

**REPORT
ON THE 26th SESSION OF THE BOARD OF TRUSTEES
OF THE VOLUNTARY FUND FOR TECHNICAL COOPERATION
IN THE FIELD OF HUMAN RIGHTS**

7 – 10 May 2007

I. ORGANIZATION OF THE SESSION

1. The 26th session of the Board of Trustees of the Voluntary Fund for Technical Cooperation in the Field of Human Rights (VFTC) took place at Palais Wilson (Day 1), Batiment Motta (Day 2 and 3), and Palais des Nations (Day 4), in Geneva from 7 to 10 May 2007, chaired by Mary Chinery-Hesse. All members of the Board - Vitit Muntarbhorn from Thailand, Viacheslav Bakhmin from Russia, William Schabas from Canada; and Monica Pinto from Argentina - attended the session.
2. The secretariat was provided by the Programme Management and Support Team linked to the Office of the Chief of Branch, Capacity Building and Field Operation Branch (CBB) of OHCHR: Hulan Tsedev, Anne-Helene Marsoe (main focal point), Yan He and John Bolmer.
3. The overall objective of the session was to explore some of the challenges identified in the High Commissioner's Plan of Action in terms of substantive themes or cross-cutting issues which represent interesting entry points from the perspective of country engagement and technical cooperation programming. In this regard, the Board took stock of the recent in-house developments in key thematic areas such as ESCRs, human rights and poverty, corruption, disability, the rights of indigenous people and the right to development. The Board has had a chance to exchange views with OHCHR staff working on such issues and advise them on the ways of approaching the issues from a practical angle and translating the conceptual/doctrinal work into operational policy and programs.
4. Another thread of exploration pursued by the Board at this session was to continue to look at the challenges/implications for OHCHR emanating from the World Summit in 2005, which marked a paradigm shift for human rights and the reaffirmation of human rights as one of the three pillars of the United Nations Programme. In this regard, the Board has made an effort to keep abreast of the process of institutional building within the framework of the Human Rights Council, and the development of the Universal Periodic Review process, and how the new mechanisms could possibly benefit, influence and/or provide challenges for OHCHR future work on technical cooperation.

5. A full report reflecting the discussion and the recommendations of the Board of Trustees at the current session, together with the next session scheduled for November 2007, will be prepared after the Board's next meeting in November 2007. The report will be presented to the Human Rights Council in March 2008. The present report is thus simplified and serves as a descriptive note for the file.

II. ADOPTION OF THE AGENDA, AND INTRODUCTION OF THE NEW DHC TO THE BOARD AND THEIR WORK.

6. The 26th session of the Board of Trustees was opened by the DHC. The opening also served to introduce the new DHC to the Board and their work.
7. The Board of Trustees adopted the agenda, pointing out the particular importance of the current session in terms of bringing added value to the Office, and in this context further defining their role in light of all the recent changes and developments within the House.
8. As in parallel with the overall UN reform process, many changes have recently taken place internally within OHCHR; the High Commissioner formulated a Plan of Action, which has been translated into the first Strategic Management Plan for the biennium 2006/07, with further advancements in the area of internal management, notably through the establishment of PME, and a programme management team within CBB currently servicing the Board of Trustees. Resulting from this the Board made a deliberate effort to move from reviewing individual projects to broader programme level policy orientation and global strategy. Albeit this development, the current members of the Board expressed a view that the founding mandate of the Board, as outlined in the CHR resolution (1993/87), should remain as a main remit for its future work.
9. The following documents provided to the Board aimed at broadening the picture of recent policy developments and their implications for the current and future Technical Cooperation Programme: the November 2006 Report of the High-level Panel on UN System-wide Coherence in the areas of Development, Humanitarian Assistance and the Environment, entitled "Delivering as One" of the Secretary-General, the January 2007 Report of the United Nations High Commissioner for Human Rights on progress in the implementation of the recommendations contained in the study on the human rights of persons with disabilities, the final report from the 2006 Human Rights Advisers' Review: 'Towards Principled and Consistent Engagement in relation to Human Rights Advisers to United Nations country Teams', and OHCHR's thereby adopted policy on Human Rights Advisers.

