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THIS ACTION IS FUNDED BY THE EUROPEAN UNION

ANNEX III

of the Commission Implementing Decision on the annual action plan in favour of the thematic programme on Human Rights and Democracy for 2021

Action Document for Supporting global key actors – Office of the High Commissioner of Human Rights (2022, 2023 and 2024)

ANNUAL PLAN

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation, and action plan in the sense of Article 23(2) of NDICI-Global Europe Regulation.

1. SYNOPSIS

1.1. Action Summary Table

1. Title CRIS/OPSYS business reference Basic Act	Supporting global key actors – Office of the High Commissioner of Human Rights (2022, 2023 and 2024) CRIS number: NDICI HR INTPA/2021/043-408 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)
2. Team Europe Initiative	No
3. Zone benefiting from the action	Global/Thematic Programme The locations of the action are open without limitation, in accordance with Regulations (EU) No 235/2014 and (EU) No 236/2014
4. Programming document	Multi-Annual Indicative Programme for the Thematic Programme on Human Rights and Democracy 2021-2027
5. Link with relevant MIP(s) objectives/expected results	Priority 3: Promoting a Global System for Human Rights and Democracy with the following specific objective and expected result: -To enhance strategic partnership and improve effectiveness of key international, regional and national actors to advance the realization of all human rights for all. - Strengthened capacities of the Office of the UN High Commissioner for Human Rights, including human rights treaty bodies and special procedures.
PRIORITY AREAS AND SECTOR INFORMATION	
6. Priority Area(s), sectors	151 – Government and Civil Society - general
7. Sustainable Development Goals (SDGs)	Main SDG: SDG 16 - Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels Other significant SDGs: the whole SDG framework, as the OHCHR is seeking to ensure that strategies and policies to implement the 2030 Agenda are human rights-based.

8 a) DAC code(s) ¹	15160 – Human Rights 100 %			
8 b) Main Delivery Channel @	Multilateral Organisations - United Nations High Commissioner for Human Rights (extra-budgetary contributions only) - 41313			
9. Targets ²	<input checked="" type="checkbox"/> Migration <input type="checkbox"/> Climate <input type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input type="checkbox"/> Education ³ <input checked="" type="checkbox"/> Human Rights, Democracy and Governance ⁴			
10. Markers ⁵ (from DAC form)	General policy objective @	Not targeted	Significant objective	Principal objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Disaster Risk Reduction @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with Disabilities @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Principal objective
	Biological diversity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Internal markers ⁶ and Tags ⁷ :	Policy objectives	Not targeted	Significant objective	Principal objective

¹ DAC sectors (codes and descriptions) are indicated in the first and fourth columns of the tab 'purpose codes' in the following document: <http://www.oecd.org/dac/financing-sustainable-development/development-finance-standards/dac-anders-codelists.htm>

² Actual contribution to targets will be confirmed ex-post based on a standardised methodology.

³ This target is specific to INTPA. If the action is marked as contributing to the Education target, please make sure the target on "Social inclusion and Human Development" is also marked.

⁴ Thematic target for geographic programmes (at least 15%) in delegated act.

⁵ For guidance, see <https://www.oecd.org/development/financing-sustainable-development/development-finance-standards/> (go to "Data collection and resources for reporters", select Addendum 2, annexes 18 (policy) and 19 (Rio) of the reporting directive).

If an action is marked in the DAC form as contributing to one of the general policy objectives or to RIO principles as a principal objective or a significant objective, then this should be reflected in the logframe matrix (in the results chain and/or indicators).

⁶ The internal markers have been created to report on the implementation of the Commission's own policy priorities in areas where no DAC reporting tool is available. For the sake of consistency and comparability, the methodology is equivalent to the DAC markers, with three possible positions (main target, significant target, not targeted)

⁷ Methodology for additional tagging providing granularity on internal markers is under development.

