justice, Securing the Peace, A Global Study on the Implementation of United Nations Security Council resolution 1325*, UN Women, 2015.

¹¹⁸ Ibid.

¹¹⁹ End of Year Progress report - Sierra Leone (2014); End of Year Progress report - Sierra Leone (2015); End of Year Progress report - Sierra Leone (2016); End of Year Progress report - Sierra Leone (2017); Country Note for Liberia (revised) /a (2014-2017); End of Year Progress report - Liberia (2014); End of Year Progress report - Liberia (2015); End of Year Progress report - Liberia (2016); End of Year Progress report - Liberia (2017); End of Year Progress report - CO Liberia (2018); Country Programme for Liberia /a (2018-2021).

¹²⁰ End of Year Progress report - Burundi (2014); End of Year Progress report - Burundi (2015); End of Year Progress report - Burundi (2016); End of Year Progress report - Burundi (2017); End of Year Progress report - CO Burundi (2018); Mid-Year Review - Burundi (2019); Country Programme for Burundi /a (2018-2021); Country Note for Burundi (revised) /a (2014-2017).

¹²¹ Ibid.

¹²² End of Year Progress report - Chad (2014); End of Year Progress report - Chad (2015); End of Year Progress report - Chad (2016); End of Year Progress report - Chad (2017); End of Year Progress report - CO Chad (2018); Mid-Year Review - Chad (2019); Country Programme for Chad /a (2018-2021); Country Note for Chad (revised) /a (2014-2017).

practices' such as FGM and early childhood and forced marriages, which remain widespread although prohibited by law.¹²³

Gender is fully integrated into the monitoring, advocacy and technical cooperation programmes of all of the existing human rights components of United Nations Peace Operations that are likely to undergo transitions in the next few years. For example, in Guinea Bissau, as a result of advocacy and technical cooperation efforts by the human rights component, the country ratified a number of international human rights treaties and adopted legislation on domestic violence.¹²⁴ The human rights component also helped the national authorities improve the conditions of detention facilities, including the separation of male and female inmates and providing adequate toilet facilities. It has also run a number of gender sensitization campaigns with the political parties and presidential candidates, which led to seven of the nine Presidential candidates signing a political declaration, formally committing them to including the issue of gender equality in their electoral programming and political agendas.¹²⁵

In the Democratic Republic of the Congo, the United Nations Joint Human Rights Office (UNJHRO) has been running for several years an Access to Justice programme for victims of Sexual Violence, has drawn up a National Strategy against Gender-Based Violence and has drafted a law on reparations for victims of sexual violence. In Haiti OHCHR has designed and implemented awareness campaigns, with the participation of women's rights organisations and the Lesbian, Gay, Bisexual, Transsexual Intersectional (LGBTI) community, to combat patriarchal social norms and harmful gender stereotypes, and helped to provide survivors of sexual and gender based violence with appropriate services.¹²⁶ It has monitored the treatment of migrant Haitian women and integrated a gender analysis into the work of the Protection Cluster, which it has led since the 2010 earthquake. OHCHR has also helped ensure that human rights, including the principle of non-discrimination, are mainstreamed in the 2017-2021 United Nations Development Assistance Framework.¹²⁷

¹²³ Ibid.

¹²⁴ End of Year Progress report - Guinea-Bissau (2014); End of Year Progress report - Guinea-Bissau (2015); End of Year Progress report - Guinea-Bissau (2016); End of Year Progress report - Guinea-Bissau (2017); End of Year Progress report - Guinea-Bissau (UNIOGBIS) (2018); Mid-Year Review - Guinea-Bissau (2019); Country Note for Guinea-Bissau /a (2014-2017); Country Programme for Guinea-Bissau /a (2018-2021).

¹²⁵ Ibid.

¹²⁶ End of Year Progress report - Haiti (2014); End of Year Progress report - Haiti (2015); End of Year Progress report - Haiti (2016); End of Year Progress report - Haiti (2017); End of Year Progress report - Haiti (MINUJUST) (2018); Mid-Year Review - Haiti (2019); Country Programme for Haiti /a (2018-2021); Country Note for Haiti (revised) /a (2014-2017).

¹²⁷ Ibid.

7. Lessons Learned

An early and integrated transition planning from the very outset of the deployment of a mission and the identification of clear objectives and associated performance measures, results in the establishment of viable human rights field presences. These should then guide transition planning based on objective conditions. In practice this rarely happens, and it has also been difficult for OHCHR to ensure that its views are fully taken into account during transition processes. Most transitions that have taken place to date have not resulted in the establishment of effective human rights field presences.

