Human Rights Action in UN Prevention

- methods for ‘real world solutions through real change on the ground’

UN sabbatical report
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The views and recommendations expressed in the present report are solely those of the original author and other contributors and do not necessarily reflect the official views of the United Nations, its agencies or its Member States.
“No one is winning today’s wars; everybody is losing. I appeal to all… to do all in their power to prevent new ones from erupting. Preventing and ending conflict is my first priority.” -- 25 May 2017

“Prevention is an essential means of reducing human suffering, building stable and prosperous societies, and enabling people to reach their full potential. And upholding human rights is a crucial element in prevention”. -- 18 April 2017

“Perhaps the best prevention tool we have is the Universal Declaration of Human Rights – and the treaties that derive from it. The rights set out in it identify many of the root causes of conflict, but equally they provide real world solutions through real change on the ground.” -- 27 February 2017

“OHCHR [UN Human Rights Office] must have the capacity to detect and alert to human rights violations, and these alarm bells must be followed up swiftly with action effective and on point”.

Mr. Zeid Ra’ad Al Hussain, United Nations High Commissioner for Human Rights, 22 October 2014
UN Photo/Jean-Marc Ferré
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Note on Human Rights Assessments and Early Warning Analysis

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(RWI) in Lund, Sweden, for generously hosting this sabbatical project. A special thanks to Mr.
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Abstract

This report addresses how the early actions of the UN High Commissioner for Human Rights and UN Human Rights Office (OHCHR) can contribute to broader UN prevention efforts. It reviews experiences, identifies methods and suggests factors to consider in such engagement. In light of current UN reform efforts, the report makes recommendations to Members States, the Executive Office of the Secretary-General (EOSG) and OHCHR, which if implemented, would generate an enabling environment where UN early action methods are more likely to contribute towards solutions to prevent violations and violence in cooperation with States, civil society and other partners.

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About 142 million persons were in need of protection and aid in September 2017, the highest number since the end of World War II. In many contexts, Governments and non-State actors attack civilians in situations of violence and armed conflicts, and deny assistance in violation of international law, and often with impunity.

People experience heart-breaking suffering in all regions. The international community failed to stop the violence in Syria in 2011 and since, and has been unable to prevent what OHCHR monitoring assessed as ethnic cleansing in 2017 in Rakhine State, Myanmar.

An estimated average of 22.5 million persons was annually displaced in recent years due to weather and climate-related disasters. Earthquakes and other natural hazards devastate communities and undo decades of development. Lack of adequate infrastructure and medical services has led to many avoidable deaths in the aftermaths of emergencies everywhere.

Human rights violations are a cause and a consequence of violence, violent conflict and disasters, and tend to become exacerbated in crises, with devastating impacts on people’s lives.

Nonetheless, there is a promising momentum on prevention and for the UN to contribute more in tackling root causes of violent conflict, helping to build and strengthen institutions, and reacting earlier and more effectively to address human rights concerns. For example:

(i) Member States endorsed the mutually reinforcing 2030 Sustainable Development and ‘Sustaining Peace’ Agendas.

(ii) UN Secretary-General Guterres made prevention “the priority” for the UN, and launched reforms of the UN peace & security architecture and development pillar.¹

(iii) The transformational Human Rights Up Front (HRUF) initiative continues being implemented, placing human rights more centrally in UN prevention and response.

‘Prevention momentum’ – Secretary-General’s vision and UN reforms

In 2017, UN Secretary-General Guterres outlined his vision on prevention, which centred around strengthening the United Nations’ vital supporting role in key areas, from a surge in preventive diplomacy, long-term prevention, strengthening partnerships and reforms to overcome fragmentation and consolidate capacities to meet the prevention challenge.²

¹ The latest major UN reform effort in 2005 resulted in establishing the UN Human Rights Council (replacing the former Commission on Human Rights) and a doubling of the Office of the UN High Commissioner for Human Rights (OHCHR). While the current UN reform underway does not explicitly address the human rights pillar per se, it will be key to ensure that the human rights pillar is reinforced too, also in order to effectively contribute to stepped-up overall cross-pillar UN system-wide approaches to prevention.

This builds upon the efforts by previous Secretaries-General to advance prevention, including by Ban Ki-Moon, Kofi Annan and Boutros-Boutros-Ghali, all aiming at expanding the UN toolbox of preventive mechanisms and action. A landmark 2011 Secretary-General report pointed to key elements which had proven critical in maximizing the success of UN prevention efforts: early warning, flexibility, partnerships, sustainability, evaluation and resources. The current efforts underway are also consistent with and boosted by a string of recent reviews, summits and initiatives, all calling for a renewed focus on prevention.

Most of the issues cutting across the current reform processes in the UN peace and security architecture, including the need to improve UN leadership and accountability, to anchor UN action in its values and norms, and to enhance joint analysis and planning, provide clear entry points to integrate human rights and a proactive, principled and strategic approach. On 13 October 2017, the SG report on restructuring the UN peace & security pillar suggested e.g. to create the Department of Political and Peacebuilding Affairs and the Department of Peace Operations, and a ‘single regional political-operational structure’. It refers to ‘aligning with the human rights pillar and integrate human rights in its work’. The new Department would rely on regional offices as forward platforms for preventive diplomacy; build partnerships with regional and other actors; and provide dedicated mediation support and electoral assistance to Member States. It would provide analytical and support capacities to Resident Coordinators (RCs) and United Nations Country Teams (UNCTs) to help to develop national capacities to address the drivers and root causes of conflict.

The above-mentioned HRUF initiative aims to strengthen UN action to prevent and respond to situations at risk of or subject to serious violations of IHRL and HIL. HRUF provides a framework for more timely and predictable UN-wide responses, through new mechanisms, methodologies, training and staffing methods, in headquarter and in field operation actions.

The EOSG recognised in early 2017 that HRUF already focused on some of the reform objectives underway (such as linking all three UN pillars) and that its main elements of HRUF were strikingly close to the prevention priority. In March 2017, the Executive Committee requested a stock-taking on HRUF’s progress and proposals for its future implementation and integration with the prevention platform and UN reforms. Under EOSG auspices, from May to August 2017 the inter-departmental HRUF Focal Points conducted a stock-taking, and the EOSG commissioned an independent assessment of the RMRs in July & August 2017.

“HRUF is beginning to result in changes in the way the United Nations internally approaches situations involving violations. For example, it provided the conceptual cover and institutional backing for the decision by the leadership of the United Nations Mission in South Sudan to open the gates of the United Nations compounds to protect civilians seeking shelter.”

A/HRC/30/20, pp. 16-17

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3 The Human Rights Up Front (HRUF) initiative was launched by Ban-Ki Moon in 2013 in response to the Internal Review Panel report on UN action in Sri Lanka (‘a systemic failure’), and seeks to strengthen UN prevention and response efforts to situations where people are at risk of, or are subject to, violations of international human rights or humanitarian law. See https://www.un.org/sg/en/content/ban-ki-moon/human-rights-front-initiative.

4 Kofi Annan for example called for a “culture of prevention” within the UN and prepared an important 2001 SG report on the prevention of armed conflict, see UN doc. A/55/985-S/2001/574.


7 See SG report on the restructuring of the UN peace and security pillar, A/72/525, paras 14 and 18.

8 The new arrangement would also contribute to the revitalization of the Peacebuilding Support Office. The SG will provide further detail on this in his next report in 2018. See A/72/525, pp. 8-9, 2017.

9 On HRUF, see footnote 3 above.
Prevention – OHCHR early action methods

This report highlights that OHCHR can be most effective in prevention through the direct monitoring, investigations and reporting activities by country presences (e.g. OHCHR Colombia, Mexico, Uganda, and previously in Nepal) including human rights components in UN peace operations (e.g. UNAMA/Afghanistan and MONUSCO/D.R. Congo). Active field presences of these types, with full monitoring mandates, regularly play a direct prevention role, also as ‘protection and prevention by presence’. One of OHCHR key contributions to prevention of crisis is the human rights analysis, which is built upon a comprehensive monitoring strategy (which may involve remote monitoring). Human rights analysis, advice and advocacy are essential tools to inform and influence more effective UN prevention action. Public reporting and statements, when timely, targeted and relevant, can deter violations, combat impunity and hold perpetrators accountable, and this can also help other partners (and provide them with some space and distance). Also other forms of advocacy, including quiet diplomacy, can contribute. However, there does appear to be room for more systematic involvement of OHCHR in UN mediation and other preventive diplomacy efforts.

**Added value of OHCHR early warning analysis**

- Complements regular UN human rights monitoring and investigations (that essentially focuses on the present and past) – early warning analysis is about analysis and communication of information on a potential or emerging deterioration in the human rights situation ahead.
- A deterioration in a human rights situation does not happen overnight and is a result of factors over time. A combination of risk factors can thus be identified in advance, and plausible assumptions made, to inform forward-looking recommendations and activate prevention responses.

While improved early warning analysis may well identify the structural and dynamic risk factors in deteriorating situations – or what some call the root and proximate causes to violations or violence – a reoccurring challenge is to ensure early action. As the consequences of failures continue to be experienced by tens of millions and entire regions, the UN needs to do better in translating early warnings into timely and effective action.

**Suggested factors to consider when identifying possible OHCHR early action methods:**

- Gravity of current and/or risks of violations and/or violence;
- Urgency and phase in the ‘crises continuum’;
- Interests and motivations of all parties involved (actor mapping);
- UN/OHCHR general and specific mandates, policies and guidelines in the context;
- UN/OHCHR and other partners’ capacities, access, expertise, credibility & leverage;
- UN/OHCHR prior engagement, experiences and lessons in the context;
- UN/OHCHR engagement requested and/or supported by EOSG, UN and/or other partners;
- ‘It should be us’ i.e. OHCHR added value and comparative advantage to other partners;
- Clarity of objective/s and part of a broader UN strategy on prevention in the context;
- Political and other contextual considerations as informed by HQ and field;
- Opportunities & risks of the possible early action method (SWOT & risk assessment).
This report addresses these options of OHCHR early action methods:
(non-exhaustive and to be combined as appropriate)

- Monitoring, investigations, reporting and advocacy
- Protection & prevention by presence
- Contributions to mediation efforts
- Strengthening of national protection systems
- Human rights education
- Promoting accountability & effective remedies
- Link to UN human rights bodies and mechanisms
- Partnerships and coordination with relevant actors

Figure 1 – Crises continuum & human rights

Figure 2 – OHCHR early action methods
RECOMMENDATIONS

A first set of recommendations are for States for consideration at the international and national levels.

A second set of recommendations are for the EOSG, and in particular as it implements the Secretary-General’s vision on prevention and current UN reform efforts.

A third set of recommendations are for OHCHR to strengthen its early action methods.

1. Recommendations to Member States (international level)

1.1. Transform current proposals for permanent members of the UN Security Council to abstain from using their veto into a positive commitment to take prevention action on alerts from a menu of potential options, such as flexible, resource-efficient light deployments, UN Charter Chapter VI measures towards further comprehensive responses.

1.2. Continue to request more frequent and regular briefings at the UN Security Council and the Human Rights Council (HRC) also by the High Commissioner for Human Rights and representatives; incl. Heads of Human Rights Components in UN Peace Operations, Regional Representatives and/or Country Representatives, in person or remotely.

1.3. Adopt Security Council resolutions that systematically include separate and routine public human rights reporting in the mandate of all UN peace operations.

1.4. Strengthen linkages between the HRC and the Security Council on prevention, building on the ‘13 June appeal’ by States. For example, also HRC Commissions of Inquiry and Special Procedures could be invited to more regularly brief the Security Council regarding situations on its agenda.

Recommendations to Member States (national level)

1.5. Recall that prevention of violence and human rights violations is primarily the responsibility of States, and impress upon that State sovereignty is strengthened – not weakened or undermined – when human rights are protected and violations prevented.

1.6. Adopt a national framework for the prevention of violations and violence, with e.g. ratification of human rights treaties and their implementation, ensuring also effective remedies and institutional changes to prevent recurrence. Among other elements:
   (i) Systematically infuse human rights education in the formal education system;
   (ii) Provide an enabling environment for National Human Rights Institutions, media and civil society;
   (iii) Use a set of human rights indicators (taking into account OHCHR framework);
   (iv) Prevent against human rights abuses by private actors.

1.7. Ensure and facilitate full access by the UN/OHCHR, UN and regional independent experts and other partners, incl. by issuing a standing invitation to UN special procedures.

2. Recommendations to the Executive Office of the Secretary-General

2.1. Ensure that current UN reform efforts result in placing human rights more centrally, conceptually, institutionally, operationally and adequately resourced, in all information gathering, integrated analysis/situational awareness, strategies and advocacy efforts.