	Digitalisation @ Tags: digital connectivity digital governance digital entrepreneurship job creation digital skills/literacy digital services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Connectivity @ Tags: transport people2people energy digital connectivity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Migration @ (methodology for tagging under development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reduction of Inequalities (methodology for marker and tagging under development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Covid-19	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BUDGET INFORMATION				
12. Amounts concerned	Budget line 14.020211 Total estimated cost: EUR 15,900,000 Total amount of EU budget contribution EUR 15,900,000 from the general budget of the European Union for 2021.			
MANAGEMENT AND IMPLEMENTATION				
13. Type of financing⁸	Indirect management with the Office of the High Commissioner for Human Rights.			

1.2. Summary of the Action

The aim of the action is to enhance the global leadership of the Office of the UN High Commissioner for Human Rights (OHCHR) to reinforce its policy influence within the United Nations system and worldwide and ensure a human rights based approach to development. In view of this reinforcement, the support will go towards the overall objectives of the Office Management Plan (OMP) of the United Nations Office of the High Commissioner for Human Rights as well as to the promotion of the human rights based approach to sustainable development.

The action contains extra-budgetary non-earmarked voluntary contribution to the annual Budget of the OHCHR for the years 2022, 2023 and 2024 together with earmarked funding for EU priorities within the global human rights architecture such as the promotion of the human rights based approach.

This action advances the SDG framework, as the OHCHR seeks to ensure that strategies and policies to implement the 2030 Agenda are human rights-based. Through its rights-based approach, the OHCHR work is also in line with the EU policy framework expressed in the New European Consensus on Development, in particular its focus areas of People, Planet and Peace. In more specific terms, the action contributes towards the implementation of the EU **Action Plan on Human Rights and Democracy 2020-2024**, in particular its section 3 “Promoting a Global System for

⁸ Art. 27 NDICI

Human Rights and Democracy” focusing the EU’s commitment to strengthening multilateralism.⁹ It is equally relevant to the implementation of the Joint **Communication on Strengthening the EU’s contribution to rules-based multilateralism**¹⁰ and the EU Gender Action Plan (GAP 3)¹¹. The action falls under the Thematic Programme on Human Rights and Democracy under the Neighbourhood, Development and International Cooperation Instrument (‘Global Europe Regulation’).

2. RATIONALE

2.1. Context

In a world with increased setbacks on human rights, it is vital that the EU and the Office of the High Commissioner for Human Rights (OHCHR) work together in promoting and protecting human rights, including bringing to light and tackling human rights violations, and where relevant also violations of international humanitarian law.

The Commissioner and her Office have a unique role as standard setter, to promote and protect all human rights by advocacy activities, empower people to claim their rights and assist governments to prevent abuses, as well as provide capacity building and legal advice and support judicious enactment of laws and policies.

In addition, OHCHR holds the task of injecting a human rights perspective into all UN programmes to ensure the three pillars of the UN (peace and security, development and human rights) are interlinked and mutually reinforcing. Through its work, OHCHR strives to offer the best expertise, and substantive and secretariat support to the different UN human rights bodies as they discharge their standard-setting and monitoring duties.

The Covid-19 pandemic has only made more visible the importance of multilateralism, global cooperation and solidarity grounded in human rights. The pandemic is expected to reverse decades of development progress. The crisis has exposed the weaknesses of political, economic and social systems and has intensified and magnified existing patterns of poverty, inequalities, stigma, discrimination, exclusion, environmental degradation, and other gaps in human rights protection.¹²

Policy Framework (Global, EU)

The **Lisbon Treaty** stipulates that the EU action on the international scene must be guided by the principles which have inspired its own creation, development and enlargement and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity and respect for the principles of the United Nations Charter and international law.

The **Agenda for Change**¹³ highlights that the EU should concentrate its development cooperation on support of human rights, democracy and good governance, reminding that gender equality should be mainstreamed in all EU development policies and programmes.

The OHCHR work is also in line with the **New European Consensus on Development**, in particular its focus areas of **People, Planet and Peace**.

The 2030 Agenda for Sustainable Development and the **Sustainable Development Goals (SDGs)** are a universal call to action to end poverty, protect the planet and ensure that all people enjoy peace and prosperity. SDGs also include issues such as effective institutions, good governance, the rule of law and peaceful societies (**SDG 16**). The EU support will contribute to the whole SDG framework, as OHCHR is seeking to ensure that strategies and policies to implement the 2030 Agenda are human rights-based.

