

# EN



## ANNEX 7

of the Commission Implementing Decision on the Multi-Annual Action Programme 2018-2020 for the European Instrument for Democracy and Human Rights (EIDHR) to be financed from the general budget of the Union

### **Action Document for Supporting key actors – Office of the United Nations High Commissioner for Human Rights (UN OHCHR)**

#### **INFORMATION FOR POTENTIAL GRANT APPLICANTS**

##### **WORK PROGRAMME FOR GRANTS**

This document constitutes the work programme for grants in the sense of Article 110(2) of the Financial Regulation, in the following sections concerning grants awarded directly without a call for proposals: 5.4.1

<b>1. Title/basic act/ CRIS number</b>	<b>Supporting key actors – Office of the United Nations High Commissioner for Human Rights (UN OHCHR)</b>  CRIS number: EIDHR/2018/041-031 for <b>EUR 4,400,000</b> , EIDHR/2019/041-338 for <b>EUR 4,550,000</b> and EIDHR/2020/041-344 for <b>EUR 4,550,000</b>  financed under the European Instrument for Democracy and Human Rights	
<b>2. Zone benefiting from the action/location</b>	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.	
<b>3. Programming document</b>	Multiannual Indicative Programme (2018-2020) for the Instrument for Democracy and Human Rights Worldwide - Commission Implementing Decision C(2018)6409	
<b>4. Sector of concentration/ thematic area</b>	Human Rights and Democracy	DEV. Aid: YES
<b>5. Amounts concerned</b>	Total estimated cost: <b>EUR 13,500,000</b>  The contribution is for an amount of <b>EUR 4,400,000</b> from the general	

	budget of the European Union <b>for 2018</b> , for an amount of <b>EUR 4,550,000</b> from the general budget of the European Union <b>for 2019</b> and for an amount of <b>EUR 4,550,000</b> from the general budget of the European Union <b>for 2020</b> , subject to the availability of appropriations following the adoption of the relevant budget.			
<b>6. Aid modality(ies) and implementation modality(ies)</b>	Project Modality  Direct management –grants – direct award			
<b>7 a) DAC code(s)</b>	15160 - Human Rights and Democracy			
<b>b) Main Delivery Channel</b>	United Nations High Commissioner for Human Rights (extra-budgetary contributions only) - 41313			
<b>8. Markers (from CRIS DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
	Aid to environment	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
	Trade Development	<input type="checkbox"/>	<b>X</b>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	<input type="checkbox"/>	<b>X</b>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Biological diversity	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9. Global Public Goods and Challenges (GPGC) thematic flagships</b>	N/A			
<b>10. SDGs</b>	The whole SDG framework, as the OHCHR is seeking to ensure that strategies and policies to implement the 2030 Agenda are human rights-based.  Targeting People, Planet and Peace.			

## SUMMARY

The core objective is to enhance the global leadership of the UN High Commissioner for Human Rights and to reinforce his/her policy influence within the United Nations system and worldwide. In view of this reinforcement, the EIDHR 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 (OHCHR).

The action is an extra-budgetary voluntary contribution to the 2018, 2019 and 2020 Budget of the OHCHR.

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 new **EU Action Plan on Human Rights and Democracy: 'Keeping human rights at the heart of the EU agenda'** which was adopted on 20 July 2015, in particular its action 6 focusing on the strengthening of the cooperation with the UN mechanisms.<sup>1</sup> It is equally relevant to the implementation of the Gender Action Plan 2 (GAP 2)<sup>2</sup>.

The action falls under the objective 5 of the **EIDHR** which foresees “*support to targeted key actors and processes, including international and regional instruments and mechanisms*”.

## 1 CONTEXT

### 1.1 Sector/Country/Regional context/Thematic area

The OHCHR Plan of Action of 2005 presented an overall vision for the future direction of the Office. This Plan of Action is implemented through OHCHR Management Plans (OMPs) that detail the means by which OHCHR aims to work with Member States to continue putting this vision into operation. The OMP provides a comprehensive overview of the areas of work on which OHCHR will focus during the subsequent years and the resources that will be required.