2.2. Expand a creative and flexible use of Article 99 in the UN Charter as a more regular feature in the UN tool-box under the prerogative of the Secretary-General.

2.3. Enhance UN system-wide integrated analysis and planning and institute a common UN early warning & action system, building upon HRUF work streams such as the Common Information Management System on violations (CIMS) and the role of UNOCC vis-à-vis the Regional Monthly Reviews and Deputies monthly meeting on prevention.
2.4 Strengthen human rights support to senior UN leaders incl. SRSGs, DSRSGs, Special Envoy, Resident & Humanitarian Coordinators:
   (i) Embed all Special Envoy systematically with dedicated human rights expertise;
   (ii) Embed all RC & HC offices with Human Rights Advisor units by default, with predictable and sustained funding from the regular budget or other sources.
2.5. Ensure that candidates for SRSGs, DSRSGs, Special Envoy, RCs and HCs, are selected, their performance assessed and extended based also on their human rights awareness, commitment and record in meeting their UN human rights responsibilities.
2.6. Redouble the UNITAR Peacemaking and Conflict Prevention Programme, ensuring multi-year funding to expand and roll-out further regional and thematic editions of the flagship global Fellowship Programme, and further develop peer-to-peer exchange among senior peacemakers, coaching support and a Community of Practice for alumni.
2.7. Instill a ‘pro-active prevention mindset, attitude and approach’ across the UN system, and ensure that all staff understand their roles in early warning and prevention.
2.8. Facilitate more frequent staff exchanges across the UN Secretariat and Agencies, Funds & Programmes, to nurture cross-pillar cooperation and impact in prevention efforts.

3. Recommendations to the UN Human Rights Office / OHCHR

3.5. Anchor the ‘prevention shift’ in OHCHR strategic planning for 2018-2021 with a commensurate priority also given in the annual work- & cost plans across field operations, thematic work and support to human rights mechanisms.
3.6. Develop more systematically forward-looking integrated early warning analysis, drawing upon information from across OHCHR and beyond, and accompanied by recommendations for early actions to feed into UN prevention efforts.
3.3. Systematically track when early warnings of risks were made by OHCHR and/or the human rights mechanisms, and a deteriorating situation actually occurs, with a view to capturing the experiences and lessons to inform and adapt future approaches.
3.4. Develop and use new technologies to better predict, analyze and respond to deteriorating human rights contexts (e.g. satellite imagery analysis from UNOSAT, big data and ‘Rights View’ applications).
3.5. Continue the trend of strengthening the quality and frequency of public human rights reporting across OHCHR field operations and deployments.
3.6. Present information more strategically in reports, including briefer reports/notes, statements and press releases, by visualising and communicating messages more persuasively, using infographics and expanding the use of multiple platforms and channels.
3.7. Strengthen staff expertise to apply also a problem-solving, interest-based and principled approach when deployed to support Special Envoy in mediation and other efforts.
3.8. Broaden and deepen partnerships within the UN to integrate human rights in their prevention efforts, and consider seconding further OHCHR staff to the EOSG, the UNOCC, as well as in the expanding UN regional offices for preventive diplomacy.
3.9. Pending an (internal) toolkit on prevention, consider using the annex to this report as a suggested integral part of the OHCHR Guidance Note on Human Rights Assessments and Early Warning Analysis, providing options on early action methods and factors to consider.
3.10. Prepare an (external) toolkit to support States and other stakeholders in the practical application of prevention, as encouraged in several Human Rights Council resolutions.

The inherently preventive power of human rights rests in identifying problems (through human rights information & analysis, including root causes) and in identifying practical solutions. It provides a framework and parameters for principled, norm-based and constructive engagement on prevention, and provides an avenue for accountability.
1. Introduction

The world continues to experience violence, protracted conflicts and human suffering on a staggering scale.

This report will address methods and practical actions that OHCHR makes and can contribute to prevention efforts. It also takes a broader look at current UN developments and makes some recommendations to States and the EOSG/Secretariat, which if implemented, would generate an enabling environment where OHCHR early action methods are more likely to ‘succeed’, and thus contribute towards solutions in cooperation with partners.

Secretary-General Guterres has articulated his vision on prevention by strengthening a UN vital supporting role by:

(i) A surge in preventive diplomacy;
(ii) Agenda 2030 and Sustaining Peace as essential to long-term prevention;
(iii) Strengthening partnerships; and
(iv) Reforms to overcome fragmentation and consolidate our capacities to meet the prevention challenge.10

As addressed below, aside from human rights and normative imperatives to prevent violations and reduce human suffering, there are also sound economic reasons to make prevention work.

Prevention – a human rights imperative

Ensuring that human rights are protected today contributes to the prevention of possible crises tomorrow. Nonetheless, the deterioration in a human rights situation does not happen overnight and is often the result of a combination of factors over time. Such factors can be identified and assessed to inform and activate prevention responses. Human rights upheld also returns stability to countries and regions by also advancing justice for all. Prevention is thus imperative from a human rights perspective, and upholding human rights is a key element in effective prevention.

Prevention – an economic imperative

First and foremost, the devastating human suffering and impacts of violence and violations, which often take generations for societies to heal from, cannot be adequately expressed in words or measured in monetary figures. Yet, prevention is also economically sound. When violations and grievances are left unaddressed, situations can deteriorate over time and then provide increasingly narrow, uncertain and costly options of coercive options to try to resolve and prevent them from spiralling out of control. Nonetheless, far more time and resources continue to be spent responding to crises than on preventing them. As illustrated below, the estimated total global military expenditure was 1,472,700 million USD in 2008, whereas the budget for UN mediation efforts amounted to a relatively modest (and clearly inadequate in proportion) 240 million USD.

The bulk of savings from prevention is at the national and local levels, where the direct costs of violence and conflict in terms of casualties and forgone economic growth are the greatest. Prevention

is also cost-saving for the international community, as it reduces or even avoids costs on peacekeeping interventions and post-conflict humanitarian assistance and recovery. When prevention fails, UN launches major humanitarian and peacekeeping actions that stress its capacity to the limit. Approximately 25 billion USD is now spent annually on humanitarian aid, increased from about 2 billion USD in 2000 but well short of the estimated 40 billion USD that was needed in 2016.

Figure 3 - Comparative costs of different approaches to conflict (UNITAR)

Figure 4 - UN peacekeeping budget (above line) and UN peacebuilding fund (below line)

13 Gustavo de Carvalho and Annette Leijenaaar, We can honour UN peacekeepers by preventing conflicts (ISS TODAY, Pretoria, 29 May 2017), see https://www.dailymaverick.co.za/article/2017-05-29-iss-today-we-can-honour-un-peacekeepers-by-preventing-conflicts/#.WgecGltSzIU.
Prevention – the normative imperative

**Prevention is intrinsic to the premise of the UN.** Member States framed the UN Charter towards this goal, and have adopted multiple resolutions to update this goal. The UN’s other main constituency, ‘we the peoples’, rightly expect the UN to show principle and courage, and to do all possible to prevent the worst when national authorities cannot do so alone. Prevention is central to UN action across its three pillars of peace and security, development and human rights.

Furthermore, the obligation to prevent human rights violations is expressly formulated in international human rights treaties and has been addressed more broadly in treaty bodies’ General Comments and reports. This in relation e.g. to the prevention of torture, genocide, mass atrocities, incitement to hatred, violent extremism, and the elimination of discrimination on particular grounds such as race, religion or belief or sexual orientation or with regard to a particular group (such as women, persons with disabilities and minorities).

In very practical terms, the human rights framework translates into concerted UN action in a number of areas relevant to the prevention of conflict and crisis in both the long term (structural prevention) and the short term (operational prevention). Rights relating to food and health, water crises, displacement and forced evictions, illustrate how violations of economic, social and cultural rights are often the root cause of violence, social unrest and conflict. It is critical that an analysis of the enjoyment of these rights inform early warning efforts for effective action.

**Outline of the report**

*Firstly*, the report will address terminology issues, methodological considerations, and the challenges in linking early warning to early action.

*Secondly*, the report covers different OHCHR roles in early action responses, from monitoring and reporting, protection by presence, support to mediation, strengthening national protection systems, human rights education, accountability and linkages to human rights mechanisms.

*Thirdly*, the report will reflect on overall opportunities and challenges to prevention, and formulate conclusions and recommendations for Member States, the EOSG and OHCHR.

*Fourthly*, an annex with suggested factors and non-exhaustive list of OHCHR early action methods to consider, as a suggested integral part of a revised and updated version of the OHCHR Guidance Note on Human Rights Assessments & Early Warning Analysis.

**Methodology**

In preparing this report, information on experiences, including methodologies used and lessons, was collected as part of an initial desk review. A survey to colleagues was designed with OHCHR New York Office Prevention and Sustaining Peace Section. Individual and group consultations were held with current and former staff at UN headquarters in NY, Geneva and field presences, colleagues in other UN entities, current and former UN independent experts (e.g. human rights treaty body members), former staff of regional inter-governmental organisations, as well as researchers at academic institutions, representatives of non-governmental organisations and students.

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14 For example, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (art. 2); Convention on the Prevention and Punishment of the Crime of Genocide (art. 1).
17 An envisioned practitioners’ meeting in Geneva was not feasible during the sabbatical and is recommended as part of a future revision of the OHCHR Guidance on Human Rights Assessments and Early Warning Analysis.
2. Report

2.1. Preventing what and when?

Prevention is intrinsic to the UN Charter. However, an overly broad notion of “prevention” equalling everything the UN does is not helpful. The broad range and use of terminology on ‘prevention’ is not necessarily useful for clarity of purpose, as there is no agreed definition or shared understanding of what ‘prevention’ means. All human rights work in one way contributes towards prevention (of human rights violations), while the more specific contribution of human rights protection to concepts such as conflict prevention, prevention of violent extremism and sustaining peace are not very developed or being consistently used.

“...[m]ost definitions are used very loosely which make them too broad to be researchable and, thus, useful (...). It is not surprising that they are weak on operationalisation. A more precise definition is therefore needed if the research community is to develop the prevention agenda”.

Wallensteen and Möller (2003)18

Conceptual confusion has operational repercussions and has led to grave UN failures to understand situations and deploy the right solutions. There is a risk that “prevention” becomes the new “protection”, which the report of the Internal Review Panel of UN Action in Sri Lanka considered had become defined so broadly that “it obscured the very limited extent to which the UN’s protection actions actually serve to protect peoples from the most serious risks”.19

In consulting for this report, colleagues’ views tended to fall within two main categories of interpretations:

(i) Prevention of violations and/or
(ii) Prevention of insecurity, violence and conflict

The approach pursued in this report therefore leans towards a broad interpretation encompassing both notions. An escalation of violations can also lead to violence and conflict. Often, deterioration in a human rights situation is a driver of violence, political instability of conflict. Thus, violations are by extension relevant to conflict prevention and responses.

‘Prevention’ should be understood as relevant to all situations of violence and insecurity including in a context of peace operations and beyond, counter-terrorism and counter-narcotics operations, situations of wide-spread criminality as well as situations of gross inequalities and building resilience to mitigate the effects of natural hazards. Human rights norms and responses have a part to play in each of these situations.

However, prevention of violations regardless of conflict is also key, in its own right. Prevention of violations should not only be subsumed under a political or security approach

18 Peter Wallensteen & Frida Möller, Conflict Prevention: Methodology for Knowing the Unknown (Uppsala Peace Research Papers No. 7 Department of Peace and Conflict Research, Uppsala University Sweden 2003), see http://www.pcr.uu.se/digitalAssets/667/c_667482-1-1-k_prevention___knowing_the_unknown.pdf.
and agenda, which would reduce the normative foundation. UN Special Rapporteur Pablo de Grieff argues against various forms of reductionism such as to reduce prevention to a form of crisis response (only), noting that “[t]he presence of anything that is capable of triggering an early warning system indicates that prevention work has started too late”.  

It should also be highlighted that ‘conflict’ in and by itself is not necessarily negative, only when violence becomes the chosen approach to resolve it. Conflicting ideas when addressed by arguments and reason through institutions are signs of a healthy democracy. Crises and conflicts may even spark innovation and new ideas, and can provide opportunities to challenge and correct existing injustices or power imbalances, for example gender-based marginalization and exclusion.

“Direct prevention” is aimed at eliminating risk factors and establishing a legal, administrative and policy framework designed to prevent human rights violations. 

“Indirect prevention” is aimed at preventing recurrence of violations by identifying and addressing their causes.

2016 OHCHR report, A/HRC/30/20, paras. 9-10

In 2015, an OHCHR study on the role of prevention in the promotion and protection of human rights distinguished between specific practical actions (direct prevention or mitigation) and a response to violations which should be taken to remedy those violations and prevent reoccurrence (indirect prevention or non-recurrence).  