OHCHR's necessary role of highlighting ongoing human rights violations during a transition may be interpreted as being obstructive of the process, jeopardizing the alliances it needs to make about the post-transition structures. Some transitions clearly have been premature and not justified by the conditions in the country concerned, which places OHCHR in a difficult position.

OHCHR staff are sometimes seen as 'human rights purists' rather than 'team players' in peace and development work. They also sometimes lack the seniority to input meaningfully into transition planning.

OHCHR needs to engage more consistently with a wider range of potential stakeholders to show the relevance of its mandate during transition processes.

OHCHR, as a member of the UN Secretariat, has slow and cumbersome recruitment procedures and post-transition planning has often been severely hampered by staff turnover with posts in the new field presence often going unfilled for many months.

OHCHR staff who have joined the organization during the course of a transition would often have benefited from more guidance from HQ.

OHCHR struggles with the challenges of moving from a situation in which its core-funding is paid from the United Nations regular budget to covering such expenditure from programme costs. It is also concerning that the main task of transition planning in the field and publicly representing OHCHR during this period, should fall on staff who may be about to lose their jobs.

OHCHR needs to think more innovatively about the types of field presences that it is hoping to put in place during and after transitions. Experiences to date show the establishment of a Country Office is sometimes an unrealistic objective and pursuing it may, in some circumstances, weaken the organization's strategic objective of securing another type of effective field presence in the post-transition scenario.

8. Emerging Good Practices

It is now widely accepted within the wider United Nations system that there is a clear connection between promoting and protecting human rights and creating the conditions for strengthened resilience and sustained peace in countries emerging from conflict. Human rights have been mainstreamed into conflict prevention and peacebuilding and their impact is now far better understood.

OHCHR is widely recognized as having some core added value competencies for work in post-transition countries. These include its skills such as monitoring, reporting and advocacy; combating impunity; transitional justice; rule of law capacity building; and combating discrimination, including gender-based discrimination and violence. During the course of this evaluation, interviewees also stressed the relevance of OHCHR's work on social, economic and cultural rights, supporting UPR processes and ensuring HRDDP compliance. OHCHR's current management plan has identified a number of 'frontier issues' that form part of the organization's strategic priorities, along with critical actors with whom it needs to engage.

The Evaluation Team was impressed by the efforts made by OHCHR, both by the human rights components in Peace Operations and in follow-on field presences, to strengthen national capacity for the protection and promotion of human rights. Both types of presences had supported both State institutions as well as civil society organizations with human rights mandates through training and capacity-building. A number of post-transition FPs had quite significantly changed the emphasis of their country programmes after the transition, from monitoring conflict-related human rights violations, to working more with civil society and taking on a broader range of violations of social, economic and cultural as well as civil and political rights.

9. Conclusions

The United Nations system, under pressure from Member States, is currently in the process of winding down and phasing out most of its Peace Operations to replace them with smaller, cheaper types of field presences. In all cases of transitions that have taken place, there has been a significant reduction of the work and capacity of OHCHR's field presences and it has not been possible for stand-alone country programs to conduct activities at the same scale and level as the previous human rights mission components. This trend is likely to continue and raises concerns about reconfigured and future UN peace operations, where it is likely to become difficult to get sizeable human rights components. Although OHCHR has significantly improved its planning around transitions, this tends to remain too reactive, *ad hoc* and uncoordinated, which also reflects the weaknesses in the United Nations own planning.

It is now widely accepted throughout the United Nations system that strengthening legitimate institutions and governance in post-conflict situations is crucial to sustainable peace and development. Promoting and protecting the full range of human rights codified in international law also helps protect the most vulnerable and prevents a relapse into conflict. Although other United Nations agencies, can perform some of the functions of the human rights component of a Peace Operation in a post-transition scenario, a range of interviewees confirmed that OHCHR has a relevance and added value to contribute to the peace and development and prevention agendas. It is also widely accepted that establishing viable human rights FPs will contribute to smooth and sustainable transitions. This could be a Country Office or an HRA with sufficient seniority to ensure continuity and effective input into the work of the UNCT and RC.