In 2016, the Office began to put in place the key elements for the programme planning process through which UN Human Rights will define its strategic direction for the next four years (2018-2021) and has initiated a broad-based, participatory process to do so. The goal is to set the OHCHR strategic priorities that meet its mandated obligations, are aligned to the Secretary-General's Strategic Framework, and are commensurate with its resource base. The outcome of this process will also further define OHCHR's contribution to the implementation of the 2030 Agenda for Sustainable Development, with its promise to leave no one behind.

This planning process is taking place throughout 2017, culminating with the launch of OHCHR's Management Plan for 2018-2021 in 2018, foreseen in May-June 2018.

---

<sup>1</sup> Council Conclusions on the Action Plan on Human Rights and Democracy 2015 – 2019, adopted by FAC on the 20 July 2015

<sup>2</sup> Joint Staff Working Document (SWD(2015)0182) – Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020, published 21 September 2015

### **1.1.1 Public Policy Assessment and EU Policy Framework**

This action 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.*"<sup>3</sup> 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, rule of law, access to justice and personal security (in Goal 16), as well as an 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.

The OHCHR work is also in line with the New European Consensus on Development, in particular its focus areas of People, Planet and Peace, and with the EU Strategic Framework on Human Rights and Democracy and the Action Plan on Human Rights and Democracy, which calls for promoting action at multilateral level and for mainstreaming of human rights across the EU's external action. It is also firmly anchored into the EU Gender Action Plan. 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 stimulating a gender-sensitive cultural shift within institutions.

In contributing to enhance the OHCHR's global leadership, the EU expects achievement of two of its key objectives, reaffirmed by the Council in adopting the EU Strategic Framework on Human Rights and Democracy with an Action Plan for putting it into practice. The Strategic Framework (25 June 2012) builds on the Joint Communication '*Human rights and democracy at the heart of EU external action – towards a more effective approach*' adopted by the European Commission and the High Representative. These two commitments are:

- (1) The promotion of universality of human rights

---

<sup>3</sup> <http://www.ohchr.org/Documents/Issues/MDGs/Post2015/HRAAndPost2015.pdf>

"The EU reaffirms its commitment to the promotion and protection of all human rights, whether civil and political, or economic, social and cultural. The EU calls on all States to implement the provisions of the Universal Declaration of Human Rights and to ratify and implement the key international human rights treaties, including core labour rights conventions, as well as regional human rights instruments. The EU will speak out against any attempt to undermine respect for universality of human rights."<sup>4</sup>

(2) The commitment to work through multilateral institutions

"The EU remains committed to a strong multilateral human rights system which can monitor impartially implementation of human rights norms and call all States to account. The EU will resist strenuously any attempts to call into question the universal application of human rights and will continue to speak out in the United Nations General Assembly, the UN Human Rights Council and the International Labour Organisation against human rights violations."<sup>5</sup> The Council also recognises that "The independence and effectiveness of the UN Office of the High Commissioner for Human Rights, as well as of the treaty monitoring bodies and UN Special Procedures, is essential."<sup>6</sup>

The Regulation (EU) No 235/2014 of the European Parliament and of the Council establishing a financing instrument for democracy and human rights worldwide (EIDHR), adopted the 11 March 2014, foresees the "support to targeted key actors and processes, including international and regional instruments and mechanisms", which is the **Objective 5 of the Multiannual Indicative Programme 2018-2020**. The Regulation (EU) No 236/2014 of the European Parliament and of the Council laying down common rules and procedures for the implementation of the Union's instruments for financing external action, adopted the 11 March 2014, includes the specific financing provision in Article 6.1.c).iii) that EU financing may take the form of direct grants to the OHCHR.

### *1.1.2 Stakeholder 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 offers leadership, work objectively, educate and take action to empower individuals and assist States in upholding human rights. It also support 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.

---

<sup>4</sup> Second heading of the EU Strategic Framework on Human Rights and Democracy

<sup>5</sup> Seventh heading of the EU Strategic Framework on Human Rights and Democracy

<sup>6</sup> Seventh heading of the EU Strategic Framework on Human Rights and Democracy