Relapse into conflict and violence

Even in a crisis, prevention must remain being a priority, to stop a further deterioration and start building foundations for sustainable peace and development. Prevention also means reducing the risks of further escalation, or a stable situation from relapsing into violence and conflict. Research indicates that States relapse into civil wars within five years of a negotiated peace settlement in about 50 per cent of cases. Governments that follow good governance practices – however measured – appear to be much less likely to face renewed violence in any form.  

Prevention ‘ladder’ and ‘pyramid’

Various depictions of ‘prevention’ have been made by UN entities, policy institutes and scholars. Former Secretary-General Kofi Annan advocated instilling a “culture of prevention” in UN work, and Jan Eliasson coined a “ladder of prevention” long before his most recent UN function as Deputy Secretary-General. Often quoted is a distinction between ‘structural prevention’, addressing long-term systematic issues such as long-standing inequalities and

20 A/72/523 para. 23.
21 A/HRC/30/20.
22 See Charles King, Ending Civil Wars (Oxford: Oxford University Press for the International Institute for Strategic Studies, 1997), p. 25. Another study shows countries have a 40 percent risk of renewed violent conflict immediately after the end of armed hostilities, and this risk falls by around 1 percent per year of peace. See Collier, Economic Causes of Civil Conflict and Their Implications for Policy (World Bank, 2002), pp. 201–202.
discrimination, and ‘operational prevention’, addressing more immediate risks of sporadic outbursts of violence or triggers that could spark violence and conflict.²⁴

| 7. Actual use of military force, on the basis of UN chapter VII |
| 6. Threaten to use military force, on the basis of UN chapter VII |
| 5. Use Chapter VII peaceful coercive measures such as sanctions, not the least targeted sanctions |
| 4. Use the new generation of peace keeping operations, incl. preventive deployment |
| 3. Stimulate the parties to use the eight measures of Chapter VI, Art 33 |
| 2. Fact-finding missions, by UN, by Regional Organizations |
| 1. Early warning, react to early signs |

Figure 5: ‘Ladder of prevention’ (Eliasson, 2003)²⁵

With military and security responses at one end of the spectrum, and prevention at the other end of the spectrum, human rights have roles to play as essential elements of any action (whether non-coercive or coercive). The focus of this report is however geared toward the non-coercive categories.

A further and recent attempt to illustrate human rights in UN prevention efforts was prepared by OHCHR New York Office and featured in a presentation to a global consultation with heads of OHCHR field presences in mid-2017. The ‘Prevention Pyramid’ distinguishes between primary-secondary-tertiary prevention and acute prevention & recovery, and lists on the left side the entry points in each framework or phases in various UN responses.

Figure 6 – ‘Prevention Pyramid’ (OHCHR New York, 2017)

²⁵ Peter Wallensteen & Frida Möller, Conflict Prevention: Methodology for Knowing the Unknown (Uppsala Peace Research Papers No. 7 Department of Peace and Conflict Research Uppsala University, Sweden, 2003), p. 12, see www.pcr.uu.se/digitalAssets/667/c_667482-l_1-k_prevention___knowing_the_unknown.pdf.
2.2. Key elements of a methodological tool on early warning and action

Prevention of violations and violence highlights common features and approaches, including the identification of risk and mitigating factors, and the design of practical actions and responses. A methodological tool on early warning & action will thus be complementary to regular UN human rights monitoring and investigations (as the latter essentially focuses on the present and past).

- Early warning analysis is about analysis and communication of information on a potential or emerging deterioration in the situation.
- A deterioration in a human rights situation does not happen overnight and is a result of a combination of factors over time.
- Risk factors can be identified in advance, and plausible assumptions be made, to inform forward-looking recommendations and actions.

As part of a broader mapping of existing tools, these four experiences were identified as particularly relevant to study:
(i) OHCHR Early Warning Early Action Report (discontinued);
(ii) Framework of Analysis for Atrocity Crimes;
(iii) UN Common Information Management System on violations of international human rights & humanitarian law; and
(iv) OHCHR guidance note on human rights assessments and early warning analysis.

- Experience (i) – OHCHR Early Warning Early Action report (discontinued)

From 2007-2012, OHCHR prepared an Early Warning Early Action report (EWEA) as a bi-annual internal OHCHR report that presented analysis of key trends of human rights violations and forecasted key human rights challenges expected for the following six months in relation to key events. A fortnightly internal report along these lines was also produced at the time. Countries were listed on a scale of high to low level risk of deterioration in the situation.

However, EWEA reports were discontinued in 2012 in light of challenges that included: lack of consistent participation by OHCHR desk officers and field presences; lack of resources and of capacity; information was often not presented in a way that was relevant for early warning; risk rating method was unclear and there is no methodology on how to identify risk levels; and lack of early action response connected with the early warning analysis.

- Experience (ii) – Framework of Analysis for Atrocity Crimes

The Office of the Special Advisor on the Prevention of Genocide developed an early warning system to assess and identify the risk of atrocity crimes (genocide, war crimes and crimes against humanity) in any situation worldwide.

The system uses a Framework of Analysis to collect information and assess risks, consisting of 14 risk factors and respective indicators. It employs a methodology based on a clear conceptual framework and risk factors and indicators to gather and assess information to identify risks. It is interdisciplinary, drawing upon political, economic, social issues and with several indicators relevant to human rights. It reflects international standards, provides consistency of approach, is publically available and can be adapted. One challenge for purposes of this report is the

higher threshold, particularly given a need for engagement as early as possible through structural prevention, far from a scenario of risk being an ‘atrocities crime’. Furthermore, the indicators are not ranked, and the final assessment also depends on the judgement of the analysis.

- **Experience (iii) – UN Common Information Management System on violations of international human rights and humanitarian law (CIMS)**

The establishment of a common UN information management system on violations of human rights and international humanitarian law (CIMS), was pursued under the HRUF initiative. While the implementation phase is in early stages, the experiences to-date already shows the value and impact of combining information from various UN agencies into a joint analysis, through country level stocktaking exercises, which is at the core of the CIMS concept.

A recent development from this process is that every UNCT hold regular country-level stocktaking exercises. The objective is to share analysis and build a common understanding of the situation amongst UN actors at the country level; agree the main risks and agree preventive UN action that should be undertaken in response. These exercises are currently being piloted and should evolve as a key element of UN preventive action at the country level, which can feed into regional monthly reviews (RMR) and HQ levels processes (see below).

- **Experience (iv) – “OHCHR Guidance Note on Human Rights Assessments and Early Warning Analysis”**

The development of an OHCHR Guidance Note on this theme drew upon past experiences (including the experiences outlined above) and was prepared specifically to strengthen OHCHR forward-looking analysis, and with a view to enhance OHCHR ability to feed into UN mechanisms and other work streams at country and HQ levels – including the CIMS initiative. The guidance outlines a 4-step approach illustrated below, includes a catalogue of illustrative structural and dynamic risk factors for adaptation as relevant, and provides in annexes some examples of OHCHR early warning analysis from recent experiences. It complements, and includes cross-references to, relevant chapters of the OHCHR Manual on Human Rights Monitoring and other resources.

A preliminary version of this tool was released internally in OHCHR in May 2017 and provides guidance for OHCHR colleagues. It is envisioned that after a test period, an updated version may become publically available and its use encouraged also by partners.

![Figure 7 - OHCHR Guidance Note on Human Rights Assessment and Early Warning Analysis (2017)](image-url)
Based on the mapping and initial consultations, the author concluded that developing an annex on ‘OHCHR early action methods’ as an integral part of the OHCHR guidance on early warning analysis, is more useful than attempting to design a different and separate approach.

2.3. Measurement and indicators

There are inherent challenges in measuring what has not happened, and establishing a correlation between actions taken and the result avoided. For example, ‘institution-building’ contributions by OHCHR is a difficult indicator since many other actors are involved (UN, regional organisations, States etc). How does one then build a methodologically solid and evidence-based approach to measuring successes in prevention?

Human rights indicators^27 are tools to help States assess their own progress in ensuring the enjoyment of human rights by people, planning for actions to prevent human rights violations, and monitoring the implementation of such actions for effectiveness and whether adjustments or further actions are needed. An OHCHR developed framework suggests the development of structural, process and outcome indicators as well as indicators for cross-cutting human rights norms (i.e. non-discrimination, equality, participation, accountability). This configuration of indicators helps assessing the steps being taken by States in addressing their obligations – from commitments and acceptance of international human rights standards (structural indicators) to efforts being made to meet the obligations that flow from the standards (process indicators) and on to the results of those efforts (outcome indicators).

A number of planning and monitoring tools may assist States and other stakeholders in the prevention of human rights violations, in particular in the development of policies. Some States have developed national action plans on human rights or action plans on specific thematic issues, which can serve to guide prevention efforts and strengthen national protection systems in the process.^28

Human rights indicators and data collection underpin the work of OHCHR and other human rights mechanisms on strengthening preventive measures through better monitoring, advocacy and early-warning efforts. Some of the SDG indicators (e.g. SDG indicator 16.10.1 on the killings and other forms of violence against journalists and human rights defenders) can play an important preventive role.

UN peace operations for example increasingly provide quantitative data in their reporting. The exclusivity of UN figures on documented violations or civilian casualties enhances media interest, and there have been calls for OHCHR to consider undertaking casualty recording more systematically.

^27 OHCHR, Human Rights Indicators: A Guide to Measurement and Implementation (United Nations, Geneve, 2012). OHCHR developed this conceptual and methodological framework of human rights indicators that can be applied and contextualized through participatory processes at the national level.

across field presences. However, OHCHR would need additional resources, stability in staffing and a rigorous methodology to systematically produce empirically sound casualty figures across contexts. Colleagues emphasised the need for qualitative analysis to be complemented by quantitative data, and stressed the need for judgement, leadership, leverage and added value. Accordingly, the approach suggested in this report is to draw upon the catalogue of risk factors and triggers in the above-mentioned OHCHR Guidance on early war analysis, and rather consider also here a set of illustrative ‘factors’ when identifying possible early action methods:

- Current and/or potential gravity and risks of violations and/or violence;
- Urgency and phase in the ‘crises continuum’;
- Interests and motivations of all parties involved (actor mapping);
- UN/OHCHR general and specific mandate, policies and guidelines in the context;
- UN/OHCHR and other partners’ capacities, access, expertise, credibility & leverage;
- UN/OHCHR engagement requested and/or supported by EOSG, UN and/or other partners;
- ‘It should be us’ i.e. OHCHR added value and comparative advantage to other partners;
- Clarity of objective/s and part of a broader UN strategy on prevention in the context;
- Political and other contextual considerations as informed by HQ and field;
- Prior UN/OHCHR engagement, experiences and lessons in the context; and
- Opportunities & risks of the possible early action method (SWOT & risk assessment).

2.4. Linking early warning to early action response

The primary aim of early warning analysis is to call attention to risk of a deterioration and inform actions. UN reports, including UN public human rights reports, frequently provide relevant and actionable information. However, reporting of early warning signs does not necessarily result in early action by the international community.

While the priority attention given to prevention is encouraging, UN actions in the past have typically been ‘late actions’, with limited political support if any, and did not receive adequate resources including political and financial support. A common response (and excuse) is to cite possible dead-locks in the UN Security Council, which indeed is at times the case and reduces the leverage of a united voice and approach. Contrast that with the situation in Gambia in early 2017, which saw a united international community, led by a sub-regional organisation ECOWAS (and backed by a preventive deployment of Senegalese, Nigerian and Ghanian troops on the border), supported by the African Union as well as the UN, all engage in a coordinated and effective manner to deescalate the situation. Such a unity of purpose and with coordinated messaging by all international actors is more likely to be successful.

"No matter how accurate the early warning, the real test is whether it leads to early action... This “warning-to-action continuum” is the challenge the international community can find hardest to meet, for a variety of reasons”.


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30 ‘SWOT’ analysis is a structured planning method addressing: strengths, weaknesses, opportunities, threats.
However, part of the problem may also be the manner in which early warning information is ‘packaged’, and in translating such into clear recommendations of action to avert a crisis. A standardized use of early warning analytical frameworks should help reports to prompt also action.

A promising development in this regard in the Secretariat is the recent establishment of the Regional Monthly Reviews/RMRs (previously quarterly reviews), as established under the HRUF initiative. The Regional Monthly Reviews put in place a system for consideration of situations across the three pillars and with a focus on early warning, prevention and human rights protection. The link with the Deputies Committee and its monthly prevention discussion strengthens the prospects for greater accountability of the departments involved with regard to the recommendations and to their follow up.