Some OHCHR interviewees who had been involved in transition planning seem to have generally aimed at the establishment of a Country Office to coincide with the winding-down of a Peace Operation. Others, however, believe that more consideration should be given to exploring alternative options, such as a more targeted deployment of HRAs in transitioning and post transition scenarios, with sufficient seniority, experience and skills, linked to peacebuilding, based on the PDA model. The mandate of such Advisors would need to be clearly defined but could focus on issues where OHCHR has clear expertise and added value, such as working with the UNCT in monitoring, reporting and reviewing state implementation of the recommendations of human rights treaty monitoring bodies and ensuring that UN agency projects are HRDDP compliant. They could also take into account the prevention, sustaining peace and development agendas, advising on transitional justice, security sector reform, on political processes, some institution building aspects, economic, social and cultural rights, the sustainable development goals and on human rights in the context of elections. Depending on the context and developments, these deployments could be limited in time to fulfill tasks under one or some of these specific areas, or could be extended to take over emerging issues

Transitions do not always occur in conducive environments and the United Nations' ability to plan for and implement them will be affected by the nature and timing of their trigger. This report concludes that OHCHR needs to more systematically engage with other parts of the United Nations system and external stakeholders to better highlight and integrate the need to protect and promote human rights into the debates about forthcoming

transitions. It needs to ensure that this engagement takes place at the right level (including the rank and seniority of the staff involved) and at the right time, taking into account these organizations' own planning processes. It needs to use appropriate language to the peace and development and prevention debates and to think strategically about the value that its own mandate adds to their work.

10. Recommendations

1. OHCHR should institutionalize transition planning as an OHCHR office-wide engagement requiring the involvement of senior staff from its different units, including Programme Support and Management Services (PSMS). It should continue to enhance cooperation between the New York and Geneva HQ and its field presences.
2. OHCHR should think strategically about the value that its own mandate adds to the United Nations' work on peace and development and prevention during discussions on transitions and consider producing a strategic guidance framework showing how this can, with adequate resources, contribute to lasting and durable peace and to the prevention of future conflicts. It needs to be able to present a strong holistic vision of its potential role during transitions using language that resonates with those involved in debates about protection, peacebuilding and development.
3. OHCHR should ensure that it can designate a team of senior staff in its HQ – drawn from all relevant parts of the Office and fully conversant with its work – that can be independently deployed during transitions, well in advance of the closure of a Peace Operation, to participate in Needs Assessments and Technical Missions and to strategically engage with the wider UN system at the HQ and field level, in order to be able to influence decisions related to the future human rights field presence.
4. OHCHR should increase its engagement with human rights components of Peace Operations through more regular interactions and visits, including by senior management, to all missions.
5. OHCHR should be sensitive to the usually complex situation in post-transition situations and the need to carefully navigate around the difficult challenges it is likely to face. It should, therefore, ensure that it deploys staff for these new field presences who have the appropriate level of seniority, fully understand OHCHR's strategic objectives, are technically competent, have good levels of judgement and diplomacy, can effectively communicate in delicate environments, and who preferably know the country. OHCHR should continue to provide them with support, training and mentoring as required.
6. OHCHR transition planning should include consideration of all viable options and account for all foreseeable scenarios, with fall-back options included. These alternatives are understood to be Country Offices, Human Rights Advisers (HRAs) and Project Offices; as well as human rights teams within the Office of the Resident Coordinator's (RC) Office, running the programmes directly from Geneva or assigning their responsibility to Regional Offices. Transition plans should be based on an evaluation of the achievements of the human rights component of the UN mission, comparative strengths and weaknesses of other partners, including national CSOs, and of outstanding human rights challenges and needs.

7. OHCHR should produce its own 'good practices' and 'lessons learned' guidance and Standing Operating Procedures on transitions, which should be incorporated into the induction of all relevant field staff, desk officers and others directly involved in transitions. It should promote regular substantive discussions and interaction with OHCHR's more senior leadership during transition processes.
8. OHCHR should more explicitly align its field deployment strategy to the Secretary-General's peacebuilding and sustaining peace agenda and Integrated Platform on Prevention, and the 2030 Sustainable Development Agenda, and enhance engagement with the UN HQ integrated transition processes and other initiatives. It should continue to work to promote the full range of human rights, economic, social and cultural as well as civil and political, in its field work.
9. OHCHR should increase its advocacy on the integration and operationalization of human rights in the United Nations system and with other institutional partners and stakeholders and develop fundraising strategies around this, with the aim of securing regular budget funding for human rights activities. Relying on field presences to fundraise for their own offices may be over-ambitious.
10. OHCHR should develop tools and guidance and provide training and technical support to facilitate the integration of gender in transition situations.
11. OHCHR should find ways to more actively engage the UNCT, the host government and other national stakeholders (e.g. CSOs) to strengthen national mechanisms for human rights promotion and protection and (in this regard) consider the strategic use of the recommendations from regional and international human rights mechanisms, including the Universal Periodic Review (UPR).
12. OHCHR should ensure that its own administrative staff are brought into the discussion and planning of transitions from early on and are properly supported in dealing with the administrative and logistical aspects and the hand-over of assets. If necessary, it should provide temporary administrative support to new field presences to facilitate this.
13. OHCHR should bring to the attention of those who manage liquidation of assets UN policy on information sharing, transfer and archiving, particularly in relation to the security and confidentiality of the human rights component's files.

