

# “Rights Up Front” Detailed Action Plan

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UPDATED MARCH 2014

For Internal UN Use Only

## Detailed Plan of Action

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### **UN VISION AND RESPONSIBILITIES**

The Secretary-General will renew the commitment of the UN to its responsibilities for preventing and responding to serious violations of international human rights and humanitarian law, and UN entities will translate this commitment into practice.

#### **1. Renew the commitment of the UN's responsibilities**

- 1.1. The Secretary-General will re-commit to the UN's responsibilities with respect to preventing and responding to serious violations of international human rights and humanitarian law, including the responsibilities of UN entities and staff members. The commitment will be grounded in international law, particularly the UN Charter and UN resolutions, and include a commitment to systematically gather information on violations of international human rights and humanitarian law in situations of concern and to present it to Member States with full impartiality.
- 1.2. The Secretary-General will discuss the commitment with Principals to ensure buy-in and implementation.
- 1.3. DPI will launch an internal and external communication campaign for the Secretary-General to explain the commitment to staff and the general public.
- 1.4. The Secretary-General will share his commitment with Member States.
- 1.5. All UN entities will endorse the commitment, defining their own role and responsibilities in this respect, and communicate these to their respective staff. This will include giving due consideration in internal strategy and policy decisions to information on serious human rights concerns within the countries where they operate.

#### **2. Embed the commitment into human resources management processes**

- 2.1. All UN entities will introduce a new core value around respecting and protecting human rights and include suitable references to it in the job descriptions, job interviews, oaths of office, Compacts, workplans and performance appraisals of all staff, especially those in the most senior positions.
- 2.2. OHCHR will coordinate the development of a mandatory induction for UN staff at all levels, up to and including the Under Secretary-General level, on the UN's human rights responsibilities, as well as of modules on such responsibilities to be incorporated into existing trainings. Contents will be tailored to the level and function of staff and organizational mandate.
- 2.3. All UN entities will ensure that all staff at all levels, up to and including at the Under Secretary-General level, take the mandatory induction on the UN's human rights responsibilities and will incorporate the human rights modules into their trainings.

### **3. Hold staff and institutions accountable**

- 3.1. All UN entities will use existing tools to hold accountable staff, particularly those in the most senior positions, for fulfilling their responsibilities with respect to serious violations of international human rights and humanitarian law.
- 3.2. The senior management compact will incorporate leadership obligations to defend and promote human rights.
- 3.3. The Ethics Office, with support from OHCHR, will review the ethical dimensions and risks in the context of the UN's responsibility to protect human rights, and make recommendations for action.
- 3.4. The High Commissioner for Human Rights and DPA will more systematically participate in the Regional UNDG Team appraisals of RCs and RC/HCs and the related CEB process with regard to the human rights and political aspects of the RCs' and RC/HCs' work respectively, as per their job description.
- 3.5. In situations at risk or subject to serious violations of international human rights and humanitarian law, the Deputy Secretary-General will commission an independent real-time review of the UN system's performance in upholding its responsibilities with respect to such violations, and ensure follow-up to the review's recommendations.

### **UN ENTITIES ENGAGEMENT WITH MEMBER STATES AND OTHER STAKEHOLDERS<sup>1</sup>**

UN entities will more pro-actively, strategically and creatively make use of a wide array of formal and informal tools to engage with Member States and other influential stakeholders, including from civil society, in accordance with their respective mandate. The UN Secretariat will provide full and timely information to Member States on situations at risk or subject to serious violations of international human rights and humanitarian law.

### **4. Engage more pro-actively, strategically and creatively with Member States and other stakeholders**

- 4.1. In situations at risk or subject to serious violations of international human rights and humanitarian law, DPA will drive the development and implementation of a situation-specific strategy of engagement with Member States and other influential stakeholders (as part of the broader UN strategy to address the situation: see 7), including outreach to regional States and at capital level, leveraging the contribution of different UN entities in accordance with their respective mandate..
- 4.2. In particular, as part of the engagement strategy DPA, OHCHR, OCHA and other relevant UN entities will step up their engagement with civil society, non-governmental organizations, the media and other influential stakeholders at national, regional and global level.
- 4.3. DPA will develop a simple system to track the impact of the strategies of engagement with Member States and other influential stakeholders.

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<sup>1</sup> This section applies primarily to UN action with respect to countries where there is no UN peacekeeping or special political mission/office.