An EOSG-commissioned assessment of the Regional Monthly Review mechanism in 2017 confirmed the importance of the RMR mechanism and recommended strengthening it further. At its best, the RMR yields a shared analysis, and internal agreement, on constructive approaches in deteriorating situations. It has emerged as a principal forum for joined-up, system-wide efforts, acting as an early warning alert, and by endorsing courses of preventive action in deteriorating situations. It also usefully reiterates that UNCTs should hold a twice-yearly "Regional Monthly Reviews" of their own, linked to the human rights stocktaking exercise of the CIMS (see above).  

"In no case should a deteriorating country situation be left undiscussed or without consideration of UN responsibilities and strategic options, even if the political space is small and the odds of successful prevention limited."

2017 assessment of the Regional Monthly Review process (copy on file with author)

The 2017 assessment report stressed the importance of involving more strongly and consistently RCs in RMRs, and possibly other UNCT members. It did not, however, address situations where the RC (and possibly UNCT members) resists action because it may place the UN at odds with the Government. Yet, much of the lessons from the UN ‘systemic failure’ in Sri Lanka per the Internal Review Panel recommendations, were aimed at making the UN more effective also in such situations.

Experiences from partners point towards having the analytical capacity separate from and in the service of policy and operational decision-makers, and not driven by narrow bureaucratic interests, thus performing an impartial, independent, even disinterested function.

At OHCHR HQ, an Early Warning and Information Support Unit produces early warning analysis in coordination with desk officers, country experts, HQ and field presences, and feeds this into inter-agency processes (UNOCC, IASC etc.) with the aim of prompting appropriate early action responses. This and other relevant offices and sections would benefit from more dedicated resources and strengthened expertise as part of prioritising OHCHR contributions to prevention ahead.

Furthermore, OHCHR should also systematically track when risk warnings are made in early warning analysis, and if such actually occurs. While early warnings should in principle be used restrictively, providing quantifiable data would help build an OHCHR reputation and track record of valid early warnings.  

32 OHCHR thematic consultation on the role of OHCHR in prevention, May 2017, page 2 (copy on file with author). Several valid early warnings were communicated by OHCHR in inter-agency in past recent years.
2.5. Roles of OHCHR in early warning responses

In strengthening prevention efforts, the UN needs **practical ways** to act early on issues ranging from equality and non-discrimination, marginalisation and exclusion, participation and accountability, and weave these into system-wide strategies.

In focusing on **how OHCHR can contribute to broader UN efforts**, the High Commissioner for Human Rights and OHCHR field presences can be considered as ‘normative intermediaries’, translating international human rights obligations into practical policy options and advocating for their implementation. This entails engaging with Governments to assist in the implementation, as well as empowering rights-holders and working with National Human Rights Institutions, civil society and other partners.

The High Commissioner for Human Rights often holds **comparative advantages to engage in certain forms of advocacy**, including **public advocacy**, than UN field operations. For example, the High Commissioner or representatives **regularly briefs the Security Council** in varied configurations including on thematic issues such as the protection of civilians or on country specific emergencies such as on Syria and Libya. **Country visits, press releases, phone calls and letters** are other methods with potentially preventive impact available to the High Commissioner.

A key function of OHCHR field presences entails **advising SRSGs/RC/HCs to support their high-level advocacy** when raising challenging issues in their interactions with authorities and other partners. In so doing, OHCHR provides **facts, credible information and advice** grounded on the normative frameworks of IHRL and IHL as applicable. One RC/HC referred to OHCHR as “the go-to entity” for authoritative advice on international standards, and this equipped the RC/HC to advocate also on sensitive issues, in meeting with human rights responsibilities of senior leaders.

The following sections will address these **OHCHR early action methods**:
- Monitoring, investigations, reporting and advocacy
- Protection & prevention by presence
- Contributions to mediation efforts
- Strengthening of national prevention systems
- Human rights education as prevention
- Accountability & effective remedies as prevention
- Link to UN human rights bodies and mechanisms
- Partnerships and coordination with relevant actors

2.5.1. Monitoring, investigations, reporting and advocacy

Human rights monitoring, investigations, reporting and advocacy are **core areas of expertise** for OHCHR and are carried out by OHCHR field presences, as appropriate within the global and

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34 Aside from formal Security Council briefings, the HC/OHCHR also contributes to other configurations. For example, on 13 November 2017, the HC briefed the Security Council in an ‘Arria Formula’ meeting on the situation of Venezuela. See [http://www.whatsinblue.org/2017/11/arria-formula-meeting-on-venezuela.php](http://www.whatsinblue.org/2017/11/arria-formula-meeting-on-venezuela.php).
respective mandates and capacities. This key work is based on well-established OHCHR methodologies and proven approaches. These methods are critical tools for leveraging OHCHR work on prevention and to inform and contribute to that of partners.

(i) Monitoring and investigations

**Human rights monitoring** is often referred to as the ‘bread and butter’ of OHCHR, its core work in any context, and most frequently recognised as an ‘added value’ and ‘comparative advantage’ that OHCHR brings vis-à-vis other UN actors and partners. Colleagues conducting monitoring and analysis with expertise and rigour provide credibility to UN/OHCHR statements and actions, when accompanied by facts and figures.

**Rigorous compliance with OHCHR’s human rights monitoring methodology** is expected across all steps of information gathering, analysis, interviewing, protection of witnesses, victims and other sources, and reporting. The information-gathering involved often include documentation of individual cases through credible first-hand witness testimony, and other reliable primary or secondary sources.

OHCHR can also undertake **preventive monitoring**, which involves maintaining a consistent visible presence in places of concern, visiting communities, assessing the situation, and undertaking preventive diplomacy which can have an immediate local advocacy impact. OHCHR can also rapidly investigate a high-risk situation and make a public statement, or directly intervene with the authorities, with a preventive impact. Similarly, monitoring of specific situations, such as demonstrations, can prevent violence (see also in section below on ‘prevention through presence’).

OHCHR monitoring activities can also have a significant longer-term preventive impact, including the use of human rights information in the vetting of security forces.

OHCHR also conducts **conflict analysis** in specific countries, including Ukraine, Yemen, Iraq, Afghanistan and Syria. The analysis is shared with the UN leadership and partners in countries to inform political, security and humanitarian responses and preparedness.

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"Nepal OHCHR office developed a highly coordinated and refined system for monitoring demonstrations and preventing violence, combining the practices of “getting close” and “responding quickly”. At key moments of public unrest between 2005 and the April 2008 elections, the OHCHR-Nepal office mobilized all its resources to have a prominent preventive presence at demonstrations and bandhs, and this presence is widely credited with reducing the risk of massive violence."


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Remote monitoring and use of new technologies. As UN staff are deployed to increasingly insecure environments, or with restricted or no access, UN has to use remote monitoring techniques to complement on-site visits and personal interviews with victims and witnesses. Human rights components have made advances in using modern communication technology and social media for this purpose. Technologies such as satellite and drone imagery, crowdsourcing applications and image authentication are being developed while not yet systematically used.

Furthermore, OHCHR is currently developing a country dashboard tool, in partnership with Microsoft, to improve the ability to undertake forward-looking risk analysis.\(^{36}\) The use of new technologies offers significant opportunities while also some challenges to resolve, for example how and where information is stored.\(^ {37}\) Ensuring safe information management is also a key means towards ensuring the protection of cooperating persons, witness and other sources.

In view of its proven expertise on monitoring and reporting, OHCHR may also undertake human rights fact-finding or investigative missions in response to requests by the Secretary-General and by United Nations intergovernmental bodies, including the Human Rights Council and the Security Council. This will be done with a view to providing support and legal expertise in investigating allegations of serious violations of human rights and international humanitarian law. OHCHR may also undertake human rights fact-finding and investigative missions in response to requests from Representatives of the United Nations system (Resident Coordinators, Humanitarian Coordinators, Special Representatives of the Secretary General) to support the United Nations system during or after a crisis that impacts on the human rights situation. Furthermore, the High Commissioner for Human Rights may also invoke the mandate under General Assembly resolution 48/141 to carry out human rights fact-finding missions to investigate human rights violations as part of OHCHR contribution to prevention efforts.

In Kenya, OHCHR co-led a joint UNCT project on information management to share information of potential issues in the lead up to the August 2017 elections to facilitate UN preventive action.

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\(^{37}\) For example, if information is not stored on a UN platform it loses its status as privileged information, which would raise concerns over confidentiality and protection of witnesses.
(ii) Reporting and advocacy

Building upon the monitoring and analysis undertaken, separate public reporting on human rights is expected to be ‘routine’ in UN peace operations.\(^{38}\) UN public voice is unique, and other actors depend on it. When the UN is silent on human rights concerns, the impact is not neutral – it is negative.

Colleagues consulted for this report agreed that **UN public reporting has a positive impact** when employed as part of a larger strategy. The public nature of reporting fulfills important functions in this regard. A forthcoming lessons learned study on public reporting in UN peace operations indicated these results as among the added values:

- transparent and objective benchmarks,
- empowering human rights friendly forces in the government\(^{39}\)
- broadening human rights advocacy (creating opportunities for others to take up human rights concerns by giving them information)
- engaging armed groups.\(^{40}\)

For example, MONUSCO’s reporting on the increasing violations related to democratic space forecasted that the government was willing to clamp down on opposition, media and civil society to secure a delay of the 2016 presidential elections. UNAMI human rights reports published pre-2014 showed increases in levels of sectarian violence and discrimination that should have warned about groundswell support for ISIS in Iraq.\(^{41}\)

Current efforts to **enhance the quality and frequency** of public human rights reporting will contribute to raising visibility and impact. Efforts are underway to **move from lengthy text-only reports to other formats**. For example, HRMMU (UN Human Rights Monitoring Mission Ukraine) increasingly includes graphs in its regular public reports.\(^{42}\) One suggestion is to prepare 3-5 pages reports, focused with targeted recommendations and accompanied by graphs or photos, and launched at events with webstories and other means to maximise advocacy, visibility (if so) and impact. Adding to existing support and cooperation from partners (UNOSAT, OCHA & UNHCR), in-house OHCHR GIS/geographic information system expertise was created in 2017 available to support for example the development of maps and geospatial data for inclusion in OHCHR reports.

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\(^{38}\) See SG Decision 2005/24 on human rights in integrated missions.

\(^{39}\) Early discussion can enhance the government’s acceptance of eventual reports. It provides the authorities with a genuine chance to conduct timely follow-up and provide remedies that can then still be reflected in the report.

\(^{40}\) OHCHR/DPKO/DPA study on public reporting in UN peace operations (forthcoming 2017, draft on hold with author).

\(^{41}\) *Ibid.* One challenge is that many human rights reports are not published in widely spoken national languages.

\(^{42}\) See [http://www.ohchr.org/EN/Countries/ENACARegion/Pages/UAReports.aspx](http://www.ohchr.org/EN/Countries/ENACARegion/Pages/UAReports.aspx).
A recurring comment is that **OHCHR has to work more closely with communications specialists** so that the reporting receives the adequate attention and impact. Aside from the events to launch the reports, public information tools can involve statements by the SG, HC, SRSGs or other senior officials, speeches, press releases, op-eds. Mechanisms for sharing messages can include briefings, press conferences, UN News Centre, UN TV, UN radio, UN Information Centres, regional/national/local media, social media tools (e.g. Twitter, Facebook, Instagram), Youtube, Google hang-out and outreach to academics and NGOs.

**Public reporting is one form of advocacy, while there are many other forms.** Detailed reports can be shared confidentially with the Government prompting the line ministry to take various steps to address the issue. While UN policy indeed seeks to foster public human rights reporting, there may be occasions where OHCHR will not report documented facts also in order not to do harm to victims, in line with OHCHR monitoring methodology.

As to advocacy with Governments, there are multiple ways to do so, ranging from quiet diplomacy to the public reporting. Possible tensions and impact on the field operation can be reduced or avoided through division of labour, maximising the use of different tools with their comparative advantages. UN peace operations may release a public report at country level, jointly with OHCHR or it may be issued from OHCHR HQ in Geneva.

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**Example of an advocacy strategy with preventive impact**

Among elements of an advocacy strategy in a context of contested elections, the OHCHR field presence e.g. developed with partners 2-5 minutes videos on the role of police, with messaging on this theme featuring also in SG, HC and Special Rapporteur public statements. Furthermore, meetings were organised between the UN country leadership and the Director-General of Ministry of Interior to, in a preventive mode, address the roles of police. Developing such channels of communication early on and establishing a relationship is also useful to tap into in case a situation deteriorates.