III. UPDATES ON RECENT DEVELOPMENTS REGARDING 1) DEPLOYMENT OF HRAs TO UNCTs 2) UN REFORM PROCESS – ONE UN

10. The Board was briefed about OHCHR assistance to UNCTs as it plays an increasing part of the technical cooperation provided at field level in support of national human rights protection systems. In this context, the Board noted that human rights advisers attached to Resident Coordinators offices play an instrumental role in advising the Resident Coordinators on human rights policy and strategic issues and in facilitating capacity-building of UN Country Teams. The Board also learned that last year OHCHR completed a review of the role and functions of human rights advisers, with the aim of increasing their effectiveness, following a similar exercise conducted in 2005 for human rights components of peace missions. In 2006, two human rights advisers were stationed in Country Teams in Sri Lanka and Pakistan, and based on lessons learned from the review and thereby standardized terms of reference for Human Rights Advisers, the deployment of 15 additional human rights advisers is planned for 2007, out of which 7 will be funded through the VFTC. The Board fully supported the use of VFTC for deployment of Human Rights Advisers and noted the importance of foreseeing sufficient budget for activities.
11. The report of the High-level Panel “Delivering as One” (November 2006) recommends that human rights, as cross-cutting issues, must be an integral part of United Nations activities, particularly when delivering as One United Nations at the country level. Consultations by the Panel have reaffirmed the legitimacy of the United Nations to address human rights, including support to national counterparts in their pursuit of international human rights commitments. In this context, eight UN country teams (Albania, Cape Verde, Mozambique, Pakistan, Rwanda, Tanzania, Uruguay, and Viet Nam) are piloting 'One UN' (One Programme – One Budget, One Leader and One Office) with concerned Governments which have requested to be 'pilots'. The experience from these pilots is likely to have a significant impact on the future of UN operations on the ground.
12. The Board was briefed on the current in-House thinking towards developing a strategy to contribute to the “One UN” process and to bring human rights at the forefront of UN operations on the ground. The Board was pleased to note the reform effort with its emphasize on keeping the UN presence light, while maximizing use of all the agencies’ expertise, in which the current deployment of HRAs to UNCTs might be a rational end efficient way for OHCHR to contribute with its human rights expertise. In this movement to One-UN the Board also underlined the importance of OHCHR positioning it self in order to be able to feed into the pool of potential candidates to become UN Resident Coordinators, and at the same time ensuring opportunities for staff carrier progression from OHCHR into higher positions in the UN system. The Board further noted the challenges ahead on how to effectively engage, how the Office can ensure adequate capacity in-House, and how to strengthen the Regional Offices to substantively back-stop technical cooperation at the level of Country presences, HR components within peacekeeping missions and HRAs placed in the various UNCTs.

IV HRC UPDATE, UPR

13. The Board was updated on the third and fourth session of the Human Rights Council (HRC) and briefed on the ongoing process of institutional building within the framework of the HRC, and the development of the Universal Periodic Review (UPR) process, and how the new mechanisms could possibly benefit, influence and/or provide challenges for OHCHR work on technical cooperation. The Board noted that while the final modalities are still being worked out, there is a clear concern that UPR will not compete or overlap with the current Treaty body system. The Board further noted that should OHCHR be asked to assist with Technical Cooperation to Member States in the light of UPRs additional resources would be needed, which again would be a financial responsibility of Member States.