- 4.4. DPA, in consultation with all relevant UN entities, will map, better use and expand the repertoire of tools and opportunities for engagement with Member States and other influential stakeholders, in particular regional and sub-regional organizations and Member States from the region where serious violations are or risk occurring. This shall include more informal, inclusive and cross-regional approaches.
  - 4.5. OCHA, in coordination with relevant entities, will build support among Member States for an enhanced and more systematic use of the Security Council Expert Group on the Protection of Civilians as a forum for presenting information, analysis and options for Security Council action and for monitoring progress on situations of serious protection concern, and will use the regular reports and bi-annual Open Debates on the Protection of Civilians in Armed Conflict as a means to mobilize political will to overcome the obstacles to a robust response to protection challenges..
  - 4.6. DPA, OHCHR, OCHA and other relevant UN entities will expand the range of methods for briefing Member States on crises, to include videos and briefings from field-based staff.
  - 4.7. OCHA and UN human rights entities<sup>2</sup> will coordinate induction briefings on protection and human rights to Security Council officials.
- 5. Provide comprehensive and timely briefings**
- 5.1. DPA, drawing from inputs from all relevant UN entities, will conduct informal and confidential briefings for the Security Council on situations of political, human rights and humanitarian concern that may affect international peace and security, recognizing that the Security Council is the master of its own agenda.<sup>3</sup> Briefings would be cognizant of the gender impacts of conflict and include issues relevant to women, peace and security.
  - 5.2. When situations at risk or subject to serious violations of international human rights and humanitarian law are not on the Security Council's agenda, the Secretary-General or the Deputy Secretary-General will brief in a timely manner all interested Member States on the political, human rights and humanitarian aspects of the situation. Alternatively, the Secretary-General or the Deputy Secretary-General will task the High Commissioner for Human Rights, the Emergency Relief Coordinator and the Under-Secretary-General for Political Affairs to do so jointly.
  - 5.3. Where in the Secretary-General's judgment there is a risk of serious violations that may threaten international peace and security and the situation has not yet been placed on the Security Council's agenda, the Secretary-General will make use of Article 99.

## **UN ACTION AT COUNTRY LEVEL**

The UN will be aware of the human rights context in all situations. In situations at risk or subject to serious violations of human rights and international humanitarian law, the RC (or RC/HC) will, with headquarters support, develop and implement a strategy to address the situation. RC/HCs, most of whom are also Designated Officials for security, in crisis contexts will have a suitable profile and will receive tailored and timely support. The UN footprint in country will be adapted to meet the UN's responsibilities with regard to serious violations.

## **6. Ensure that UN Country Teams respond to the human rights context**

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<sup>2</sup> These include OHCHR, the UN Office on the Prevention of Genocide and the Responsibility to Protect, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

<sup>3</sup> Briefings are held at the request of the respective President of the Security Council.

- 6.1. OHCHR will regularly share with the respective UN Country Team (and Humanitarian Country Team, if one exists) a summary analysis of principal human rights concerns and of risks of serious violations. In addition the Protection Cluster, if present, will regularly share with the UN Country Team and Humanitarian Country Team an analysis of protection concerns.
  - 6.2. All UN Country Teams will reflect human rights concerns in CCAs, UNDAFs, Strategic Response Plans, CAPs and Flash Appeals.
  - 6.3. Regional undg Teams, with OHCHR support, will regularly review all CCAs and UNDAFs to ensure that they reflect human rights concerns, and will make recommendations to UN Country Teams when necessary. .
  - 6.4. OCHA and Protection Clusters will review CAPs and Flash Appeals to ensure that they reflect protection concerns, and will make recommendations to Humanitarian Country Teams when necessary.
- 7. Develop a strategy to address potential or actual serious violations<sup>4</sup>**
- 7.1. In every situation at risk or subject to serious violations of international human rights and humanitarian law, the RC (or RC/HC), supported by the Inter-Agency Task Force and the Situation Response Coordinator if one has been appointed (see 13.1 and 13.2), will ensure that a strategy to address the situation at country, regional and global level is developed and implemented. Specifically, the RC (or RC/HC) will lead and coordinate the UN Country Team in developing and implementing the strategy at country level; in so doing s/he will be supported by OHCHR and, if present, the Protection Cluster and OCHA. The Inter-Agency Task Force – and the Situation Response Coordinator, if one has been appointed – will be responsible for the regional and global aspects of the strategy (see 13.1 and 13.2). The strategy will provide the framework within which the UN will manage the choices that will present themselves while balancing its political, security, human rights, development and humanitarian priorities. The strategy will be based on an analysis of the human rights situation, the risks and threats to populations and will define: a) priority UN objectives; b) actions to be taken by specific UN political, human rights, humanitarian and development entities at the national, regional and global levels to achieve these objectives; and c) additional capacities required at the country, regional and headquarters levels to take these actions. The strategy will build on the analysis contained in, and include links to, the operational priorities identified in the protection strategy developed by the Protection Cluster in the context of humanitarian action. The strategy will be regularly reviewed and adjusted when circumstances change.
- 8. Ensure that RC/HCs and UN Country Teams in crisis contexts have a suitable profile**
- 8.1. In order to ensure that the RC track attracts the best candidates among UN staff, and particularly individuals with experience in crisis contexts, the undg Working Group on RC System Issues will develop a talent management strategy for the RC track and undg agencies will implement it.
  - 8.2. The Inter-Agency Advisory Panel (IAAP) will ensure that the RC Assessment Centre (RCAC) adequately assesses candidates' ability to uphold the UN's human rights responsibilities, as reflected in their job description.