*(Interview with staff in an OHCHR field presence, 2017)*
2.5.2. Prevention and protection by presence and deployment

Since its establishment, **OHCHR has gradually increased its presences in field locations**, which in 2017 stands at a near 60 presences. A regionalization proposal of OHCHR being pursued is guided by an understanding that moving closer to the field will help implementing OHCHR’s mandate more effectively, more efficiently and more universally. Field presences also offer strategic entry points for prevention at local level, enabling hotspot analysis, identifying areas of tension or flashpoints as well as drivers and possible responses. A study on ‘pro-active presence’ outlines these **strategies of an effective presence**: (i) sustained multi-level advocacy, (ii) conscious visibility; (iii) active encouragement and empowerment; (iv) convening and bridging; and (v) public advocacy.

As a sample arrangement for in-country deployments by a field presence, the so-called Joint Protection Teams (JPTs) were set up by **MONUSCO** in the Democratic Republic of the Congo in 2009 to address the most “at risk” situations by deploying multidisciplinary teams to remote and volatile areas. Their establishment followed massacres which had highlighted the need to better understand the situation in areas of deployment, and ensure a timely identification and response to signs of impending or ongoing violence. A joint 2012 DPKO/OHCHR review of the JPT experience revealed some were critical about its effectiveness as a tool to capture signs of impending violence, to warn of possible threats and advise on responses to mitigate them. These and other criticisms notwithstanding, it was acknowledged that the JPT ensures a multidisciplinary approach to the protection of civilians, bringing to bear the full range of the mission’s expertise.

In **Colombia**, OHCHR convened a range of multilateral processes to address problems or discuss specific themes: mixed commissions, working groups, multilateral visits to the field. Citing examples such as the **Sistema de Alerta Temprana** (early warning) or the Cartagena roundtables, OHCHR’s promotion or mere presence in these multilateral processes was a crucial component of achieving any results.

In **Uganda**, OHCHR regularly attended Ugandan Army courts martial in Karamoja to observe disciplinary action related to cases it had been following. Sometimes OHCHR was told that courts martial are taking place either via an official message, or simply through its regular informal contact with the military. OHCHR then followed-up again by giving the Army quiet advice on any due process limitations it has observed. The more incidents are captured and reported, and the more predictability is injected in the process, the likelier the effect of strengthening prevention.

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43 UN doc. A/71/218.
45 This built upon prior (now) MONUSCO ‘mobile teams’, a human rights-focused precursor to the JPT model.
2.5.3. Contribution to peacemaking and mediation efforts

“The prevention and peaceful settlement of disputes is the raison d’être of the United Nations”.

2017 SG report on peace & security reform

The obligation of UN Member States to resolve disputes peacefully is expressed in Article 33 of the UN Charter, which offers a menu of choices of means for resolving disputes before they turn violent. These all imply various kinds of diplomacy, bilateral or multilateral.

United Nations has over the years become more active in not only promoting a culture of prevention, but also in operationalizing it in practice. The UN Department of Political Affairs, with its Mediation Support Unit and Standby Team of Mediation Experts, contribute to preventive diplomacy, often operating quietly. A key 2011 Secretary-General report provided a summary of key actors, tools and instruments and describes some situations in which actions have been effective. In 2017, the Secretary-General established a High-Level Advisory Board on Mediation with 18 experts to provide him with advice on mediation initiatives and back specific mediation efforts.

OHCHR contributions to UN peacemaking and mediation include:

- Establishing facts and providing human rights analysis can advance the ‘good offices’ functions of mediators by providing impartial and transparent assessments of incidents and casualties.

- Monitoring human rights contributes also to build confidence among the parties during conflict or political and electoral crises.

- Parties to a conflict often welcome dialogue rooted in universal standards including international law, rather than on what can be subjective or culturally divisive points of view.

- Human rights action for example on arbitrary arrests of political opponents or ethnic discrimination can contribute to defusing tensions and preventing further polarization and grievances.

- Public human rights reporting provide information on conflict dynamics, early warning about deteriorating situations and can generate political momentum for prevention efforts.

In 2006, Professor Hannum argued that ‘[t]o successfully integrate human rights into their work, political and human rights officials must become more aware and respectful of the other’s perspectives and values. In addition (…) it is important to achieve a better division of labour between negotiators and human rights advocates, so that each can contribute

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50 The UN Secretary-General is mandated in Article 99 of the UN Charter to bring to the attention of the UN Security Council any matter which may threaten the maintenance of international peace and security.


54 OHCHR/DPKO/DPA study on public reporting in UN peace operations (New York, forthcoming 2017, draft copy on file with author).
meaningfully to the work of the other’. 55 There remains scope to continue improving the collaboration of DPA and OHCHR.

One example of the opportunities from joining up political and human rights expertise in deteriorating situations is the agreed concept and initial fielding of ‘light teams’ by DPA and OHCHR, as a result of the HRUF initiative.56 Similarly, it could be useful to extend cooperation to systematically join-up political and human rights expertise also in the staffing of the Offices of Special Envoys.

If so, OHCHR will be more effective when it is trusted and seen as offering a problem-solving, solutions-oriented approach to peacemaking and mediation efforts. Thus, there is an onus also on OHCHR staff to deepen the knowledge and skills in peacemaking, negotiation and mediation, to engage also with political processes, engaging constructively while also principled and consistent and with integrity. A particularly promising initiative in this area is the UNITAR Peacemaking and Conflict Prevention Programme, which delivers innovative UN system training in negotiation and mediation, and shares the latest knowledge, tools and experiences for the prevention and resolution of conflict. Intensive programmes are organized for mid and senior level officials within Member States, regional organizations and the UN, and for representatives of indigenous peoples. OHCHR colleagues who participated in the flagship UNITAR-IPI Fellowship Programme on Preventive Diplomacy and Conflict Prevention – now in its 24th year and with more than 2,000 alumni – commend and recommend it for more staff and partners. It would be timely to expand and build upon these programmes and continue to deepen the knowledge and strengthen skills of UN staff and across Government and non-governmental partners in these vital areas from grassroots to policy levels.57

Efforts to prevent human rights violations and violence are imperative during conflict to reduce the risk of further escalation, to mitigate the impact of conflict related violations, and avoid relapses. Furthermore, peace agreements that address human rights and the root causes of violations are more likely to have a viable impact on the improvement of overall security by providing guarantees and safeguards for the population. Sustainable peace requires inclusivity with meaningful involvement of civil society, women and minorities. A study conducted by the International Peace Institute found that peace agreements are more likely to last at least 15 years when women are included in the process. 58 Also in negotiating peace agreements, accessing OHCHR expertise and advice would support efforts.

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57 The UNITAR-IPI Fellowship Programme has among its alumni 3 Foreign Ministers, a UN High Commissioner for Human Rights, and senior staff of regional organisations and other partners. Regional editions have been piloted and programmes designed specifically addressing indigenous representatives. UNITAR is developing dedicated training for women in the theory and practice of peacemaking and conflict prevention – and there are several pending requests for further trainings in other areas for various audiences. UNITAR also organises since 2001 an annual SRSG Seminar with SRSGs and senior Headquarters and Agency staff. However, it appears that funding support needs to be raised each year for the organization of all of these important programmes. For more information about these UNITAR programmes, see http://unitar.org/pmcp.
2.5.4. Strengthening of national protection systems

Strengthening national protection systems is the bedrock for effective prevention. Strengthening national protection systems is fundamental at all time, including in early peace building, as a key period to rebuild or strengthen national institutions based on the rule of law and respect for human rights.

As a first step, this entails ratifying human rights treaties and adopting laws and policies that guarantee human rights in law and practice. Regular and systematic review of existing and proposed legislation for compliance with a State’s human rights obligations is then a critical safeguard.

Furthermore, more international human rights norms and standards should become part of the national legal system so as to ensure they can be invoked in national courts. This requires the establishment of an effective system of administration of justice, with courts empowered to interpret constitutional provisions in line with the State’s human rights obligations and international or regional jurisprudence, and enabling them to strike down laws which are deemed unconstitutional.

Human rights impact assessments are instruments for examining policies, legislation, programmes and projects prior to their adoption to identify and measure their impact on human rights. As such, they are a planning tool to prevent violations by assessing the compatibility of laws, policies, budgets and other measures with human rights obligations, as well as the likely impact in practice, thus creating the opportunity for reconsideration, revision or adjustment prior to adoption. Prior consultation with relevant stakeholders can assist in identifying possible impacts on human rights.

Technical cooperation

UN technical cooperation plays a catalytic role in supporting States to meet their human rights obligations, which is a crucial step towards prevention. Indeed, effective technical cooperation is one key contribution to the prevention of violent conflict and human rights violations. OHCHR technical cooperation programme is one of its sharpest tools to support implementation of the 2030 Agenda for the full realization of human rights, State obligations under human rights treaties and to implement recommendations from the UN human rights

59 This section builds upon the 2015 OHCHR report on prevention, UN doc. A/HRC/35/20.
60 A/HRC/30/20, paras. 12-13.
62 See A/HRC/19/59/Add.5.
63 A/HRC/30/20, para. 31.
64 A/HRC/35/20, para. 79.
65 A/72/351, para. 40.
mechanisms. Increased contributions to these OHCHR funds would allow OHCHR to effectively respond to requests for assistance by States.

National Human Rights Institutions (NHRIs)

The establishment and strengthening of independent NHRIs compliant with the Paris Principles is another key element of a national preventive framework. Some are specifically mandated to contribute to the prevention of violations, and to investigate complaints and undertake conciliation, mediation and settlement, as well as analyse root causes of violations and recommend remedial action to prevent recurrence. Their contribution to indirect prevention may be strengthened when they are mandated to consider the government policy underlying the issue.

NHRIs also contribute to direct preventive measures through on-site visits and investigations in places where persons are deprived of their liberty, and some are designated as national preventive mechanisms under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Civil society

A protective and enabling environment for civil society is an essential element for prevention. This includes a conducive legal, institutional and administrative framework; access to justice and an end to impunity for violations against defenders; effective protection policies and mechanisms paying attention to groups at risk; specific attention to women defenders; non-State actors that respect and support the work of defenders; safe and open access to international human rights bodies; and a strong and dynamic community of defenders.

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66 A/HRC/35/20, para. 80.
67 A 2017 report of the Secretary-General calls for increased contributions to the Voluntary Fund for Technical Cooperation in the Field of Human Rights and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review, see A/72/351, para. 39.
69 A/HRC/30/20, para. 17.
70 A/HRC/30/20, para. 18.
71 A/HRC/30/20, para. 19.
A core element of OHCHR prevention work is country-level engagement with civil society in the collection and verification of information. Information and analysis provided by national actors and civil society partners contributes to the development of OHCHR information and analysis. This engagement is often through contacts at field level and through coordination meetings.

OHCHR, notably through its field presences, engages closely with civil society. Partnerships with and support to a variety of civil society actors (NGOs, human rights defenders, professional groups, religious leaders, community leaders, youth groups, etc.) is essential for effective prevention efforts. Civil society and other in-country actors are also key sources of information, including where OHCHR may not have access.

Prevention is key in the protection of NGOs, human rights defenders and other persons cooperating with UN entities including the human rights mechanisms and commissions of inquiry. Reprisals for communicating with national, regional and international human rights mechanisms should be prohibited. It entails respecting fundamental principles and methods of work which enable work by UN human rights mechanisms to be conducted in a manner that does not jeopardize the safety of those who come in contact with the experts/commission/mission. Preventive measures should be taken throughout the monitoring and investigation but in particular when gathering information, during which cooperating persons may be most exposed to risk. This involves e.g. planning, prioritizing among contacts, assess the conditions in which contact can be made, employ a strategy of visibility or discretion, minimising exposure, and the way interviews are organised and conducted.\[72\]

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2.5.5. Human rights education

Human rights education is central in a long-term strategy for the prevention of violations and conflicts. Effective human rights education is essential and complementary to all other preventive measures. As such, human rights education both empowers individuals to claim their rights as well as develops the capacity of duty-holders, such as the police, military and public officials, to meet their obligations. It should be intended as a lifelong and participatory process developing knowledge, skills and attitudes which prompt behaviour to defend and promote human rights.

Human rights education is primarily a State responsibility. States should systematically infuse human rights education in the formal education system, and in the training of State agents. For example, training of judges and lawyers should encompass human rights norms and standards as well as related international and regional jurisprudence. Specific and methodologically-sound guidance is provided by the Plans of Action for the first (primary and secondary school systems) and second phase (higher education and training of civil servants, law enforcement officials and the military) of the World Programme for Human Rights Education, which seeks to advance national implementation of human rights education programmes in all sectors.

OHCHR contribution to human rights education takes various forms. At the national and regional levels, human rights education and training is a regular feature of the work of OHCHR field presences. At the international level, OHCHR coordinates the World Programme for Human Rights Education. OHCHR supports human rights education and training initiatives of both States and civil society by providing expert advice, developing and disseminating methodological tools based on good practice and sharing resources worldwide.