Management response to the recommendations

Management response		
Evaluation report title: Evaluation of Transitions from Human Rights Components in UN Peace Operations to Other Types of Field Presences		
Recommendation 1: OHCHR should institutionalize transition planning as an OHCHR office-wide engagement requiring the involvement of senior staff from its different units, including Programme Support and Management Services (PSMS). It should continue to enhance cooperation between the New York and Geneva HQ and its field presences.		
Management position on recommendation: Accepted		
Key Actions	Responsibility	Timeframe
1. Establish an OHCHR standing reference group on transitions reporting to Director of the Field Operations and Technical Cooperation Division (FOTCD) to institutionalize the preparation, planning and management of transitions as an Office-wide engagement, providing guidance, and addressing the political, legal, programmatic, administrative, fundraising, financial, and logistical aspects.	SMT, FOTCD, CTMD, TESPRDD, EO- EOS, PSMS, PPMES, NYO	Q2 2021
2. Establish integrated OHCHR task forces for each transition case.	FOTCD, TESPRDD, DEXREL, HRMS, SSS, Human Rights Component	By next mission closure
Recommendation 2: OHCHR should think strategically about the value that its own mandate adds to the United Nations' work on peace and development and prevention during discussions on transitions and consider producing a strategic guidance framework showing how this can, with adequate resources, contribute to lasting and durable peace and to the prevention of future conflicts. It needs to be able to present a strong holistic vision of its potential role during transitions using language that resonates with those involved in debates about protection, peacebuilding and development.		
Management position on recommendation: Accepted		
Key Action	Responsibility	Timeframe
1. Establish a collaboration framework to ensure continued promotion of human rights as a <i>conditio sine qua non</i> for lasting and durable peace and the prevention of future conflicts.	FOTCD	Action Complete

Recommendation 3: OHCHR should ensure that it can designate a team of senior staff in its HQ – drawn from all relevant parts of the Office and fully conversant with its work – that can be independently deployed during transitions, well in advance of the closure of a Peace Operation, to participate in Needs Assessments and Technical Missions and to strategically engage with the wider UN system at the HQ and field level, in order to be able to influence decisions related to the future human rights field presence.		
Management position on recommendation: Accepted		
Key Actions	Responsibility	Timeframe
1. Continued systematic participation in United Nations Strategic Assessment Missions at senior level (relevant Chief of Branch), with possible preparatory and follow-up missions by OHCHR, as necessary.	FOTCD	Action Complete
2. Continued engagement with partner departments within United Nations Headquarters and at country level to mobilize support for a continued United Nations human rights presence in anticipation of the closure of a peace operation.	HC/ASG, FOTCD	Action Complete
Recommendation 4: OHCHR should increase its engagement with human rights components of Peace Operations through more regular interactions and visits, including by senior management, to all missions.		
Management position on recommendation: Accepted		
Key Action	Responsibility	Timeframe
1. Carry out regular interaction and visits to human rights components of UN Peace Operations, including by senior management.	HC/ASG, FOTCD	Action Complete
Recommendation 5: In relation to administration of projects, DEXREL and Front Office at HQ level should improve administrative procedures to avoid delays in the signature of the projects (in particular regarding fund transfers and the recruitment of project staff) funded by donors as these delays impact their timely implementation.		
Management position on recommendation: Accepted		
Key Action	Responsibility	Timeframe
1. Ensure the deployment of staff with the appropriate profile to new field presences and provide training and mentoring support, as required.	FOTCD, PSMS	Action Complete