⁹ Council Conclusions on the Action Plan on Human Rights and Democracy 2020 - 2024, adopted by FAC on the 19 November 2020

¹⁰ Joint Communication on strengthening the EU’s contribution to rules-based multilateralism JOIN(2021) 3 final.

¹¹ Staff Working Document ["EU Gender Action Plan \(GAP III\) – An ambitious agenda for gender equality and women’s empowerment in EU external action" \(SWD\(2020\)284 final\)](#)

¹² UN Human Rights Appeal 2021 p. 13 “Building back better: human rights at the heart of the recovery”.

¹³ http://www.dev-practitioners.eu/fileadmin/Redaktion/Documents/Post-Busan_03_2012/agenda_for_change_en.pdf?PHPSESSID=e40027878fd33ee30ebfa76cb75e730c

The **EU Action plan for human rights and democracy 2020-2024** contains a priority on “Promoting a global system for human rights and democracy”. The EU pledges to “Enhance strategic cooperation with the Office of the High Commissioner for Human Rights, both at central level and with field offices, and to support the independence of the Office in promoting and monitoring human rights and mainstreaming human rights throughout the UN system.” Furthermore, the EU pledges to “Support the effective implementation of the UN Secretary General’s Call to Action for Human Rights” as well as to “Promote human rights as a cross-cutting priority in the continued implementation of UN reforms, and enhance strategic cooperation with UN Agencies. Enhance UN peace operations’ work and ability to ensure the protection and promotion of human rights.” Finally, through this action, the EU contributes to “Strengthen the effectiveness and efficiency of the UN human rights treaty body system” and to “Support the effective implementation of international and regional mechanisms to promote and protect human rights, including Universal Periodic Review recommendations and concluding observations of the UN treaty bodies.”¹⁴

This action also supports the implementation of the European Commission’s **Joint Communication** on strengthening the EU’s contribution to rules-based **multilateralism**, signed on 17 February 2021. “The EU will continue supporting **the international judicial, arbitration, and enforcement bodies** that underpin the rules-based international order – **in particular** the International Criminal Court, **the UN’s Human Rights compliance architecture**, the European Court of Human rights – as regards both their jurisdiction and their effectiveness.” The Communication includes a commitment to “Establish an annual Strategic Dialogue with the UN High Commissioner for Human Rights on human rights policy and cooperation in the field.”

The **Global Europe Regulation (EU) 2021/947** mentions in its Annex III as an area of intervention for the Thematic Programme on Human Rights and Democracy “Promoting effective multilateralism and strategic partnership, contributing to reinforcing capacities of international, regional and national instruments in promoting and protecting human rights, democracy and the rule of law. Strategic Partnerships shall be boosted, with particular attention to the Office of the High Commissioner for Human Rights.”

The action is also firmly anchored into the **EU Gender Action Plan III**. The OHCHR’s unique mandate offers leadership and action that empowers individuals and assists States in upholding human rights, thus in holding up girls’ and women’s physical and psychological integrity, promoting their economic and social rights/empowerment, strengthening their voice and participation and injecting a gender-sensitive cultural shift within institutions.

2.2. Problem Analysis

The Office of the United Nations High Commissioner for Human Rights (OHCHR) represents the world’s commitment to universal ideals of human dignity. OHCHR has a unique mandate from the international community to promote and protect all human rights. It works objectively, educates and takes action to empower individuals and assists States in upholding human rights. It also supports the work of the United Nations human rights mechanisms, including the treaty bodies established to monitor State Parties’ compliance with the core international human rights treaties and the Special Procedures of the Human Rights Council. It coordinates United Nations human rights education and public information activities, and strengthens human rights across the United Nations system. It works to ensure the enforcement of universally recognised human rights norms, including through promoting both the universal ratification and implementation of the major human rights treaties and respect for the rule of law.

UN Human Rights is partially funded through assessed contributions from Member States to the United Nations regular budget and partially through voluntary contributions from donors, the majority of whom are Member States. In 2019, the European Commission was number four donor of un-earmarked funding following Sweden, Norway and the Netherlands. In 2020, with an amount of USD 22.842 million the European Commission was the third largest contributor of voluntary contributions (out of 78 institutional donors).

