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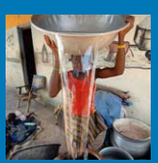
Chapter 09

STRATEGIC PLANNING FOR HUMAN RIGHTS IMPACT: INTEGRATING MONITORING INTO OVERALL PLANNING

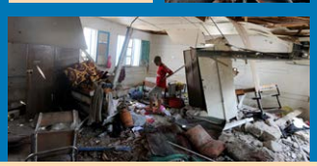


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STRATEGIC PLANNING FOR HUMAN RIGHTS IMPACT: INTEGRATING MONITORING INTO OVERALL PLANNING







A.	**Key concepts**	**3**
B.	**Introduction**	**4**
C.	**Developing human rights monitoring strategies**	**8**
1.	Key questions in shaping strategy	9
2.	Planning tools	10
3.	Selecting priority areas for monitoring	11
4.	Selecting monitoring activities	13
5.	The role of others: coordination and collaboration	15
6.	Allocating resources	18
7.	Adapting to changed circumstances	18

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A. Key concepts

- Together with capacity-building, technical assistance and advocacy, human rights monitoring constitutes one of the key tools at the disposal of Office of the United Nations High Commissioner for Human Rights (OHCHR) to perform its mandate to promote and protect human rights. To ensure the efficient use of resources and maximize impact, human rights monitoring must be an integral part of a presence's overall strategic planning.
- Careful strategizing and planning clarifies the specific contribution of monitoring to achieving the goals of the presence. It brings coherence and strategic thinking to monitoring activities.
- While planning monitoring activities, presences should identify clearly the objectives they seek to achieve and how these align with the overall priorities of the presence. They should consider the types of monitoring to be employed, identify the added value that OHCHR brings in the specific context, anticipate and mitigate against potential risks and contingencies, and assess the resources required to implement monitoring successfully.
- The progress of any human rights monitoring strategy towards its specific results and its contribution towards the overall goals of the presence need to be assessed on an ongoing basis. Some level of agility in planning is likely to be needed to take into account changes in the environment. Strategies should be rectified and/or adapted on the basis of the information gathered through this process.
- The strategic planning of human rights monitoring takes place at different levels and is a management task for the entire presence. It is part of the overall preparation of the country programme or strategy and is the ongoing responsibility of monitoring teams and individual human rights officers (HROs). The complexity of monitoring strategies and plans depends on the breadth of issues covered, the resources available and the scope of the results pursued.




B. Introduction

Human rights monitoring is one of the key means available to OHCHR presences to promote and protect human rights. It is inherent in the global mandate of the United Nations High Commissioner for Human Rights, and monitoring is often specifically mentioned in the mandates of individual presences.

This chapter invites presences to plan their monitoring work strategically. It identifies key questions to ask in order to ensure strategic planning and suggests tools that may be helpful for this process, as well as providing guidance on key issues such as choosing the focus of monitoring activities and the type of activities to undertake as part of that monitoring. Recognizing the contributions of other actors, this chapter addresses issues of coordination and collaboration as part of the planning step. It also stresses the need for flexibility to cope with changed circumstances. It does not provide detailed guidance on the OHCHR planning documentation that is expected (which is instead to be found in internal instructions and guidelines, such as those related to the preparation of annual workplans), nor does it cover the various aspects of implementing plans, including the planning of information collection (see chapter on *Gathering and verifying information*).

What do we mean by monitoring?

Human rights monitoring is a broad term, encompassing a continuum of activities from the active collection of information to analysis, verification and use of information to assess and address human rights concerns (see chapter on *Definitions and the human rights monitoring cycle*). The monitoring cycle, as it is called, can be visualized in the following manner:



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There are different types of activities that can be undertaken under the rubric of monitoring. These may include:

- Online media monitoring;
- Research and analysis;
- Observation of human rights (e.g. observing demonstrations, trials or assemblies, with an active process of watching events as they occur and responding to human rights issues that arise);
- Visits to places where violations allegedly occurred or are occurring;
- Human rights fact-finding activities to gather information relating to alleged human rights violations;
- Conducting a detailed human rights investigation into specific incidents or violations; and
- Preparing a report for public release or for non-public engagement.

The range of activities and steps that take place in human rights monitoring requires coherent planning and an array of planning tools adapted to each activity, which may include an information collection plan, a monitoring mission, an investigation or the preparation of a public report. At the outset, it is important to have a clear understanding of why monitoring is crucial in promoting and protecting human rights.

Why is monitoring so crucial?



Monitoring identifies alleged human rights violations and abuses, and the entities (and potentially individuals) responsible, as well as highlighting trends, patterns and (root) causes. It informs preventive and protection actions. It provides the basis for early warning, empowers rights holders and enhances referral systems. Monitoring can help develop remedies – which may involve policy and legislative changes, as well as individual remedies and corrective action.