### *1.1.3 Priority areas for support/problem analysis*

Funding received by OHCHR is not commensurate with needs and spending. In 2012 OHCHR underwent a budget reduction exercise for the first time. The ever-increasing demands for support from the Office saw the extra-budgetary cost plan rise to nearly US\$151.5 million against an expected income of US\$110 million in 2012. In light of this fact, the OHCHR undertook in the context of the 2012 Mid-Year Review an in-depth budget reduction exercise identifying possible cuts amounting to 15 per cent, which compelled the OHCHR to question the status quo in terms of distribution of resources and explore new ways to prepare and discuss its annual cost plans. The various reductions demonstrated that although there is room for efficiency gains in existing programmes, streamlining has its limits and costs were reduced 12% for 2013. The OHCHR must, therefore, complement its requirements from extra-budgetary sources. The OHCHR therefore needs the full support of donors and this action will support the overall objectives of the OHCHR Office Management Plan (OMP), covering a 4 years cycle, the last one being the 2014-2017 OMP.

The OMP 2014-2017, covering two biennial budget cycles, 2014-2015 and 2016-2017, is adapted to the biennial budget cycle of the United Nations Secretariat to provide a comprehensive picture of its objectives, activities and requirements, irrespective of funding sources. By adopting a four-year cycle, not only for activities funded from the regular budget but for all the work, the OHCHR can plan more effectively and enter into longer-term agreements with its partners. This Plan will also be results-based and will assume a cross-branch, one-office approach to planning and implementing activities.

The goal for the 2014-2017 OMP was to make the most of the resources in implementing the human rights mandate of the United Nations. It brought together various elements of OHCHR's mandate around a set of thematic priorities in order to increase synergies between them and to avoid overlaps. The six thematic priorities of the 2014-2017 OMP were: strengthening international human rights mechanisms, enhancing equality and countering discrimination, combating impunity and strengthening accountability and the rule of law, integrating human rights in development and the economic sphere, widening the democratic space, and the early warning and protection of human rights in situations of conflict, violence and insecurity. All the thematic priorities have implications for civil, economic, political and social rights. This was the first time that OHCHR identified a set of thematic priorities for a four year period.

For the next cycle, 2018-2021, it is expected that the OMP will keep (at least to a large degree) the focus of the 2016-2017 period, which is:

1. **Strengthening early warning and effective early action**, as invariably conflict, violence and insecurity are preceded by widespread human rights abuse. Clearly identifiable patterns of such abuse, including discrimination, are early indications of potential or emerging crises. Pre-emptive, targeted human rights interventions can have a significant impact - preventing or mitigating deterioration into violence.
2. **Protecting and expanding civil society space** as vibrant participation in societies is a human right and indispensable to sustainable peace. Civil society provides an essential platform from which people can participate to bring about the very kind of change for which the United Nations advocates and the international community calls for in its 2030 Agenda.
3. **Peaceful co-existence, prevention of hate and erosion of the politics of fear** as preventing and countering violent extremism (P/CVE) as part of broader counter-terrorism

policies and practices, is taking greater prominence with the rise of the so-called Islamic State and tragic attacks against civilians the world over. Violence and terrorism feed and are fed by political discourse rooted in hatred - whether sectarian, religious, national, ethnic or racial. Violent ideologies, whose values claim justification for violence, torture and identity-based hatred, incite and promote violence including violent extremism.

**4. Protecting the rights of people on the move and countering xenophobia** as international migration is an increasingly complex phenomenon which has involved the often-precarious movement across borders of some 258 million people living in country other than their country of birth, women alone account for 48.8% of international migrants, 65.6 million people around the world have been forced from home and among them are nearly 22.5 million refugees, over half of whom (51%) are children under the age of 18, as well as an estimated 20 per cent of whom are in an irregular situation. Migrants are disproportionately vulnerable to discrimination, marginalization, exploitation, violence and xenophobia, having limited access also to guarantees of due process and remedies.

**5. Advancing the 2030 Agenda, Implementation of the Sustainable Development Goals** as economic, security and environmental crises in various regions of the world illustrate powerfully the interdependence of human rights with development and with peace and security. Economic growth without adequate measures to promote inclusive and participatory development has been shown to be unsustainable, while the root causes of violent conflict are found in discrimination, inequalities, and denials of human rights. Seeking to engage these realities globally, the 2030 Agenda for Sustainable Development is a paradigm shift. It sets out a comprehensive and integrated vision of sustainable development, applicable to all people in all countries and is explicitly anchored in universal and indivisible human rights.