“OHCHR must be able to undertake real prevention including education on human rights at all levels, with better capacity to promote human rights both centrally and in the field”.

High Commissioner for Human Rights, statement to the UN General Assembly, 22 October 2014

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73 This section builds upon the information in A/HRC/30/20, paras. 24-29.
74 A/HRC/30/20, para. 51.
75 A/HRC/30/20, para. 24.
77 General Assembly resolution 59/113, World Programme for Human Rights Education.
2.5.6. Promoting accountability and effective remedies

“Justice and human rights are complementary to stability, not contradictory aspirations. Envoys should resist pressure to achieve a “quick fix” and realize that for a settlement to be durable, it must, whenever possible, address the root causes of the conflict.”

UNITAR (2014)\textsuperscript{79}

Ignoring justice leads to a culture of impunity that can undermine sustainable peace. For example, UN Special Envoys must bear in mind the Secretary-General’s instruction to abstain from UN involvement in any agreement reached between the parties providing amnesty for genocide, war crimes or crimes against humanity.

In order for prevention efforts to succeed and to prevent recurrence of violations, accountability and effective remedies are key. While prevention is at the forefront, when such fails, then ensuring justice for victims and deterring the recurrence of violations and violence, must be ensured. Provisions should be in place to provide effective remedies for victims. The establishment of effective monitoring mechanisms to check for actual and potential violations, and to ensure that groups or individuals are not discriminated against in law, policy and practice, is also key.

The legal system should be accessible to all, without discrimination on any grounds, including nationality, financial means and language. In turn, this requires that victims know about their rights, available remedies and how to access them. Provision of free legal advice and pro bono services for victims of human rights violations by NHRIs, civil society, and bar associations can assist in ensuring accessibility of remedies.\textsuperscript{80}

OHCHR provides assistance and support to judicial and accountability mechanisms, as well as on transitional justice processes. Transitional justice is the full range of processes and mechanisms associated with a society’s attempt to come to terms with a legacy of large scale past violations and abuses in order to ensure accountability, serve justice and achieve reconciliation. These processes and mechanisms can include tribunals, truth commissions, reparations programmes and various types of institutional and legislative reforms. OHCHR has gained comparative experiences from supporting transitional justice processes from promoting a victim-oriented approach and from facilitating government consideration of judicial and non-judicial transitional justice measures, such as truth commissions and reparations programmes as well as prosecution initiatives.\textsuperscript{81} OHCHR also developed a publication series Rule-of-Law Tools for Post-Conflict States, which covers areas of truth commissions, prosecution, reparations, amnesties, vetting and national consultations on transitional justice.\textsuperscript{82} As to the impact of public reporting by field presences, for example MONUSCO’s persistent reporting on impunity for gross human rights violations has helped prosecutors take on cases implicating higher-ranking perpetrators.\textsuperscript{83}

\textsuperscript{80} UN doc. A/HRC/35/20, para. 11.
\textsuperscript{81} A/HRC/35/20, para. 9.
\textsuperscript{82} OHCHR, Rule-of-Law Tools for Post-Conflict States., See
\textsuperscript{83} OHCHR/DPKO/DPA study on public reporting in UN peace operations (New York, forthcoming 2017, draft copy on file with author).
The UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and the Special Adviser of the Secretary-General on the Prevention of Genocide are preparing a joint study on the contribution of transitional justice to the prevention of gross violations and abuses of human rights and serious violations of international humanitarian law and their recurrence. Their forthcoming report will be presented to the Human Rights Council in 2018.\textsuperscript{84}

Example – OHCHR support to transitional justice in Nepal

In Nepal, the comprehensive peace agreement of 2006 launched a transitional justice process that included the establishment of a truth and reconciliation commission. OHCHR worked with all stakeholders to provide technical advice and capacity-building on the role of truth commissions in transitions, on reparations and on justice and accountability processes. For example, it provided the Government with expert documentation on truth and reconciliation commissions, copies of truth and reconciliation commission legislation from other countries, translated versions of OHCHR’s own rule-of-law tool on truth and reconciliation commissions, and briefings on truth and reconciliation commissions to key constituencies, including women legislators. Later, OHCHR issued an analysis of the enabling law for the country’s Truth and Reconciliation Commission and its Commission on Investigation of Disappeared Persons, providing guidance on its compliance with international standards. This analysis has been widely referenced, including by the Supreme Court of Nepal in its decision to strike down the amnesty clauses in the enabling law.

(UN doc. A/HRC/35/20, para. 11)

\textsuperscript{84} Human Rights Council resolution 33/19 of 5 October 2016. See also http://www.ohchr.org/Documents/Issues/Truth/QuestionaireJointStudy.pdf.
2.5.7. Links and support to UN human rights mechanisms

“...[E]arly warning is useful only if it leads to early action, and we need to consider a broader range of options for addressing an emerging threat, including seemingly small steps, such as multi-actor statements of concern or fact-finding missions, which can affect the calculations of parties on the ground early on.”

2011 Report of the Secretary-General “Preventive diplomacy: Delivering results” (S/2011(552, p. 23)

The UN Human Rights Council regular and special sessions, special procedures mechanisms and Universal Periodic Review, as well as the human rights treaty bodies, all contribute to UN prevention efforts. OHCHR unique relationship with these mechanisms, and expertise from supporting them, enables linkages to broader UN system prevention efforts.

UN special procedures

UN special procedures, independent experts reporting to the Human Rights Council (and some also to the General Assembly),\(^85\) are at times referred to as the “eyes and ears” of these inter-governmental bodies. Former Secretary-General Kofi Annan coined them the “crown jewel” of the international human rights system. UN special procedures can, and do, alert the international community to crises through the tools they have at their disposal: public reports; country visits; communications to States and other duty-bearers (so-called ‘urgent actions’ or ‘letters of allegation’); public statements; and collective action, including through their Coordination Committee.\(^86\)

Some examples of the timely, relevant and accurate information which, if acted upon, might have prevented violations and averted violence:\(^87\)

- The special rapporteur on extrajudicial, summary or arbitrary executions visited Rwanda in April 1993. His report, made public in August 1993, warned of the risks of genocide but it was not taken up by the (then) UN Commission on Human Rights until the following March 1994 and the international community failed to take action.

- In January 2009, the (then) special procedure on the human rights of internally displaced persons warned that military operations in the Eastern Democratic Republic of the Congo could result in violent reprisals against the civilian population. Action was not taken and these occurred.

Human Rights Treaty Bodies

All UN Member States have ratified at least two of the core human rights treaties and over 80 percent of States have ratified seven. The human rights treaty bodies are committees of independent experts that consider States reports, individual complaints, some can conduct inquiries, and publishes general

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\(^{85}\) A number of Special Rapporteurs have also briefed the Security Council, mostly under the Arria formula.

\(^{86}\) See http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.

\(^{87}\) OHCHR background note to special procedures annual meeting, 2015 (copy on file with author).
comments (or general recommendations), which are its interpretation of the provisions of the respective treaty.\textsuperscript{88}

While the reoccurring cycle of reporting to treaty bodies can be considered as structural prevention, some treaty bodies have developed urgent procedures to address also more imminent risks of violations, notable the CERD Committee which also developed indicators for its early warning and urgent action procedure.\textsuperscript{89}

The working group of the CERD Committee assesses and analyses situations where serious violations of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) are happening or may happen. On this basis, when needed, responsive actions are taken by the Committee to prevent or limit human rights violations:

- **Early warning measures** to address existing structural problems from escalating into conflicts. These could include confidence-building measures to support structures to strengthen racial tolerance and solidify peace

- **Urgent procedures** to respond to problems requiring immediate attention to prevent or limit the scale or number of serious violations of the Convention: official letter, public statement or a decision to urge the state to take measures to address the violations (the decision can reach the UN S-G or the Human Rights Council).

\textsuperscript{88} See http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx.

\textsuperscript{89} See http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx.

Some treaty bodies may, at any stage before an individual case is considered, issue a request to the State for “interim measures” in order to prevent any irreparable harm to the author or alleged victim. Typically, such requests are **issued to prevent actions** that cannot later be undone, for example, the execution of a death sentence or the deportation of an individual facing a risk of torture.\textsuperscript{90}

Follow-up to recommendations by human rights mechanisms

The implementation of human rights recommendations from human rights mechanisms into national policies and programmes requires effective coordination and a methodological approach. The establishment of inclusive standing coordination and follow-up mechanisms has proven a useful tool in that regard (A/HRC/27/41, para. 101). Technical cooperation will be part and parcel of an effective third cycle of the universal periodic review process (2017-2021).\textsuperscript{91}

Main challenges

The actual and potential contribution by UN human rights mechanisms to prevention, including from special procedures and treaty bodies, is not so much the availability of the information. A main challenge is ensuring that the UN system and Member States have access to and properly consider such information early enough. Early warning signs identified by the different human rights mechanisms need to reach the political and conflict-prevention bodies of the United Nations in a timely and systematic manner.

\textsuperscript{90} A/HRC/30/20, page 15.

\textsuperscript{91} A/HRC/35/20, para. 78.
2.5.8. Partnerships and coordination with relevant actors

Example: Integrating the variety of UN tools to maximize impact of preventive efforts

In 2011, the SG reported that the situation surrounding the electoral process in Guinea required the involvement of the Security Council, the SG’s personal intervention and over 40 working visits to Conakry by the Special Representative of the SG in Dakar. It also required effective leadership and backstopping from the Department of Political Affairs and the United Nations Office for West Africa, the active contribution of the Resident Coordinator and the United Nations country team, a United Nations-led Commission of Inquiry and the opening of a new OHCHR office, as well as the assistance of political analysts, electoral experts and mediation advisers alongside development, humanitarian, human rights and security sector specialists. Critical contributions were also made by the Peacebuilding Fund, which supported both the ECOWAS mediation and a dedicated security force to safeguard the electoral process.

2011 Report of the Secretary-General “Preventive diplomacy: Delivering results” (S/2011/552), p. 21

As illustrated in the above example, effective prevention efforts requires collective and coordinated efforts among partners, within the UN, regional organisations, Governments, civil society and other actors. Strengthening coordination on prevention efforts within the UN while also between UN and other partners is essential. An example of strengthening partnerships between the UN and regional organisations was the formalisation in April 2017 of a UN-AU working group on conflict prevention to crisis management.\(^\text{92}\)

OHCHR human rights advice and engagement at country and HQ levels contributes across the fluid phases of prevention, preparedness, contingency planning, response, peace-building, recovery, reconstruction and development. OHCHR for example contributes to ensuring that human rights are integrated into broader planning frameworks, including as applicable the Integrated Strategic Framework (ISF), CCA/UNDAFs as well as humanitarian planning and programming. As a member of the UNCT and Humanitarian Country Teams, OHCHR field presences play an important role in assisting political, humanitarian and development partners to integrate rights-based approaches and reflect human rights considerations in their prevention work.

OHCHR collaborates with a range of UN and non-UN partners including by sharing information and analysis, designing cooperation on the prevention and response to violations. Engaging with and supporting partners often have a multiplier effect that can strengthen the impact of a UN/OHCHR presence beyond what it can achieve on its own, and guarantees a more sustainable change.

\(^{92}\) See https://unoau.unmissions.org/sites/default/files/signed_joint_framework.pdf.
2.6. Opportunities and challenges

Opportunities

A United Nations-wide response requires that early signs of violations are identified and acted upon in a timely manner. For this purpose, the early availability of human rights information and analysis, linking patterns and trends of violations of human rights with political and security developments, is key. Alongside United Nations human rights field presences, human rights mechanisms collect a wealth of information on human rights issues, including on gaps in human rights protection, risks of violations and patterns, scale and nature of violations. This information, when effectively analysed, coordinated and channelled, has informed the development of strategies and responses in partnership with States, as well as decisions on the best course of action by the United Nations.

Support for prevention is high. Both the Security Council and the General Assembly have repeatedly stressed the operational and the structural dimensions of prevention, as well as the need for systemic approaches. More effective UN prevention and response efforts has been emphasised in several major recent reviews, summits and initiatives (peacekeeping, peacebuilding, SCR 1325, WHS, Habitat-III, Sendai Disaster Risk Reduction Framework, Human Rights up Front etc).

The re-situating of the Resident Coordinator system in a more central position by placing the reporting to the EOSG and the DSG, rather than the UNDG Chair is an interesting development and opportunity. This set-up reflects better the UN mandate in its entirety and integrity, and enables Resident Coordinators to receive greater system-wide support. Strengthening the human rights leadership skills of RCs and UNCT leaders, and support, needs to be accompanied by an enabling environment that encourages and rewards human rights leadership within the UN System. It would appear timely to reconsider how human rights advisors units can be systematically associated to RC offices, as a default set-up and with sustainable funding.