Funding received by OHCHR is not commensurate with needs and spending. The 2021 regular budget is the second annual budget prepared in accordance with the UN management reform agenda and is a continuation of a “zero growth” policy. In principle, the UN regular budget should finance all activities mandated by the General Assembly and its subsidiary organs, including the Human Rights Council. The regular budget submission for the Office for 2021 is US\$102.4 million, representing just over 3% per cent of the total UN regular budget.

¹⁴ Section 3.6.a and b of the EU Action plan for human rights and democracy 2020-2024

Although official human rights mandates continue to grow in number and scope, the reality is that the level of resources allocated to the human rights programme is in decline. As a result, UN Human Rights continues to rely heavily on voluntary contributions to finance as much as 20 per cent of the activities mandated by the General Assembly and its subsidiary organs, primarily treaty body and special procedures work.

This challenging financial situation was further exacerbated in 2020 by the COVID-19 pandemic, which meant that many mandated activities were postponed from 2020 to 2021.

Voluntary contributions, or extra-budgetary resources, represented, in 2020, around 65 per cent of the UN Human Rights' overall budget. In 2020, the Office received US\$216.4 million¹⁵ in extra-budgetary contributions, compared to US\$179 million in 2019. However, the ongoing trend toward earmarking limits the Office's capacity to allocate resources to where they are most urgently required.

Total extra-budgetary resources needed for 2021 amount to US\$385 million. The Office demonstrates through its Annual Appeal the full extent of these requirements.

3. DESCRIPTION OF THE ACTION

3.1. Objectives and Expected Outputs

The overall objective of the action is to enhance strategic partnership with and improve effectiveness of key international, regional and national actors to advance the realization of all human rights for all.

The specific objective is to enhance the global leadership of the Office of UN High Commissioner for Human Rights and reinforce its policy influence and impact within the United Nations system and worldwide. Due to the OHCHR effort towards the integration of human rights throughout the SDG process, and work done by OHCHR to strengthen human rights measurement and accountability through the deployment of indicators, the action contributes to the progressive achievement of the whole SDG framework and its promise of leaving no-one behind.

This action will support the overall objectives of the OHCHR **Office Management Plan (OMP)**. The OMP for 2018-2021 outlines a roadmap comprising six thematic pillars that form the base on, which the Office stands. These are:

1) Enhance equality and counter discrimination: The rise of social media has triggered spread of hateful messages that fuel discrimination and the pandemic has exacerbated existing inequalities. However, in line with the 2030 Agenda and its commitment to "leave no one behind", there is also growing awareness and momentum in favour of equality for all and non-discrimination, as promoted through OHCHR's human-rights based approach to development.

2) Increase implementation of the outcomes of the international human rights mechanisms: The work performed by human rights bodies – monitoring and analysis of human rights situations, interaction with States and a wide array of stakeholders – helps to identify strengths and weaknesses in human rights law and practice, and create opportunities for reform. The support that OHCHR provides to the mechanisms is a core element of OHCHR's work and informs EU policy dialogues and operational undertakings.

3) Strengthen the rule of law and accountability for human rights and international humanitarian law violations: The costs of lawlessness are evident in failures of justice and impunity for crimes, conflict over unaddressed grievances, and oppressive, unaccountable rule. It also undermines inclusive growth and discourages healthy business investments. The world needs governance systems in which all duty bearers are accountable to laws that are consistent with international human rights norms and standards. OHCHR works with partners to strengthen the rule of law and accountability for human rights and international humanitarian law violations.

4) Enhance participation and protecting civic space: Participation in the public life by rights holders and organisations that represent them is a fundamental principle of human rights. Participation also improves the efficacy of political systems, as well as policy development and implementation. OHCHR works to protect civic and democratic space and those who stand up for human rights.

5) Prevent violations and strengthen protection of human rights and international humanitarian law, including in situations of conflict and insecurity: Human rights violations are at the root of causes of conflict and insecurity, which, in turn, invariably result in further violations of human rights and international humanitarian law. As such, action to protect and promote human rights and also international humanitarian law has inherent preventive power.

¹⁵ Figures are estimated as of 14 December 2020 and will be adjusted and confirmed upon the final closure of the 2020 accounts.