**2 RISKS AND ASSUMPTIONS**

<b>Risks</b>	<b>Risk level (H/M/L)</b>	<b>Mitigating measures</b>
Practical implementation can be affected by the situation prevailing in countries and regions (Political crisis, insecurity, lack of commitment)	M	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 have been developed and applied.
Coordination difficulties between the OHCHR Geneva and its partners	L	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. It led to an increased capacity to make strategic decisions.
Partners should have the capacity to deliver in time, including capacity of civil society actors for sustained follow-up of activities	L	The Office uses an innovative web-based PMS, which facilitates planning, monitoring, reporting, knowledge

		management and financial monitoring.
<b>Assumptions</b>		
The OHCHR will adopt and publish the OMP 2018-2021 by 2018, most probably in May-June 2018.		

### 3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

#### 3.1 Lessons learnt

The European Union and EIDHR has been a regular donor to the OHCHR. On the basis of the EIDHR Regulation (EC) No1889/2006, the EIDHR Strategy Paper 2011-2013 included an annual indicative contribution of EUR 4,000,000 to support operations of the OHCHR. The Special Measure for the financing of the 2014 EIDHR Work Programme adopted on the 24 July 2014 foresaw a contribution of EUR 4,000,000 as well as the 2015 EIDHR Annual Action Programme, adopted on the basis of the EIDHR Regulation (EU) No 235/2014 of the 11 March 2014, and the EIDHR Strategy Paper 2014-2017 of the 21 October 2014. The 2016-2017 EIDHR Multiannual Action Programme pursued the trend with an annual voluntary contribution to the OHCHR budget of EUR 3,400,000 for 2016 and EUR 4,000,000 for 2017.

Furthermore, the EU supports earmarked projects, which on-going portfolio amounts 19.26 million EUR founded by various EU financial instruments. Under the EIDHR centrally-managed support, the EU finances the necessary technical equipment and the first year and half of the operational costs for webcasting the Human Rights Treaty Bodies, supports some of the activities of the UN Special Rapporteurs on human rights defenders, freedom of association, and freedom of expression and supports the deployment of Human Rights Indicators. A number of projects has also been developed at EU Delegation level, as for instance the support to the implementation and Monitoring of 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 Human Rights Protection on land and natural resources issues at the institutional, judicial and civil society levels in Cambodia. Providing the means to the OHCHR for reinforcing its the key aspects of its system has a high multiplier effect. The webcasting of the Human Rights Treaty Bodies allows a lot of stakeholders to follow the debate in particular in country concerned which makes a great difference. The deployment of Human Rights Indicators will facilitate the measurement of progress and the three UN Special Rapporteurs support addresses shrinking space at the highest level. The support of activities at country level through OHCHR gains in neutrality as they are developed by the United Nations.

On the basis of the contributions received by the OHCHR in 2016, this EU annual recurrent contribution represented 42% of approximately 8 % of the voluntary contributions received by OHCHR in 2016, EU member states contributions not being included. In fact, the EU was 4<sup>th</sup> in ranking as a contributor to the OHCHR in 2016 (out of 82 institutional donors).

Based on the successful experience and needs for reinforcement of the OHCHR, the European Union in 2018, 2019 and 2020 will pursue and increase its overall support to operations of the OHCHR, contributing for an average of EUR 4,500,000 per year to the OHCHR budget.



### **3.2 Complementarity, synergy and donor coordination**

This project is an un-earmarked contribution to the OHCHR budget and in no way constitutes the only EIDHR support for the rights and activities covered by the OHCHR OMP. Proposals for projects specifically targeting some of these rights may be presented by other organisations under EIDHR calls for proposals to be launched this year.

The global funding needs of the Office of the High Commissioner for Human Rights (OHCHR) are covered by the United Nations regular budget, which is the outcome of a negotiation among Member States, at a rate of approximately 40 per cent. The remainder is covered by voluntary contributions from Member States and other donors, such as international organisations (UN agencies or funds, the EU, the International Criminal Court), civil society and individual donors. Each year, the OHCHR launches its UN Human Rights Appeal that presents to the international community an overview of its foreseen activities for the coming year with an estimation of the costs.

Exchanges of view, good collaboration and coordination between the EU and OHCHR in the framework of EIDHR support at headquarters level, in Geneva with the EU Delegation as well as field level, benefit the two organisations in securing complementarity and impact leverage.