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<sup>4</sup> This applies primarily to countries where there is no UN peacekeeping or special political mission/office

- 8.3. UNDG, based on recommendations from the UNDG Working Group on RC System Issues, will enhance the current application and shortlisting processes for RC posts to ensure that the best candidates are shortlisted, particularly for crisis countries.\*
- 8.4. In the context of the UNDG and DOCO supported induction, training and lifelong learning programs, OHCHR and DPA will provide RCs and RC/HCs with training, coaching, and other development opportunities on the political and human rights aspects of their work, including through the UNDG Human Rights Mainstreaming Mechanism. .
- 8.5. UNDG Regional Teams will regularly review the level of RC posts and the political, human rights and humanitarian expertise of RCs, RC/HCs and UN Country Teams in countries at risk or subject to serious violations, and make recommendations as needed.

## **9. Provide RCs, RC/HCs, UN Country Teams and Humanitarian Country Teams with the support they require**

- 9.1. UNDG Regional Teams will regularly monitor the situation in crisis countries as well as the capacity of UN Country Teams to address it, and provide coordinated support to them as required..
- 9.2. OHCHR, the UNDG Human Rights Mainstreaming Mechanism, UNDP and DPA will step up their efforts to provide RCs and RC/HCs with tailored and timely support as required, including through the deployment of Human Rights Advisors and Peace and Development Advisors, respectively. To this end, they will explore the use of secondments and inter-agency rosters. The human rights staff will have a broad understanding of how human rights – and, in situations of armed conflict, international humanitarian law – fit into the work of the UN Country Team and Humanitarian Country Team and will provide RCs and RC/HCs with support that is politically sensitive and operationally relevant. They will coordinate with all relevant actors, including NGOs and civil society organizations. If human rights capacity is required but not available in country, UN entities will leverage their respective protection capacities to support the RC (or RC/HC).
- 9.3. OHCHR and DPA will develop a stand-by surge capacity to provide RCs and RC/HCs in a timely manner with short-term support staff as needed, including by drawing on external resources, secondments and inter-agency rosters.
- 9.4. OHCHR headquarters will maintain stronger linkages with RCs and RC/HCs and provide them with stronger support by remote.
- 9.5. Humanitarian agencies with a protection mandate will reinforce their protection capacity in countries at risk or subject to serious violations as appropriate, including by using rostering arrangements.
- 9.6. DOCO will, within its available resources, support RCs and RC/HCs with their strategic planning, analysis, reporting, coordination, strategic communications and advocacy needs.
- 9.7. DOCO will produce an RC Handbook listing all the types of support available to RCs and RC/HCs and how to access them.

## **10. Deploy human rights and political capacity<sup>5</sup>**

- 10.1. DPA and OHCHR, together with relevant UN entities, will compile a repertoire of existing ‘light’ models of UN deployments combining political and human rights

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\* No consensus was reached on this action point.

<sup>5</sup> This applies primarily to countries where there is no UN peacekeeping or special political mission/office.

expertise, and identify modalities for engagement within a State to address the risk of serious violations.

- 10.2. The Senior Action Group (see 13.4) will recommend to deploy a light team as required. DPA will help build political support for such deployments through outreach and consultation with the concerned State and regional States.
- 10.3. Where UN information on the human rights situation is lacking and the UN does not have the capacity in country to collect information and/or the concerned country refuses to allow the deployment of such capacity, in addition to reinforced briefings or monitoring from UN headquarters (see 5.2. and 16.2), the Secretary-General will make more frequent use of Commissions of Inquiry headed either by independent experts or UN staff and supported by OHCHR. This option will be included in the repertoire under 10.1 above.