<p>Recommendation 6: OHCHR transition planning should include consideration of all viable options and account for all foreseeable scenarios, with fall-back options included. These alternatives are understood to be Country Offices, Human Rights Advisers (HRAs) and Project Offices; as well as human rights teams within the Office of the Resident Coordinator's (RC) Office, running the programmes directly from Geneva or assigning their responsibility to Regional Offices. Transition plans should be based on an evaluation of the achievements of the human rights component of the UN mission, comparative strengths and weaknesses of other partners, including national CSOs, and of outstanding human rights challenges and needs.</p>		
<p>Management position on recommendation: Accepted</p>		
Key Actions	Responsibility	Timeframe
1. Senior management to consider all viable options and account for all foreseeable scenarios in transition planning, including fall-back options, carrying out field visits as necessary.	FOTCD, Standing Reference Group, Human Rights Component, SMT	Action Complete
2. Senior managers and branches to consider the achievements of the human rights component and the comparative advantages of UN human rights vis-a-vis ongoing human rights challenges and needs when defining transition plans.	FOTCD, Transition Task Force, Human Rights Component	Action Complete
<p>Recommendation 7: OHCHR should produce its own 'good practices' and 'lessons learned' guidance and Standing Operating Procedures on transitions, which should be incorporated into the induction of all relevant field staff, desk officers and others directly involved in transitions. It should promote regular substantive discussions and interaction with OHCHR's more senior leadership during transition processes.</p>		
<p>Management position on recommendation: Accepted</p>		
Key Actions	Responsibility	Timeframe
1. Develop OHCHR Standing Operating Procedures for the planning and management of transitions as the initial overarching framework to guide the planning and management of transitions (Standing Reference Group). The SOPs could include a checklist of essential steps and an outline of roles and responsibilities within OHCHR. (see recommendation n.1)	Standing Reference Group, FOTCD	Q4 2021
2. The RG will also develop an index of good practices and lessons learnt on transitions on an ongoing basis, and any other tool deemed useful to strengthen the planning and management of transition (see recommendation n.1)	Standing Reference Group, FOTCD	See recommendation n.1

Recommendation 8: OHCHR should more explicitly align its field deployment strategy to the Secretary-General's peacebuilding and sustaining peace agenda and Integrated Platform on Prevention, and the 2030 Sustainable Development Agenda, and enhance engagement with the UN HQ integrated transition processes and other initiatives. It should continue to work to promote the full range of human rights, economic, social and cultural as well as civil and political, in its field work.		
Management position on recommendation: Accepted		
Key Actions	Responsibility	Timeframe
1. Ensure the continuous alignment of field programs with relevant SG and UN policies through an adequate program framework.	FOTCD	Action Complete
2. Promotion of the full range of human rights, economic, social and cultural as well as civil and political, in the field work, through an adequate program framework.	FOTCD	Action Complete
Recommendation 9: OHCHR should increase its advocacy on the integration and operationalization of human rights in the United Nations system and with other institutional partners and stakeholders and develop fundraising strategies around this, with the aim of securing regular budget funding for human rights activities. Relying on field presences to fundraise for their own offices may be over-ambitious.		
Management position on recommendation: Accepted		
Key Action	Responsibility	Timeframe
1. Conduct advocacy on the integration and operationalization of human rights in the United Nations system.	OHCHR	Action Complete
Recommendation 10: OHCHR should develop tools and guidance and provide training and technical support to facilitate the integration of gender in transition situations.		
Management position on recommendation: Accepted		
Key Actions	Responsibility	Timeframe
1. Develop tools and guidance to facilitate the integration of gender in transition situations.	FOTCD, Human Rights Component	Action Complete
Recommendation 11: OHCHR should find ways to more actively engage the UNCT, the host government and other national stakeholders (e.g. CSOs) to strengthen national mechanisms for human rights promotion and protection and (in this regard) consider the strategic use of the recommendations from regional and international human rights mechanisms, including the Universal Periodic Review (UPR).		

Management position on recommendation: Accepted		
Key Action	Responsibility	Timeframe
1. Ensure engagement with host governments, UNCT, civil society and the NHRI to strengthen national mechanisms for human rights promotion and protection.	Human Rights Component, FOTCD	Action Complete
Recommendation 12: OHCHR should ensure that its own administrative staff are brought into the discussion and planning of transitions from early on and are properly supported in dealing with the administrative and logistical aspects and the hand-over of assets. If necessary, it should provide temporary administrative support to new field presences to facilitate this.		
Management position on recommendation: Accepted		
Key Actions	Responsibility	Timeframe
1. Systematic deployment of teams to close human rights components of United Nations peace operations.	FOTCD and other divisions as relevant	By next mission closure
2. Systematic, immediate support to new field presences, including administrative and program.	FOTCD and other divisions as relevant	By next new field presence establishment
Recommendation 13: OHCHR should bring to the attention of those who manage liquidation of assets UN policy on information sharing, transfer and archiving, particularly in relation to the security and confidentiality of the human rights component's files.		
Management position on recommendation: Accepted		
Key Action	Responsibility	Timeframe
1. Ensure the safe handling of human rights component archives in the context of a mission drawdown.	Human Rights Component, FOTCD	Action Complete

II. Appendices (Available upon request)

Annex One: List of Stakeholders Interviewed

Annex Two: Documents Reviewed

Annex Three: Inception Report

Annex Four: Terms of Reference

Brief Biographies of the Evaluation team