Lessons from other organizations (e.g. UNICEF and NGOs) point to some institutional requirements to build effective early warning & action capacities:

(i) Strong internal support and buy-in of the leadership of an organisation;
(ii) Creation of dedicated team on EW&EA at HQ;
(iii) Ensure clear link between early warning analysis and the objective of activating early action (otherwise it is difficult to sustain interest and value in producing analysis).

Furthermore, some organisations appear to delink the analysis capacity to the decision-making to provide the much needed disinterested, independent space for developing early warning analysis.

OHCHR has a wide-range of methods that clearly add-value to prevention efforts. For example, timely human rights monitoring – conducted by expert staff and with proven methodologies – and engagement with potential perpetrators can prevent and put a stop to violations. OHCHR’s public reporting appears also to be a key reinforcement for other actors’ voices – they can call attention to the credibility and dependability of the OHCHR statements on an issue.94

Even if actions are relatively small, for example a statement of concern by the Security Council, the deployment of a fact-finding mission or well-timed advocacy by the Secretary-General or High Commissioner for Human Rights, these can have important effect on the calculations of key actors.

Challenges

Nonetheless, UN action on prevention still faces numerous challenges and roadblocks. The world continues to see heart-breaking suffering due to the failures to stop the violence in Syria in 2011 and since (the duration of which is now longer than World War II), and the inability to prevent what OHCHR monitoring has assesses as ethnic cleansing in Rakhine State in Myanmar. These are serious indictments and should be thoroughly reflected upon by all – what could we have done, by whom, and when, to prevent these situations from spiralling out of control. These are some challenges, which also draws upon a background paper by the EOSG & NYU Centre for International Cooperation:95

- **Underlying dynamics of crises have become more complex in recent years.** In late 1980s, the risks of conflict were viewed as located overwhelmingly in the least developed countries, whereas today’s conflict is increasingly internationalised and heavily affects higher income countries. Urban conflict and displacement have become more common.

- **Member States inaction including at the UN Security Council and/or lack of unity in other international fora.** Fast and decisive action by the international community appears to be becoming more difficult. Values arguments based on international norms appear to retreat in leverage in the face of perceived and short-sighted political interests. Weakening of political consensus to respond is matched by a distrust of populations of the state, and popular and state distrust of the multilateral system.

- **Resistance within the UN system and fragmentation.** Silos within the system are not projecting the UN to its full potential, nor geared towards addressing today’s multidimensional crises and conflict. While the three pillars each have specialized areas, all need to develop a new mindset and practical mechanisms to work together. To mention a few recent examples: OHCHR was one of few or only UN actor to raise concerns over the deteriorating situation in south-east Turkey and in Venezuela, which some partners resisted to acknowledge and address with a sense of urgency. Differing approaches among DPA, OHCHR and UNDP to ‘light teams’ deployments is another example of the challenges to undertake prevention work together with other UN actors, pointing to a need to take a broader perspective given to the institutional challenges to conducting prevention work. Furthermore, **OHCHR is also rarely associated to UN mediation efforts,** where it could well contribute

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95 EOSG & CIC, Background paper for Greentree Retreat on UN Integrated Prevention Platform, March 2017, pp. 3-4.
verified information and bring in elements of analysis that are often ignored, especially the perspective of those left behind.

- **Institutional barriers.** These barriers mean that OHCHR is unable to ensure that human rights is properly represented as the third pillar of the UN, “Up Front” in the prevention work of other UN entities. Placing human rights at the centre of UN approaches to address developing crisis situations is not yet a coherent practice. Significant work remains for senior leaders in all UN organisations to **develop the cultural change that the Human Rights Up Front initiative had set out** and to ensure that agencies as well as individual staff members embrace their human rights responsibilities.

- **Addressing human rights issues often considered as an individual ‘risk’ by UN partners, rather than a functional responsibility and a requirement that comes with performing a UN function, in particular at senior levels.** Many UN partners, including in the political, development and humanitarian fields, continue to be reluctant to take up human rights issues with government and other external interlocutors. Weak accountability mechanisms in the UN system, including on human rights performance, and the lack of clear incentives to take risks and apply a pro-active and forward-leaning human rights informed approach remains a major challenge. **Accordingly, the issue of HQ support and backing for principled leadership needs to be tackled as a priority.** Clear support from HQ when SRSGs, RCs (or Heads of Agencies) take principled positions and calculated risks needs to be forthcoming, combined with a clear understanding that the UN is prepared as an institution to accept the risks associated.

A positive example of a strong and unison support by the UN system – from the SG, Security Council, SRSG, High Commissioner and partners – was on the occasion of the declaration as persona non-grata of the Head of the DRC Joint Human Rights Office in 2014. This is an example of a change that needs to be deepened and sustained when it comes to HQ backing of leadership when ‘doing one’s job’.


- **Resource constraints and scattered, and ‘do more with less’.** A proliferation of crises and their complexity is a challenge in its own rights. Simply prioritising timely preventative action when political will, diplomatic attention, resources, decision-making time horizons, budget pressures and other factors often mitigate against rapid deployments and other adequate responses, particularly at a time of uncertainty of budgetary and political support. UN Special Rapporteur Pablo de Grieff considers that “[m]ore than a dearth of knowledge and expertise, what hampers better results in the area of prevention is, first, the relative weakness of commitments and the consequent paucity of investments in this area and, second, the great disaggregation of knowledge and resources”. 96 **Showing the value for money in prevention when the result is an absence of crises rather than a more tangible benefit is difficult.** How does one prove what has not happen, and be able to claim having acted to prevent it. Yet, this shift has been achieved in climate change, in disaster risk reduction and other fields, and the argument needs to be made more broadly and persistently also in the area of ‘prevention’.

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96 A/72/523, para. 20.
In Burundi, the prior UN special political mission closed in 2015 and the functions were absorbed by relevant individual UN entities, including an OHCHR country office. The situation has steadily deteriorated since. On 17 December 2015, the UN Human Rights Council created the UN Independent Investigation on Burundi (UNIIB) by resolution S-24 to investigate violations and abuses of human rights in Burundi, with a view to preventing further deterioration of the human rights situation. In 2016, the Human Rights Council established the Commission of Inquiry on Burundi through resolution 33/24 in September 2016. In 2016, the UN Security Council adopted resolution 2303 authorizing the establishment of a UN police component in Burundi of 228 officers. In 2017, the Secretary-General appointed a Special Envoy to promote peace and sustainable development in Burundi.

- **Relevant seniority and expertise.** Depending on the type of early action envisioned, this will inevitably require a certain knowledge and skillsets which may not necessarily be the common profile and experience of UN/OHCHR staff in any given context. Furthermore, OHCHR is either not present in a UNCT or, where it is present, it is represented at a much junior level compared to the other UN agencies and Secretariat organs. This greatly impedes the ability of the Office to contribute to and influence coordination discussions and decisions. Hence, the importance of being able to deploy adequate expertise timely remains a challenge. Some thinking along the lines of replicating the mediation stand-by-roster of NRC and DPA could lend some inspiration if a similar set-up could be pursued with by OHCHR with a partner organisation.

- **Sustained presence.** Comprehensive and effective engagement with national and local authorities requires stable and long-term mandates for the OHCHR field presence/s, as well as secure funding projections, in order to avoid short and unsustainable interventions that lack proper follow-up. Many of the most effective OHCHR technical cooperation activities span five to ten years or more and owe their success to a step-by-step methodology that benefits from the trust developed with national counterparts.97

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97 A/HRC/35/20, para. 73.
3. Conclusions and recommendations

The credibility of the UN often rests on the ability to protect people and prevent from further violations.

In support of the Secretary-General’s vision of making prevention ‘the priority’, it was suggested that the UN system map the elements for an overall UN toolkit, showing where each UN entity can contribute within its own mandate and/or how it relates to and can support the prevention efforts of partners.\(^{98}\) This report attempts to outline some methods and practical actions that OHCHR makes and can make. It also takes a broader look at current UN developments and makes some broader recommendations to Member States and to the EOSG/Secretariat, which if implemented, would contribute a more enabling environment conducive for OHCHR early action methods to contribute to UN prevention efforts in field and at HQ levels.

At the outset, the report suggests some of the compelling reasons for prevention, as a human rights and normative imperative, stemming from the UN Charter and obligations of State parties under international law including human rights treaties. Furthermore, even a strictly economic perspectives should suffice to make the case for prevention. Notwithstanding that the human suffering and remnants of war is immeasurable, and take generations to heal and recover from.

At the same time, the world continues to witness the failures of States to uphold their obligations, and then the inability of the international community to manage and put a halt, let alone prevent, to crises. Nonetheless, a ‘prevention momentum’ is underway, with Secretary-General Guterres whose vision on prevention centres around strengthening the UN vital supporting role in certain areas. Some of the Secretary-General’s reform proposals have been presented, such as on the peace and security architecture, and on the development pillar. A stock-taking of the transformative Human Rights Up Front initiative is being finalised in parallel, and an integrated prevention platform is being prepared.\(^{99}\)

As to the scope and framing of ‘prevention’, the consultations for this report revealed what can be categorised in two main interpretations:

(i) Prevention of violations and
(ii) Prevention of insecurity, violence and conflict

The approach taken in this report is geared towards a broad interpretation that could encompass both above notions.


In terms of methodological tool developments, the report identifies as a promising framework the OHCHR Guidance Note on Human Rights Assessments & Early Warning Analysis. It provides helpful guidance to catapult OHCHR into preparing forward-looking risk analyses more systematically, and with actionable recommendations, following this four step approach:

![Figure 8 - OHCHR Guidance Note on Human Rights Assessment and Early Warning Analysis (2017)](image_url)

**Added value of OHCHR early warning analysis**

- Complements regular UN human rights monitoring and investigations (that essentially focus on the present and past) – OHCHR early warning analysis is about analysis and communication of information on a potential or emerging deterioration in the situation ahead.

- A deterioration in a situation does not happen overnight and is a result of factors over time. A combination of risk factors and triggers can thus be identified in advance, and plausible assumptions be made, to inform forward-looking recommendations and activate prevention responses.

Attempting to measure impact of prevention efforts poses significant challenges. How does one verify what has not happened, i.e. when is the UN successful in defusing tensions or through other means enable effective prevention? How does one build a methodologically solid, evidence-based approach to measure success, when a linear cause and effect is at best difficult and often impossible to confirm with any degree of certainty. While there may be some reoccurring features in what may contribute in a similar type of situation, most if not all issues will by necessity be context-specific and depend on factors out of one’s control. Colleagues engaged in ‘preparedness’ measures to build resilience of a community and reduce vulnerabilities if faced with reoccurring natural hazards (typhoons, flooding, droughts), measures such as revising a building code, building floodwalls to withstand certain levels of rising water levels, tend to lend themselves better for scientific scrutiny.

**It is today rarely the lack of information that is the challenge, it is rather the absence of effective action that follows.** The international community has known and followed the situation of the Rohingya in Myanmar for decades, yet proven woefully incapable to avert a gradual deterioration in recent years and the ethnic cleansing that followed this year. While there may well be reasonable explanations or excuses, it does appear as yet another ‘systematic failure’ of the UN in meeting its collective responsibility, and prompts the question: who could have done what and when to prevent.
Contrast this with the situation in Gambia in early 2017, which saw a unified international community led by the sub-regional organisation, ECOWAS, with backing from the AU and the UN, managing to defuse a situation that could have turned violent. This is one example of the leverage wielded by the international community when it does take concerted and timely early action, these are among the examples to continue to learn from and strengthen the UN’s toolkit.

This report outlines eight methods or roles that OHCHR action contributes to prevention:

- Monitoring, investigations, reporting and advocacy
- Protection & prevention by presence
- Contributions to mediation efforts
- Strengthening of national prevention systems
- Human rights education as prevention
- Accountability & effective remedies as prevention
- Link to UN human rights bodies and mechanisms
- Partnerships and coordination with relevant actors

The inherently preventive power of human rights, rests in both identifying problems (through human rights information & analysis, including root causes) and in identifying practical solutions. It thus provides a framework and parameters for principled, norm-based and constructive engagement on prevention, and also provides an avenue for accountability.