Complementarity and synergy will be sought also with the EU external relations and policy work. The EU is engaged in a close relationship with the OHCHR and the different human rights monitoring mechanisms at UN level and many side-events are organised by the EU in New York or Geneva in the course of monitoring mechanisms' meetings, in particular the UN Human Rights Council and the 3rd Committee. The EU Delegations in New York and Geneva are very active and collaborate closely with the Office on Human Rights matters. The outcomes of the diverse UN Human Rights mechanism, including those pertaining to the rights of indigenous peoples, are regularly used for country situation assessments in the framework of the EU external relations. The regional Offices of the OHCHR are engaged in close relationship with relevant EU Delegations.

### **3.3 Cross-cutting issues**

The OHCHR directly targets the protection and promotion of all human rights for all people. Mainstreamed issues identified in the EIDHR Strategy are not only taken into account by the OHCHR, but are also the subject of specific activities: children, women, gender-based discrimination, Lesbian/Gay/Bisexual and Transsexual persons, people with disabilities, indigenous peoples, persons belonging to minorities, people on the move e.g. migrants, internally displaced persons and refugees, and people affected by caste based discrimination.

## **4 DESCRIPTION OF THE ACTION**

### **4.1 Objectives/results**

The **core objective** is to enhance the global leadership of the UN High Commissioner for Human Rights and to reinforce his/her policy influence within the United Nations system and worldwide.

The EIDHR support relates to the overall objectives of the OHCHR OMP which are the translation of the OHCHR mandate into programmatic terms expressed into eleven expected accomplishments through the identification of specific thematic priorities (the Thematic Strategies). The OHCHR **OMP targets** for 2014-2017 are<sup>7</sup>:

- increased compliance of national legislation, policies, programmes and institutions, including the judiciary and national human rights institutions (NHRIs)
- increased ratification of international and regional human rights treaties and review of reservations of international human rights treaties;
- establishment and functioning of protection systems and accountability mechanisms in compliance with international human rights standards to monitor, investigate and redress the full range of human rights violations;
- increased compliance of national legislation, policies, programmes and institutions with international human rights standards to combat discrimination, particularly against women; increased use of existing national protection systems and participation in public processes by rights-holders, especially women and discriminated groups; increased compliance and engagement by States with UN human rights mechanisms and bodies; increased number and diversity of rights holders and other stakeholders making use of UN human rights mechanisms;
- progressive development and strengthening of international and regional human rights institutions, laws and standards; enhanced coherence of UN human rights mechanisms and bodies;
- international community increasingly responsive to critical human rights situations and issues;
- a human rights based approach<sup>8</sup> (including gender equality) and the right to development increasingly integrated into UN policies and programmes.

During each of the four years within a specific programming cycle, all parts of OHCHR reflect and decide on how best to contribute to the office-wide thematic results to define their annual work-plans.

This programme is highly relevant for the Agenda 2030. As described in section 1.1 above, due to the OHCHR effort towards the integration of human rights throughout the SDG process, the action contributes to the progressive achievement of the whole SDG framework and its promise of leaving no-one behind. More particularly the action targets the goals 10, 16 and 17.

## **4.2 Main activities**

The EIDHR voluntary 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:

---

<sup>7</sup> Annexes of the OHCHR OMP 2014-2017

<sup>8</sup> [https://ec.europa.eu/europeaid/sectors/rights-based-approach-development-cooperation\\_en](https://ec.europa.eu/europeaid/sectors/rights-based-approach-development-cooperation_en)

(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, including activities that encourage civil society participation to the Universal Periodic Review.

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, a reinforced New York presence, an annual thematic human rights report, a global campaign for human rights, and more involvement in efforts to advance poverty reduction and the Millennium Development Goals

(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

### **4.3 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 work through multilateral institutions (for more detail see section 1.1.1 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 Strategic Framework on Human Rights and Democracy and its Action Plan.

Close cooperation and information sharing with 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.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country.

### **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of adoption by the Commission of this Action Document.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

### **5.3 Implementation of the budget support component: N/A**

### **5.4 Implementation modalities**

Both in indirect and direct management, 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 measures affecting the respective countries of operation<sup>9</sup>.