## **11. Ensure that the UN is able to operate in crisis contexts**

- 11.1. The UN system will continue to roll out the Programme Criticality Framework to ensure that it is able to stay and deliver in high residual risk situations..
- 11.2. Inter-Agency Task Forces (see 13.1), the Situation Response Coordinator (see 13.2), and in their absence EOSG will ensure a more effective UN system response to violations of privileges and immunities of UN staff.
- 11.3. OLA will vigorously support RCs and RC/HCs in engaging with host authorities on privileges and immunities of UN staff.
- 11.4. OLA will lead a review of current procedures applicable in the event of arrest and detention of UN staff in order to enhance the protection of staff in the performance of their functions.
- 11.5. DSS, in collaboration with concerned UN system organizations, will include in the annual report of the Secretary-General to the General Assembly on safety and security of humanitarian personnel and the protection of UN personnel, specific statistical information on arrest and detention of UN personnel.
- 11.6. DSS, in collaboration with concerned UN system organizations, will review current policies and procedures relating to the safety and security of locally recruited UN personnel and strengthen the implementation of such policies and procedures.
- 11.7. UNDP, as the manager of the RC system, may, with financial support from UN Country Team agencies, if available, provide RCs and RC/HCs with technical means for secure telecommunications, where required.

## **UN HEADQUARTERS COORDINATION<sup>6</sup>**

The UN will adjust, streamline and systematize UN headquarters coordination mechanisms, and create new ones for early warning and early action. The Executive Office of the Secretary-General will have sufficient capacity to oversee the UN system's response to situations at risk of or subject to serious violations of international human rights and humanitarian law.

## **12. Establish coordination mechanisms for early warning and early action: Regional Quarterly Review meetings**

- 12.1. Once per quarter DPA Regional Division Directors and UNDG Regional Team Chairs will co-chair an internal regional review meeting with a small number of UN entities.

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<sup>6</sup> This section applies primarily to countries where there is no UN peacekeeping or special political mission/office

The RCs or RC/HCs of the concerned countries may, as appropriate, participate in the meeting by remote. The purpose of the meeting will be to: (i) consider early warning information; (ii) exchange and verify additional information; and (iii) agree on possible preventive and responsive measures to be taken to address the evolving situations (including requesting the production of additional analysis, agreeing on the need to meet more regularly, providing the RC with additional support, exploring the possibility of deploying a ‘light’ team, and recommending the establishment of an Inter-Agency Task Force).

### **13. Streamline coordination mechanisms for situations of concern**

- 13.1. If there is a heightened risk of serious violations of international human rights and humanitarian law, the RC (or RC/HC), the Special Envoy or Special Representative or a Principal will call for the establishment of an Inter-Agency Task Force (ITF)<sup>7</sup>. The ITF will be co-chaired by DPA and the UNDG Regional Team Chair and comprise all relevant UN entities, the RC (or RC/HC), and the Special Envoy or Special Representative. The ITF will be the main headquarters platform for coordination of UN action with respect to a given situation, with guidance from a principals-level crisis response forum, (if one exists) and the SAG. The ITF will: (i) support the RC (or RC/HC) in developing the country aspects of the strategy to address the situation (see 7) and develop its regional and global aspects; (ii) monitor implementation of the strategy; and (iii) provide consolidated headquarters guidance and support to the RC (or RC/HC). If the situation requires sustained attention, the ITF Co-Chairs may recommend to the Deputy Secretary-General to appoint a Situation Response Coordinator (SRC), to (i) support the RC/HC in developing the country aspects of the strategy to address the situation (see 7) and lead and coordinate the development by the ITF of its regional and global aspects; (ii) coordinate implementation of the strategy; (iii) provide consolidated headquarters guidance and support to the RC (or RC/HC); (iv) support the Senior Action Group (see 13.4); (v) ensure linkages between the ITF and Senior Action Group. The SRC will normally cover only one situation.
- 13.2. EOSG will assist the DSG and SAG in identifying suitable SRCs from lists of names provided by the organizations represented in the Rights up Front Action Plan Focal Points Network.
- 13.3. If there is a high risk of or ongoing serious violations of international human rights and humanitarian law, the Deputy Secretary-General may convene and chair an ad hoc meeting of the Senior Action Group (SAG). The SAG meets at Principals level<sup>8</sup> in line with its draft (March 2014) Terms of Reference.<sup>9</sup>
- 13.4. EOSG will work with the Policy Committee to align the Rights up Front Action Plan with relevant Headquarters crisis response policies for mission and non-mission settings.
- 13.5. In order to encourage that each crisis is addressed by the minimum number of fora at headquarters, relevant coordination mechanisms, including ECHA and ECPS will refrain from considering country situations being considered by an ITF or the SAG.