6) **Advance sustainable development through human rights:** respect for human rights is a pre-condition for sustainable development. The 2030 Agenda recognises that inclusive and participative economies, and societies in which government is accountable, achieve better outcomes for all people, leaving no one behind.

To leverage greater human rights impact, in each of the six pillars attention is given to the protection and expansion of civic space; the promotion of human rights in the context of frontier issues such as climate change, digitalisation, corruption, inequalities and people on the move; the prevention of conflict, violence and insecurity and the support of the global constituency for human rights. Finally, an intersectional focus on women, young people and persons with disability is transcending to “leave no one behind.”

The current OMP has proven to be a relevant and valuable guiding framework throughout the Covid-19 crisis while providing the needed flexibility to respond to changing circumstances. Hence, to provide the necessary opportunity to re-calibrate focus in response to the human rights impact of the pandemic and other recent developments, OHCHR has decided to extend the current OMP for two years, until 2023. This extension will also align future OMP cycles with the timeline of the mandate of the High Commissioner.

3.2. Indicative Activities

The EU contribution to the OHCHR budget, by providing the means to enhance the OHCHR's global leadership, is expected to strengthen the OHCHR's capacity and therefore to support notably:

(1) Human Rights Monitoring Mechanism in general, as the OHCHR works to offer the best expertise and support to the different human rights monitoring mechanisms in the United Nations system: UN Charter-based bodies, including the Human Rights Council, and bodies created under the international human rights treaties and made up of independent experts mandated to monitor State parties' compliance with their treaty obligations. Most of these bodies receive secretarial support from the Human Rights Council and Treaties Division of the Office of the High Commissioner for Human Rights (OHCHR).

(2) The main activities of the OHCHR, such as the input to the Human Rights Council, to the Universal Periodic Review and to the Special Rapporteurs.

This will be done by the means of:

(a) Greater country engagement through an expansion, the establishment of standing capacities for rapid deployment, investigations, field support, human rights capacity building, advice and assistance, and work on transitional justice and the rule of law

(b) An enhanced human rights leadership role for the High Commissioner, including greater interaction with United Nations bodies and actors and regular system-wide human rights consultations, an annual thematic human rights report, a global campaign for human rights, and increased efforts to promote a human rights based approach to development and to the fulfilment of the SDGs.

(c) Closer partnerships with civil society and United Nations agencies

(d) More synergy in the relationship between OHCHR and the other United Nations human rights bodies

3.3. Mainstreaming

This intervention is relevant for the United Nations 2030 Agenda for Sustainable Development. It advances the SDG framework in its entirety, as the OHCHR seeks to ensure that strategies and policies to implement the 2030 Agenda are human rights-based. As stated in the OHCHR fact sheet Human Rights and the 2030 Agenda, *"The 2030 Agenda for Sustainable Development marks a paradigm shift towards a more balanced model for sustainable development aiming to secure freedom from fear and freedom from want for all, without discrimination. Strongly grounded in international human rights standards, the new Agenda strives to leave no one behind and puts the imperative of equality and non-discrimination at its heart."*¹⁶

Indeed, the EU support to OHCHR will contribute towards “a world of universal respect for equality and non-discrimination” between and within countries, including gender equality, by reaffirming the responsibilities of all States to “respect, protect and promote human rights, without distinction of any kind as to race, colour, sex, language, religion, political or other opinions, national and social origin, property, birth, disability or other status” (SDG Goal 10), to “more peaceful, just and inclusive societies which are free from fear and violence” with attention to democratic governance,

¹⁶ <http://www.ohchr.org/Documents/Issues/MDGs/Post2015/HRAndPost2015.pdf>

rule of law, access to justice and personal security (in Goal 16), as well as an to enabling international environment (in Goal 17 and throughout the framework).

The Action contributes to the paradigm shift the 2030 Agenda implies, as the OHCHR seeks to address the interdependence of human rights with development and with peace and security. The OHCHR is tasked with mainstreaming human rights within the United Nations, injecting a human rights perspective into all United Nations programmes, in order to ensure that peace and security, development, and human rights - the three essential pillars of the United Nations system - are interlinked and mutually reinforcing.