V PEACEKEEPING, PEACEBUILDING AND PEACEMAKING

14. The Board was briefed on the work, mandate and structure of the newly established Unit for Rapid Response, and Peace Mission Support. In particular the Board was briefed on the Unit's work related to the Humanitarian Reform Process. The Inter Agency Standing Committee (IASC), established in 1992, which is the primary mechanism for inter-agency coordination of humanitarian assistance. Recently, in March 2007, it was established a Reference Group on Human Rights and Humanitarian Assistance (officially endorsed at the 67th IASC WG meeting). The Reference Group is chaired by OHCHR and its broad TORs are: 1) Facilitate integration of a HRBA within the cluster approach, 2) Contribute to the human rights perspective to ISAC advocacy initiatives, 3) Engage in the development of friendly user tools; 4) Increase the level of awareness and information sharing about human rights initiatives with relevance to humanitarian actions.
15. The Board was also briefed on the Humanitarian Reform Process, which is mainly based on three pillars:
 - CERF (Central Emergency Relief Fund)
 - The strengthened role of Humanitarian coordinators
 - The so-called Cluster ApproachThe Cluster Approach is a process that aims at increasing overall coordination of humanitarian initiatives at the global and field levels by clarifying agencies' responsibilities and leading roles in areas of common intervention. During 2005/06 country clusters were established in a number of roll-out countries. It was agreed that during 2007 the Cluster Approach will be gradually implemented in an increasing number of countries. There are currently nine different clusters. OHCHR is a member of the Protection Cluster at the global level, and participates (or co-chairs) in a number of Clusters at country level (Colombia, DRC, Ethiopia, and Uganda). Additionally, - at the global level - OHCHR has assumed the role of focal point agency for rule of law protection response.

16. The Board was pleased to learn about the work of the new Unit. The Board noted that IASC had, in an early stage, come a long way with regard to inter agency cooperation and coordination, which could serve as a models and lessons learned for the ongoing Un reform, One-UN, and further integration of all Un agencies and operations. The Board noted that a key word in this regard is PROTECTION. The word protection is used by various agencies, with often different meanings. For example, UNHCR uses protection differently than OHCHR. Therefore OHCHR needs to distinguish what OHCHR means with protection.

VI THE TRANSLATION OF VARIOUS HUMAN RIGHTS TEAMS INTO TECHNICAL COOPERATION PROGRAMME AND TECHNICAL COOPERATION POLICY RECOMMENDATIONS

17. Translating themes as corruption and poverty, and their possible inter-linkage, as well as other cross-cutting themes, into an action agenda for OHCHR remains an ongoing challenge. In this sense, the BOT though it encouraging to note an increased emphasis on enhancing collaboration between RRDB, CBB and the field presences. Related to poverty the Board was specifically briefed on OHCHR presences in Guatemala, Liberia and Nepal as a basis for a discussion on how more focused strategies can make a difference in addressing the root causes of the human rights violations associated with poverty. The value of “best practice models” was recommended in developing strategies to tackle such a complex phenomenon as poverty. On a more general level, the Board expressed that poverty is a concept difficult to define, and that economists would probably look at it differently than human rights experts. More should be done in order to clarify the definition, its linkages, root causes and a combination of these, i.e. discrimination, lack of sound governance, corruption, conflict, marginalization, lack of proper access to political and civil rights and ESCR rights.
18. The Board was briefed on the recent OHCHR conference held in Warsaw: ‘United Nations conference on Anti-Corruption Measures, Good Governance and Human Rights’. Good governance has been part of OHCHR’s focus for some time, however corruption represents a fairly new theme to the OHCHR. The methodology of the conference intended to share good practices, generate debate and clarify a conceptual basis of corruption. The Board Members emphasized the importance of the issue and acknowledged that corruption might both be a cultural and structural issue. As there are many actors with a mandate to fight corruption, the Board recommended that OHCHR should concentrate its focus on where the organization could make an added value. Impunity, lack of ‘access to information’, weak institutions, poverty resulting from poor governance and inequality, democratic deficit, discrimination are potential areas where corruption is the cause of depriving the people of their rights, as well as often being among the root-causes to the eruption of conflict. At the same time the BOT underlined the importance of having a corrupt-free police force, national planning agencies, audit agencies, judicial academies, and military academies. The BOT additionally pointed out the importance to

have an equal focus on the so-called ‘South – North’ when addressing corruption.