OHCHR can be most effective in prevention through the direct monitoring, investigations and reporting activities by country presences (e.g. OHCHR Colombia, Mexico, Uganda) and human rights components (e.g. UNAMA and MONUSCO). Partners consulted highlighted these actions as our major contribution. A practice of so-called ‘preventive monitoring’ was undertaken by the (now closed) OHCHR Nepal Office. Active field presences of these types, with full monitoring mandates, can play a direct prevention role. One of OHCHR key contributions to prevention of crisis is the human rights analysis, which is built upon a comprehensive monitoring strategy. Human rights analysis, advice and advocacy are essential tools to inform and influence more effective UN prevention efforts. Public reporting and statements, when timely, targeted and relevant, can deter violations, combat impunity and hold perpetrators accountable, and this can also help other partners (and provide them with some space and distance).

As regards the lighter footprint of Human Rights Advisors (HRAs) units in the offices of Resident and/or Humanitarian Coordinators, the demands from RCs have increased also as a result of the HRUF initiative. However, this modality remains hampered by a lack of sustained resources to deploy. This would appear relatively low cost, with potential high impact, in advising senior leaders on their advocacy and other actions relevant to prevention at an early stage. Ideally, HRA units

100 The example of Gambia in early 2017 invites the question whether the outcome would have been as successful had the diplomatic unitary front not also been supported by ECOWAS with Senegal-led forces backed up also by military personnel from Nigeria and Ghana that deployed on the border and gave the outgoing President an ultimatum to accept electoral defeat and step down. Mutatis mutandis in other situations where no regional organisation has the mandate and capacity (ASEAN for one has not and is highly unlikely to develop this type of capability), it does bring back the long-held idea and continued need for a UN standing force. See Brian Urquhart, For a UN Volunteer Military Force, N.Y. Rev. of Books, June 10, 1993, page. 3, who recommended clarification of the Article 43 of the UN Charter dealing with the provision of forces for UN duty to determine the feasibility of expanding the ‘permanent machinery’ to include a standing UN force.

101 However, the limitations of a HRA was also on full display in Sri Lanka in 2009, see IRP report, para. 66, http://www.un.org/News/dh/infocus/Sri_Lanka/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf.
could become a default feature in the set-up of any RC Office, and efforts could be redoubled from UNHQ in order to ensure adequate and sustained funding onwards.

An even more modest footprint derived from the HRUF Action Plan is so-called ‘Light Teams’, multi-disciplinary teams with joined-up political and human rights expertise deployed in deteriorating situations at early stages. Teams were deployed (e.g. to Burkina Faso, Lesotho and Kenya) and provided regular reporting to the UN system. It also mirrors the concept and gap noted by the High-Level Independent Panel on Peace Operations, of a clearly much lighter, time-bound and discrete deployment than a peace operation – ideally able to support before a situation spirals out of control.

Access by human rights staff to at-risk areas is key for possible deterrence, prevention and reporting – an effective human rights presence can save lives. In recent years, demands for more flexible and timely deployments of human rights staff have grown significantly, as seen in CAR, Mali, South Sudan and Syria. OHCHR has been called upon to rapidly deploy human rights officers as surge investigation and reporting capacity and to provide specialised thematic advice.

HRUF also launched a review of current UN monitoring and reporting on violations to establish a ‘common UN information management system’ on violations (CIMS). CIMS provides steps for more systematic joining up of analysis on country situations, including deteriorating situations. Country level pilots have been very positive, leading to a common cross-pillar understanding of developments and contributed to joint initiatives and advocacy (e.g. Guinea-Bissau, Honduras, Kenya, Somalia and Ukraine). Technical guidance and tools are being developed to encourage more systematic information sharing, analytical exercises and use of outputs at the country level.

It is recommended that the Secretary-General reinforces the full and priority implementation of the HRUF initiative and Action Plan, with its similar objectives and cross-pillar approach in the emerging ‘prevention platform’. Indeed, an opportunity to revisit the un- or under-implemented HRUF actions, t.ex. in establishing joint remote monitoring HQ teams for ad hoc deployments.

It will be key to work ever closer with regional and other inter-governmental organisations, and partners including NHRI and civil society, on complementary and reinforcing prevention efforts. The above-mentioned example of the actions of ECOWAS and the AU in supporting a peaceful solution to the Presidential transition in the Gambia, and the work of the OSCE High Commissioner on National Minorities, are examples of experienced regional partners to liaise with when collectively facilitating to ‘translate’ international standards into policy options, in a preventive mode.

**RECOMMENDATIONS**

A first set of recommendations are for Member States for consideration at the international and national levels respectively.

A second set of recommendations are for the UN Secretariat and the EOSG, and in particular as it implements the Secretary-General’s vision on prevention and UN reform efforts including the development of a ‘prevention platform’.

A third set of recommendations are for OHCHR as it supports States to meet their prevention obligations and empowers rights-holders to claim their rights.

1. **Recommendations to Member States (international level)**

1.1. Transform current proposals for permanent members of the UN Security Council to abstain from using their veto into a positive commitment to take prevention action on alerts from a menu of potential options, such as flexible, resource-efficient light deployments, UN Charter Chapter VI measures and towards further comprehensive responses.
1.2. Continue to request **more frequent and regular briefings at the UN Security Council and the Human Rights Council (HRC)** also by the High Commissioner for Human Rights and representatives; incl. Heads of Human Rights Components in UN Peace Operations, Regional Representatives and/or Country Representatives, in person or remotely.

1.3. Adopt Security Council resolutions that systematically include **separate and routine public human rights reporting** in the mandate of all UN peace operations.

1.4. **Strengthen linkages between the HRC and the Security Council on prevention**, building on the ‘13 June appeal’ by States. For example, also HRC’s Commissions of Inquiry and Special Procedures could be invited to more regularly brief the Security Council regarding situations on its agenda.

**Recommendations to Member States (national level)**

1.5. Recall that prevention of violence and human rights violations is **primarily the responsibility of States**, and impress upon that State sovereignty is strengthened – not weakened or undermined – when human rights are protected and violations prevented.

1.6. Adopt a **national framework for the prevention of violations and violence**, with e.g. ratification of human rights treaties and their implementation, ensuring also effective remedies and institutional changes to prevent recurrence. Among other elements:
   (i) Systematically infuse human rights education in the formal education system;
   (ii) Provide an enabling environment for National Human Rights Institutions, media and civil society;
   (iii) Use a set of human rights indicators (taking into account OHCHR framework);
   (iv) Prevent against human rights abuses by private actors.

1.7. **Ensure and facilitate full access** by the UN/OHCHR, UN and regional independent experts and other partners, incl. by issuing a **standing invitation** to UN special procedures.

2. **Recommendations to the Executive Office of the Secretary-General**

2.1. Ensure that **current UN reform efforts result in placing human rights more centrally**, conceptually, institutionally, operationally and adequately resourced, in all information gathering, integrated analysis/situational awareness, strategies and advocacy efforts.

2.2. Expand a creative and flexible use of Article 99 in the UN Charter as a more regular feature in the UN tool-box under the prerogative of the Secretary-General.

2.3. **Enhance UN system-wide integrated analysis and planning** and institute a common UN early warning & action system, building upon HRUF work streams such as the Common Information Management System on violations (CIMS) and the role of UNOCC vis-à-vis the Regional Monthly Reviews and Deputies monthly meeting on prevention.

2.4. **Strengthen human rights support to senior UN leaders** incl. SRSGs, DSRSGs, Special Envoys, Resident & Humanitarian Coordinators:
   (i) Embed all Special Envoys systematically with dedicated human rights expertise;
   (ii) Embed all RC & HC offices with Human Rights Advisor units by default, with predictable and sustained funds from the regular or other budgets.

2.5. **Ensure that candidates for SRSGs, DSRSGs, Special Envoys, RCs and HCs, are selected, their performance assessed and extended** based also on their human rights awareness, commitment and record in meeting their UN human rights responsibilities.

2.6. **Redouble the UNITAR Peacemaking and Conflict Prevention Programme**, ensuring multi-year funding to expand and roll-out further regional and thematic editions of the flagship global Fellowship Programme, and further develop peer-to-peer
exchange among senior peacemakers, coaching support and a Community of Practice for alumni.

2.7. Instil a ‘pro-active prevention mindset, attitude and approach’ across the UN, and ensure that all staff understand their roles in early warning and prevention.

2.8. Facilitate more frequent staff exchanges across the UN Secretariat and Agencies, Funds & Programmes, to nurture cross-pillar cooperation and impact in prevention efforts.

3. **Recommendations to the UN Human Rights Office / OHCHR**

3.1. Anchor the ‘prevention shift’ in OHCHR strategic planning for 2018-2021 with a commensurate priority also given in the annual work- & cost plans across field operations, thematic work and support to human rights mechanisms.

3.2. Develop more systematically forward-looking integrated early warning analysis, drawing upon information from across OHCHR and beyond, and accompanied by recommendations for early actions to feed into UN prevention efforts.

3.3. Systematically track when early warnings of risks were made by OHCHR and/or the human rights mechanisms, and a deteriorating situation actually occurs, with a view to capturing the experiences and lessons to inform and adapt future approaches.

3.4. Develop and use new technologies to better predict, analyze and respond to deteriorating human rights contexts (e.g. satellite imagery analysis from UNOSAT, big data and ‘Rights View’ applications).

3.5. Continue the trend of strengthening the quality and frequency of public human rights reporting across OHCHR field operations and deployments.

3.6. Present information more strategically in reports, including briefer reports/notes, statements and press releases, by visualising and communicating messages more persuasively, using infographics and expanding the use of multiple platforms and channels.

3.7. Strengthen staff expertise to apply also a problem-solving, interest-based and principled approach when deployed to support Special Envoys in mediation and other efforts.

3.8. Broaden and deepen partnerships within the UN to integrate human rights in their prevention efforts, and consider seconding further OHCHR staff to the EOSG, the UNOCC, as well as in the expanding UN regional offices for preventive diplomacy.

3.9. **Pending an (internal) toolkit on prevention**, consider using the annex to this report as a suggested integral part of the OHCHR Guidance Note on Human Rights Assessments and Early Warning Analysis, providing options on early action methods and factors to consider.

3.10. **Prepare an (external) toolkit** to support States and other stakeholders in the practical application of prevention, as encouraged in several Human Rights Council resolutions.

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1. OHCHR staff will pursue early action methods in accordance with UN & OHCHR mandates, standards and policies, guided by principles of sound human rights work, including impartiality, ‘do no harm’, respect for confidentiality, ensure informed consent, seek consultation, ensure participation, behave with integrity and sensitivity, respect State authorities, empower rights-holders & abide by security standards.

2. **Factors to consider when identifying possible early action method/s:**
   - Current and/or potential gravity and risks of violations and/or violence;
   - Urgency and phase in the ‘crises continuum’;
   - Interests and motivations of all parties involved (actor mapping);
   - UN/OHCHR general and specific mandate, policies and guidelines in the context;
   - UN/OHCHR and other partners’ capacities, access, expertise, credibility & leverage;
   - UN/OHCHR engagement requested and/or supported by EOSG, UN and/or other partners;
   - ‘It should be us’ i.e. OHCHR added value and comparative advantage to other partners;
   - Clarity of objective/s and part of a broader UN strategy on prevention in the context;
   - Political and other contextual considerations as informed by HQ and field;
   - Prior UN/OHCHR engagement, experiences and lessons in the context; and
   - Opportunities & risks of the possible early action method (SWOT & risk assessment).

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**Figure 1 – Crises continuum & human rights**
3. Options of OHCHR early action methods (non-exhaustive and to be combined):

(non-exhaustive and to be combined as appropriate):

- Monitoring, investigations, reporting and advocacy
- Protection & prevention by presence
- Contributions to mediation efforts
- Strengthening of national prevention systems
- Human rights education
- Accountability & effective remedies
- Link to UN human rights bodies and mechanisms
- Partnerships and coordination with relevant actors

Figure 2 - OHCHR early action methods

4. See also DPA mapping of ‘tools and opportunities for engagement’ with States & other stakeholders for ideas. It outlines the respective ‘interlocutor’, tools/opportunities, challenges of the: (i) Security Council; (ii) General Assembly, bodies and regional groupings; (iii) Human Rights Council; (iv) Peacebuilding Commission; (v) International Criminal Court/regional courts/tribunals; (vi) Regional/sub-regional organisations; (vii) Heads of State with regional influence; (viii) International Financial Institutions including WB and regional development banks; (ix) Other Member States; (x) Troop and Police Contributing Countries; (xi) Governments concerned and other national stakeholders (e.g. opposition parties, armed groups and de facto authorities); (xii) Private sector; (xiii) National human rights institutions; (xiv) National courts & judicial authorities; (xv) Police, armed forces & other security entities; (xvi) National & international civil society, religious leaders, community committees; and (xvii) Public at national, regional & international levels (incl. diaspora, victims’ organizations etc).

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Thank you for reading! Any feedback is welcome at efriberg@ohchr.org.

RWI photo/Sandra Jakobsson