Environmental Protection & Climate Change

The action will also contribute to mainstream human rights throughout all priorities, including environment.

Gender equality and empowerment of women and girls

See above, this action will contribute to **gender equality** and girls' and women's empowerment. It will be reflected in the use of gender sensitive indicators and sex disaggregated data to the extent possible. Gender specific activities may also be funded under this action such as trainings and awareness-building activities on women's and girls' rights and international law standards. The monitoring and evaluation system of projects shall be gender sensitive.

Human Rights

See above as well as mandate of OHCHR

Disability

See above, the human rights based approach, which includes people with disabilities, will be promoted throughout the whole UN system.

Democracy

See above

Conflict sensitivity, peace and resilience

See above

Disaster Risk Reduction

Not applicable given nature of the support.

Other considerations if relevant

In line with the Digital for Development Staff Working Document¹⁷ and the EU Consensus for Development, deployment of digital tools for the protection and promotion of human rights will be encouraged whenever appropriate.

3.4. Risks and Lessons Learnt

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
1	Practical implementation can be affected by the situation prevailing in countries and regions (Political crisis, insecurity, lack of commitment)	M	H	Through its ongoing dialogue and strengthened strategic partnership with OHCHR, the EU will monitor implementation at country level in crisis situations. OHCHR has made considerable efforts to become a fully results-based organization. Consequently, knowledge of results-based management (RBM) has increased in the Office and supportive tools and practices

¹⁷ Commission Staff Working Document: Digital4Development: mainstreaming digital technologies and services into EU Development Policy; SWD(2017) 157 of 2.5.2017; https://ec.europa.eu/europeaid/sites/devco/files/swd-digital4development_part1_v3.pdf

2	Coordination difficulties between the OHCHR Geneva and its partners	L	M	have been developed and applied. OHCHR continued its internal capacity-building programme by developing an RBM online training tool; enhancing its Performance Monitoring System (PMS), OHCHR's web-based programming tool.
3	Partners should have the capacity to deliver in time, including capacity of civil society actors for sustained follow-up of activities	L	M	It led to an increased capacity to make strategic decisions. The Office uses an innovative web-based PMS, which facilitates planning, monitoring, reporting, knowledge management and financial monitoring.

Lessons Learnt:

Since 2007, the EU Commission has provided un-earmarked funds to support the OHCHR Management Plan, which sets the overall strategic direction for the Office. From 2018 to 2020, this funding amounted to an annual average of EUR 4.5 mio. The unearmarked contributions have provided much needed flexibility in the use of extra budgetary resources, in a context where demands on OHCHR are growing, while the earmarking of funds by donors is in an increasing trend (see 1.4. above).

In addition, the EU has been supporting specific projects under the EIDHR centrally managed funds. For instance, the EU financed the necessary technical equipment and the first year of the operational costs for webcasting the Human Rights Treaty Bodies. This was cost-effective, as the visible results of the webcasting in terms of enhanced capacity for contributions to the work of Human Rights Treaty Bodies, particularly by CSOs, led to the UN General Assembly deciding to allocate the necessary resources for the running costs from the un-earmarked contribution provided by the EU.

The EU has supported some of the activities of the UN Special Rapporteurs on human rights defenders, freedom of association, and freedom of expression. While this project yielded some positive results in terms of increased joint communications and with regard to specific country situations, it generated an undue expectation of EU financial support for specific mandates, which resulted in increased pressure and unnecessary competition. It was thus decided, in agreement with the OHCHR, to rather support the special procedures by way of the generic support to OHCHR through the unearmarked contribution.

Finally, the EU supports the deployment of Human Rights Indicators and OHCHR's role in developing them. This support has been instrumental for the inclusion of such indicators in the SDG monitoring framework and in other contexts, most notably the global UN response to the COVID-19 pandemic. Continued support is needed to streamline the indicators into general UN human rights and development work. As manager of regulatory foreign policy instruments, FPI also provides on-going support to OHCHR in relation to implementing the UN resolution on torture-free trade.