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<sup>7</sup> Note that in this document the abbreviation ITF is used to describe an Interagency Task Force. ITF has also been used within the UN System to describe Integrated Task Forces. Since these entities serve essentially the same function and since only ONE such entity should exist in respect of any situation, the abbreviation used for an Interagency Task Force in this Detailed Plan is ITF.

<sup>8</sup> The Terms of Reference stipulate principals or OICs and the heads of New York offices for organizations headquartered outside New York.

<sup>9</sup> See the Terms of Reference (March 2014) developed for the Senior Action Group

#### **14. Strengthen the capacity of the Executive Office of the Secretary-General to ensure a whole-of-UN approach**

- 14.1. In order to ensure that on every situation at risk or subject to serious violations EOSG has an understanding of the situation relative to overall UN responsibilities and is able promptly to reposition the UN stance wherever needed, EOSG will include two additional staff at suitably senior levels, possibly through secondment, to support the Deputy Secretary-General in ensuring that this Plan of Action is implemented by: (i) kick starting implementation of priority actions; (ii) ensuring that the plan is disseminated throughout the UN system; (iii) monitoring implementation of the plan and servicing the mechanisms established to monitor implementation (see below); (iv) assisting the SAG and DSG to identify suitable Situation Response Coordinators (see 13.3); (v) supporting real-time reviews of UN action in crisis situations (see 3.1). They will also support the Deputy Secretary-General's engagement on situations at risk or subject to serious violations, particularly from a human rights and international humanitarian law perspective, and seek to ensure that the mechanisms envisaged in the plan are applied in these situations.

### **UN HUMAN RIGHTS CAPACITY**

UN human rights action will achieve greater impact in situations at risk or subject to serious violations through better collaboration and coordination among UN human rights entities.<sup>10</sup> The proposals below will not prejudice or adversely impact the independence of the specialized human rights and protection mandates legislated by the Security Council and General Assembly.<sup>11</sup>

#### **15. Strengthen UN human rights capacity and coordination**

- 15.1. UN human rights entities will review their respective roles, activities, capacities and comparative advantages, agree on division of labour and draw up specific plans for strategic collaboration. These plans will address information management, joint analysis, strategic planning, and coordinated approaches to advocacy within the UN system and with Member States. They will also include a more coordinated approach to field capacity, with a view to sharing human rights and protection resources. In particular, OHCHR will instruct its field presences to be more responsive to requests for support from the other UN human rights entities.
- 15.2. UN human rights entities will contribute to the Regional Quarterly Review mechanism established pursuant to action item 12 and meet as appropriate to review emerging situations of concern.
- 15.3. The UN human rights entities will co-locate at UN headquarters.\*
- 15.4. OHCHR will strengthen its capacity in New York so as to contribute more effectively to the UN system's efforts at headquarters level to prevent and address serious violations.

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<sup>10</sup> These include OHCHR, the UN Office on the Prevention of Genocide and the Responsibility to Protect, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

<sup>11</sup> This includes the Special Representative of the Secretary-General on Sexual Violence in Conflict, mandated by Security Council Resolution 1888 (2009), and the Special Representative of the Secretary-General for Children and Armed Conflict, mandated by General Assembly Resolution 51/77 (1996).

\* No consensus was reached on this action point.

## **COMMON UN INFORMATION MANAGEMENT SYSTEM ON VIOLATIONS**

The UN will have at its disposal credible, timely and joined-up information on violations of international human rights and humanitarian law and broader threats to populations.

### **16. Establish a common UN information management system on violations of human rights and international humanitarian law**

- 16.1. OHCHR will convene and chair an inter-agency task force comprising all relevant and interested UN entities to review current UN monitoring and reporting mechanisms on violations of international law, whether human rights or humanitarian, and recommend how to establish a common UN system to gather such information in a timely and joined-up manner. This will include clarifying roles and responsibilities of all relevant actors, including humanitarian, development and technical support actors. The review will also recommend how to analyze such information, and how to analyze it together with information collected by humanitarian actors on broader threats and risks to populations, and channel it in a timely manner so that it is used to plan for operational activities or engage Member States
- 16.2. UN human rights entities and other interested entities will establish a small joint team at headquarters responsible for monitoring violations of international human rights, humanitarian and criminal law and tracking casualty figures and perpetrators in situations where the UN is unable to conduct such monitoring at country level. OHCHR will lead the team.