19. Economic, Social and Cultural Rights (ESCR) in Technical Cooperation. The Board was briefed on how RRDB feeds its theoretic expertise on ESCRs into CBB country engagement, technical cooperation and capacity building efforts. The Board mentioned that within competing priorities within human rights, there has been a tendency to give priority to political and civil rights. It is a traditional myth that ESCR are only aspirational goals rather than enforceable rights. The Board pointed out that as in many other places when dealing with ESCRs, cultural rights are often the poor cousin of economic and social rights. The name of the thematic Unit within RRDB also reflects this, (Human Rights and Economic and Social Issues) although it was explained that the term "economic and social issues" was used broadly to include non-ESCR specific mandates such as human rights and business and human rights and disability and that other units in the Branch work on cultural rights. The Board further noted that ESCR have the potential to act as a bridge to arrive at political and civil rights. Nevertheless, the past has shown that it has been difficult to receive support for this although this is changing. Overall, the Board noted an increased attention on these rights and encouraged greater attention to field ESCR activities in the future.
20. In lieu of the recent adoption of the Convention on Disabilities, the Board was briefed on the offices thematic work in this area. The Board commended the ongoing work and strategy, using high level authority and policy and establishment of instruments, in order to reach the ground. The BOT also praised initiatives developing handbooks, mainstreaming initiatives, incorporation into laws, and assistance to countries in general. The Board emphasized that ‘Disabilities’ is a cross cutting theme, and often combined with conflict, governance, and discrimination. The Board recommended that ‘disabilities’ should be mainstreamed and integrated into the work of all UNCTs. In order to realize participation by persons with disabilities, the Board further pointed out that a physical infrastructure needs to be available. For example, the blind would need special assistance in order to participate in committee work in Geneva, e.g. travel and reading.
21. The Board was briefed on the Indigenous and Minority fellowships. The Board was impressed by the work of the two fellowships, which possibly might be merged in the future. The Board noted the importance of follow-up with regard to the fellows after their return. Many will go back to important positions, and would be in need for backstopping on advocacy initiatives, drafting project proposals, sharing of information, to form a good bridge in their community. The Board also noted the need for funding for these activities.
22. The Board was briefed on the work of the Open-ended Working Group on the Right to Development, particularly the three-year workplan to operationalize a set of criteria for the evaluation of certain global development partnerships from a human rights perspective. In addition, the Board was informed of the adoption of a Human Rights Council resolution, which endorsed the practical

global partnership approach recommended by the Working Group. Four global partnerships would be assessed from the right to development perspective in 2007/2008. The BOT noted the focus on partnerships and existing mechanisms, and commented that there would be a need for buy-in from the various UNCTs. The Declaration of Human Rights is the essential instrument in this regard which highlights that there is both an international and national angle to Right to Development.

VII FIELD PRESENCE: MEXICO

23. The Board had an in-depth discussion on OHCHR's field presence in Mexico, which is fully funded from VFTC. The Board commended the excellent work of the Office and pointed out that some good lessons learned could be drawn: (a) given the concentration of OHCHR presences in countries in conflict or post conflict situations, the case of OHCHR-Mexico gives a rare example of successful OHCHR field work being done in a country in neither a conflict nor a post conflict situation, yet with great demand for human rights work; (b) this demand for human rights work was matched with the "enabling" political will/space, cemented by high-level negotiations between the former President and the HC; and (c) The main areas for the technical cooperation program in Mexico were based mainly on the recommendations by the Treaty Bodies and the Special Procedures of the CHR. The National Human Rights Action Plan - which was elaborated with the support of the OHCHR - was based on a careful participatory human rights diagnosis.