A number of projects has also been developed at EU Delegation level, as for instance the support to the implementation and monitoring of the Ethiopian Universal Periodic Review in Ethiopia, the reinforcement of the democratic space through the protection of the human rights defenders in Guatemala, the civil society support for Freedom of Expression, Peaceful Assembly and Association in Kazakhstan and the strengthening of Human Rights Protection on land and natural resources issues at the institutional, judicial and civil society levels in Cambodia. The support of activities at country level through OHCHR gains in neutrality as they are developed by the United Nations. At regional level, the EU supports the work by OHCHR on human rights and security in the Sahel.

Generally, lessons learnt are that maintaining and strengthening the unearmarked funding not only carries a strong political signal that the EU defends multilateralism but also supports the Office in fulfilling its core mandate of empowering people to claim their rights and assisting governments in preventing abuses of and protecting, promoting and respecting human rights. The unearmarked funding provides the Office with flexibility to allocate resources to where they are most urgently needed. The earmarked funding constitutes a supplement to support activities that are of specific strategic interest and priority to the EU.

The EU, as part of Team Europe, will take steps to further strengthen its strategic partnership with the OHCHR on human rights policy and cooperation in the field.

3.5. The Intervention Logic

In enhancing the OHCHR's global leadership, the EU expects achievement regarding two of its key strategic objectives, those of promoting the universality of human rights and the commitment to promote a well-functioning multilateral system (for more detail see section 1.2. above). Through its un-earmarked support to the OHCHR, the EU will also indirectly contribute to the functioning of the major human rights mechanisms, such as the work of the UN Human Rights Council (HRC) in addressing urgent cases of human rights violations and activities related to the outcomes of the Universal Periodic Review (UPR), recommendations of treaty monitoring bodies and UN Special Procedures. All of these being also the focus of the EU Action Plan of Human Rights and Democracy 2020 - 2024. The earmarked funding will serve as a tool to promote more targeted EU priorities within the global HR architecture by supporting strategic entry points related to OHCHR's added value and to strengthen strategic partnership between the EU and the OHCHR.

Close cooperation and information sharing with the EEAS and the EU Delegation in Geneva, which is heavily engaged in a relationship with the OHCHR and the different human rights monitoring mechanisms at UN level, will be sought.

Any actions under this Action Document shall respect and shall be implemented in accordance with the Charter of Fundamental Rights of the European Union.

3.6. Logical Framework Matrix

Given the nature of this action which is mainly an un-earmarked contribution, the action will use the Result Framework of the OHCHR Operational Management Plan, and monitor it against progress reports annexed to OHCHR annual reports.

Results	Results chain (@): Main expected results (maximum 10)	Indicators (@): (at least one indicator per expected result)	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
Impact	To enhance strategic partnership with and improve effectiveness of key international, regional and national actors to advance the realization of all human rights for all (<i>MIP objective</i>)	Status of ratification by countries of International Human Rights Treaties			United Nations Office of the High Commissioner for Human Rights - Human Rights Indicators Interactive Dashboard https://indicators.ohchr.org/	<i>Not applicable</i>
Outcome	To enhance the global leadership of the Office of UN High Commissioner for Human Rights and reinforce its policy influence and impact within the United Nations system and worldwide	Reported progress in <i>Operational Management Plan</i> targets for 2022-2024	As per 2021 OHCHR annual report		OHCHR annual reports	
Output related to Outcome	Strengthened capacities of the Office of the UN High Commissioner for Human Rights, including human rights treaty bodies and special procedures (<i>MIP result</i>)	Reported progress in <i>Operational Management Plan</i> targets for 2022-2024	As per 2021 OHCHR annual report		OHCHR annual reports	

4. IMPLEMENTATION ARRANGEMENTS

4.1. Financing Agreement

In order to implement this action, it is not envisaged to conclude a financing agreement with any partner

4.2. Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

4.3. Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures¹⁸.

4.3.1. Indirect Management with an international organisation

This action will be implemented in indirect management with the Office of the High Commissioner of Human Rights, which is both the immediate beneficiary and the implementing partner of the action.

OHCHR is considered covered under the pillar assessment of the UN Secretariat.