#### **5.4.1 Grants: three direct awards to the Office of the United Nations High Commissioner for Human Rights (direct management)**

(a) Objectives of the grant, fields of intervention, priorities of the year and expected results

The objective of the actions are to enhance the High Commissioner's global leadership and reinforcing its policy influence role within the United Nations system and worldwide. The Office of the United Nations High Commissioner for Human Rights (OHCHR) will develop activities along its OMP and its UN Human Rights Appeal for 2018, for 2019 and for 2020 respectively.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to the Office of the United Nations High Commissioner for Human Rights.

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposals is justified because the beneficiary is a body identified in the basic act on which this decision is based. The Regulation (EU) No 235/2014 includes in its Objective 5 the "support to targeted key actors and processes, including international and regional instruments and mechanisms" and the Regulation (EU) No 236/2014, laying down common rules and procedures for the implementation of the Union's

---

<sup>9</sup> [https://eeas.europa.eu/sites/eeas/files/restrictive\\_measures-2017-04-26-clean.pdf](https://eeas.europa.eu/sites/eeas/files/restrictive_measures-2017-04-26-clean.pdf)

instruments for financing external action (CIR), includes the specific financing provision in Article 6.1.c).iii) that EU financing may take the form of direct grants to the Office of the United Nations High Commissioner for Human Rights (OHCHR).

(c) Eligibility conditions

The eligibility criteria for applicants will be the default scope defined in Article 11.2 of the Regulation (EU) No 236/2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action (CIR).

(d) Essential selection and award criteria

The essential selection criteria are the financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the financial instrument.

(e) Maximum rate of co-financing

As voluntary contributions to the Budget of the OHCHR, the subventions will be delivered whatever the total amount of the funds collected by OHCHR for its respective Human Rights Appeal for 2018, 2019 and for 2020. At the end of these respective budget years, it will be possible to determine the percentage of the EU contribution per year. As a basis for appreciation, the total estimated budget for the Human Rights Appeal 2017 was USD 252,949,000.

If full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100 %. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(f) Indicative trimesters to conclude the three grant agreements

Third trimester of 2018 for the annual voluntary contribution to the 2018 OHCHR Budget, third trimester of 2019 for the annual voluntary contribution to the 2019 OHCHR Budget and third trimester of 2020 for the annual voluntary contribution to the 2020 OHCHR Budget.

## 5.5 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.

## 5.6 Indicative budget

Direct management with UN-OHCHR	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
5.4.1 – Direct grants to UN-OHCHR (direct management)  On 2018 EU Budget	4,400,000	tbd

On 2019 EU Budget	4,550,000	tbd
On 2020 EU Budget	4,550,000	tbd
Totals	13,500,000	tbd

### **5.7 Organisational set-up and responsibilities**

The procurement and management of the grants resulting from this decision will be carried out by the European Commission Headquarters.

The European Commission maintains close relationship with the OHCHR headquarters through its Donor and External Relations section and its Regional Office for Europe. The core mandate of the Regional Office for Europe is to protect and promote human rights and rule of law here, in the 28 countries of the European Union, in persuading and assisting governments and the European institutions (to which governments have transferred certain competencies) to align their laws, policies and practices with the UN Treaties. In that prospect the Regional Office for Europe is also mandate to act regarding the external aspects of the EU policies.

### **5.8 Performance 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.

As the EU support to OHCHR is a non-earmarked contribution to the OHCHR budget, reporting to the EU takes the form of the OHCHR Annual Report.

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).

### **5.9 Evaluation**

Having regard to the nature of the action, a separate evaluation has not been foreseen for this action, instead we will rely on the evaluation procedures of OHCHR.

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 another measure constituting a financing decision.

### **5.10 Audit**

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 another measure constituting a financing decision.

### **5.11 Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.6 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

**APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY)**

Given the nature of an un-earmarked contribution, a project-specific logframe matrix is not considered appropriate.

Reporting will take the form of the OHCHR Annual Report, and achievement will be reported in relation to the targets and indicators of the OHCHR OMP (available in the course of 2018).

	<b>Results chain</b>	<b>Indicators</b>	<b>Baselines (incl. reference year)</b>	<b>Targets (incl. reference year)</b>	<b>Sources and means of verification</b>	<b>Assumptions</b>
<b>Overall objective: Impact</b>						
<b>Specific objective(s): Outcome(s)</b>						
<b>Outputs</b>						