VIII DISCUSSION WITH THE RESOURCE MOBILIZATION UNIT AND FINANCE / ADMINISTRATION ON THE FINANCIAL SITUATION OF THE VFTC AND FUTURE OF THE FUND (INCLUDING POSSIBLE IMPLICATIONS DUE TO UPR)

24. The Finance, Administration and Resource Mobilization Units provided the BOT with an update on the financial situation of the VFTC. The BOT noted that as of 1 January 2007 the VFTC are used for technical cooperation activities in county offices, for Human Rights Advisers, Peace-Mission-Support, in addition to fully funding the field presence in Mexico, Palestine and Russia.
25. The Board acknowledged that earmarked contributions are not ideal for the institution, as well from an economic management point of view. However, at the same time the reality is that some Member States prefer to earmark their contributions and to channel their fund through the VFTC within the oversight of an independent BOT. The Board considered it important to have further detailed discussions at its next meeting on the future functioning of the VFTC, and in particular with regard to the VFTC's possible role as a funding vehicle for the UPR process. Finance and Administration agreed to provide more detailed information on interlinkage of the various funds.

IX MEETING WITH MEMBER STATES

26. In a spirit of transparency and in keeping with its tradition, the Board met with representatives of Member States. Briefing material containing a copy of the provisional agenda, information sheet on the BOT and the VFTC, including the financial status of the VFTC was all sent to Member States in advance. Principle Officers of Finance/Administration, and the CBB Programme management team participated in the briefing.
27. Member States affirmed the support of the VFTC, and pointed out the importance of technical cooperation in national capacity-building for enhancing promotion and protection of human rights, particularly in light of the UPR mechanism and enquired whether the funding related to the latter could be channelled through the VFTC
28. While highly commending the deployment of HRAs as an effective capacity-building approach on the ground, the Member States recommended more work to be done on human rights sensitization for large operating agencies, such as UNHCR and UNDP etc, to ensure a broader, more efficient and more effective human rights outreach in the field. Member States expressed satisfaction with Action 2 and its work in conjunction with UNDP and how it integrates with UNDP's diverse breadth of expertise for technical cooperation, as well as being in line with the spirit of One-UN and being cost effective.
29. To ensure actual strengthening of national capacity-building, it was emphasized that preferably 50% of project funding should be utilized for local capacity-building rather than for international staff and administrative cost. Member States reiterated that technical cooperation activities should be provided in consultation with concerned Member States to ensure that the assistance offered would meet their specific needs.
30. With regard to the query on the potential establishment of a new trust fund for the implementation of recommendations from the UPR mechanism, the Board was of the view that the proliferation of funds would not be advisable and that the establishment of another trust fund should be examined carefully in light of the existing eight funds. The Board noted that given the nature of its mandate, the VFTC could serve as a funding vehicle to follow up on the UPR recommendations in terms of technical cooperation activities.

X FUTURE WORK OF THE BOARD

31. The Board decided to hold its next session on 12-15 November 2007. The focus of the upcoming meetings will be influenced by guidance from the HC, the annual consultations for heads of field presences 2007 and by the developments occurring in the Office. The areas which the Board intends to discuss at its future sessions include:
 - Continuation of the discussion on a policy and operational framework
 - Criteria for various forms of field presences

- The functioning of the various funds and their relation to the VFTC
 - Update on the development of the HRC, and in particular UPR and its impact on technical Cooperation for OHCHR.
 - Synergy and partnership, including with the World Bank
 - Country specific briefing on TC in Sudan (Peace Mission Support)
 - South Africa (TC in a non-conflict setting)
 - Regional briefing: Arab and/or Asia.
32. In recent years the focus of the Board has shifted from reviewing individual projects to policy orientation and global strategy at the broader programme level. The Board noted that as we are living in changing times, the VFTC and BOT must continue to adjust accordingly. In this regard, the next session would focus more on substantive VFTC issues, particularly with regard to the implications of the UPR process on technical cooperation.
33. The Board appealed for additional resources for the VFTC.