4.4. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

4.5. Indicative Budget

Indicative Budget components¹⁹	EU contribution (amount in EUR)	
Implementation modalities – Indirect management with OHCHR contribution agreement – support for the years 2022, 2023, 2024	15,900,000	
Evaluation – cf. section 5.2 Audit – cf. section 5.3	will be covered by another Decision	N.A.
Totals	15,900,000	

4.6. Organisational Set-up and Responsibilities

¹⁸ www.sanctionsmap.eu. Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

¹⁹ N.B: The final text on audit/verification depends on the outcome of ongoing discussions on pooling of funding in (one or a limited number of) Decision(s) and the subsequent financial management, i.e. for the conclusion of audit contracts and payments.

In line with the Joint Communication on strengthening the EU's contribution to rules-based multilateralism, the European Commission will set up a framework for a strategic partnership between the EU and the OHCHR with a view to strengthen dialogue on human rights policy and cooperation.

The procurement and management of any grants resulting from this decision will be carried out by OHCHR.

The European Commission maintains close relationship with the OHCHR through its Donor and External Relations section and OHCHR Regional Office for Europe. The Regional Office for Europe is also mandated to act regarding the external aspects of the EU policies.

5. PERFORMANCE MEASUREMENT

5.1. Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process, and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (Outputs and direct Outcomes) as measured by corresponding indicators, using as reference the results framework of the OHCHR operational management plan..

As regards the un-earmarked contribution to the OHCHR budget, reporting to the EU takes the form of the OHCHR Annual Report. For the earmarked portion, OHCHR will provide narrative and financial reports.

OHCHR uses its monitoring and evaluation function to generate and record evidence to inform decision-making. OHCHR is working on setting up an Office-wide Performance Monitoring System, by refining the indicators, developing data protocols, establishing base-lines and creating an IT system that will allow for the consistent collection of data throughout the Office.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.2. Evaluation

Having regard to the nature of the action, a separate evaluation has not been foreseen for this action.

The OHCHR is developing an evaluation policy, which will include country-engagement results. Moving the focus from the project level to the programmatic, thematic, and strategic levels, the OHCHR is working towards an evaluation culture built around the needs of users and the impact on rights holders. Evaluation serves as a tool for learning and for enhancing performance. Evaluation plans are adopted once the planning process is completed for the next period.

The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The Commission may during implementation decide to undertake an evaluation for duly justified reasons either on its own decision or on the initiative of the partner. In this case, the financing of the evaluation shall be covered by a separate measure constituting a financing decision.

5.3. Audit and Verifications

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

The financing of the audit shall be covered by a separate measure constituting a financing decision.

6. COMMUNICATION AND VISIBILITY

The 2021-2027 programming cycle will adopt a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

It will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union's support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

However, action documents for specific sector programmes are in principle no longer required to include a provision for communication and visibility actions promoting the programmes concerned. These resources will instead be consolidated in Cooperation Facilities established by support measure action documents, allowing Delegations to plan and execute multiannual strategic communication and public diplomacy actions with sufficient critical mass to be effective on a national scale.

APPENDIX 1 REPORTING IN OPSYS

An Intervention (also generally called project/programme) is the operational entity associated to a coherent set of activities and results structured in a logical framework aiming at delivering development change or progress. Interventions are the most effective (hence optimal) entities for the operational follow-up by the Commission of its external development operations. As such, Interventions constitute the base unit for managing operational implementations, assessing performance, monitoring, evaluation, internal and external communication, reporting and aggregation.

Primary Interventions are those contracts or groups of contracts bearing reportable results and respecting the following business rule: 'a given contract can only contribute to one primary intervention and not more than one'. An individual contract that does not produce direct reportable results and cannot be logically grouped with other result reportable contracts is considered a 'support entities'. The addition of all primary interventions and support entities is equivalent to the full development portfolio of the Institution.

The present Action identifies as

Action level		
<input type="checkbox"/>	Single action	
Group of actions level		
<input checked="" type="checkbox"/>	Group of actions	NDICI HR INTPA/2021/43115 and NDICI HR INTPA/2021 <input type="text" value="2021"/> <input type="text" value="2021"/> /043-408
Contract level		
<input type="checkbox"/>	Single Contract 1	
<input type="checkbox"/>	Single Contract 2	
	(...)	
<input type="checkbox"/>	Group of contracts 1	