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Monitoring enables a presence to assess the human rights situation in an authoritative manner, to communicate pressing human rights concerns credibly within the country, regionally and internationally, and to shape constructive interventions to improve the human rights situation. Monitoring and reporting on violations demonstrates to victim communities that their rights matter and can amplify calls for reform and redress.

When duty bearers are aware that their actions or inaction are being monitored (e.g. through visible observation of demonstrations, evictions or trials, or regular visits to places of detention), this can prevent violations being committed. Where violations are identified through monitoring, follow-up advocacy can lead to remedial action. In Chad, for example, the monitoring and advocacy work carried out by the OHCHR country office contributed to the release of more than 600 individuals who had been arrested in the context of demonstrations in 2022. Similarly, in Peru, monitoring work and subsequent advocacy by OHCHR in 2023 contributed to the Ministry of Justice and Human Rights providing immediate economic support to 50 severely injured victims of human rights violations and helping to provide urgent medical and financial support to families.

Monitoring can drive accountability by triggering investigations, supporting prosecutions and prompting reparations. The information collected may also support future accountability initiatives at the national, regional and international levels (e.g. where an investigation supported by OHCHR provides case files to domestic or international prosecutorial authorities, or where a presence provides a detailed examination of past violations to a truth commission, as was the case in Timor-Leste). Monitoring can also play a vital role in responding to the individual and societal right to truth.

Monitoring serves as an important foundation for other activities conducted by a presence. It facilitates a data-driven approach to identifying areas in which technical assistance and capacity-building are most needed, and it helps identify weaknesses in legislation, policies, capacity or political will. Monitoring offers feedback on the impact of a mission's advocacy, technical assistance and capacity-building efforts.

Haiti

The human rights component of the United Nations Integrated Office in Haiti (BINUH) monitored the conditions of detention in prisons and advocated for the respect of detainees' rights. Following these visits, the Office provided technical and material support to judicial actors to organize habeas corpus sessions and special hearings. Overall, this contributed to the release of persons held in prolonged pretrial detention for minor offences in the prisons of Cap-Haïtien and Gonaïves.

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Colombia

The OHCHR Office in Colombia monitors the human rights impact of violence and armed conflict in several areas of the country. The Office regularly updates data gathered on different types of violations and, since July 2022, has published an index on the impact of the violence. The data gathered informs the public advocacy and human rights reporting conducted by the United Nations, as well as the technical support it provides to the Government and State bodies.

Monitoring human rights is vital for global peace and security. As recognized by the Security Council, accurate human rights information helps to identify the root causes and drivers of conflict and crisis. In conflict-affected countries, monitoring and reporting on violations of international human rights law and international humanitarian law provides critical information that triggers an enhanced protection response for all, including the most vulnerable populations, and it promotes accountability. As the High Commissioner stated in 2023:

> "In places devastated by conflict and insecurity, from Haiti to the Occupied Palestinian Territory, Sudan, and Ukraine, our human rights monitoring shed much needed light on the true scale and nature of human suffering. This painstaking work of investigating and documenting, often carried out under extremely difficult conditions, supported humanitarian and peace efforts. It also contributed to advocacy and interventions aimed at ending the increasingly prevalent violations of international human rights and humanitarian law, while laying the necessary groundwork for accountability."[1]

Analysis from monitoring can inform and strengthen early warning, prevention, mitigation and response actions by the United Nations and can assist in the design of solutions that leverage United Nations expertise and capacities in the fields of humanitarian response, mediation, peacebuilding, transitional justice and accountability, as well as consolidating the commitment of the United Nations to promote sustained peace and security for all. Information collected through OHCHR monitoring is used regularly by peace missions, United Nations country teams and the United Nations system more broadly.

Ukraine

By providing in-depth information about the human rights situation in Ukraine to the protection cluster, OHCHR contributed to the adoption of human rights-sensitive approaches to the humanitarian response and to the inclusion of persons in vulnerable situations, such as persons with disabilities and older persons. The monitoring and advocacy efforts of OHCHR also yielded concrete improvements in the treatment of prisoners of war under the control of Ukraine, with the Office observing marked enhancements in prisoner of war camps in response to its concerns, including improved food portions, a reduction in some punitive measures and the discontinuation of some coercive practices.

1 OHCHR, *Report 2023* (Geneva, United Nations, 2024), Foreword by the High Commissioner, pp. 5– 6.

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C. Developing human rights monitoring strategies

Developing a human rights monitoring strategy as part of the overall strategic planning of the presence

- Brings coherence and tactical thinking to monitoring activities, including by prioritizing monitoring where relevant
- Facilitates the allocation of adequate resources for monitoring
- Facilitates the verification of human rights progress
- Maximizes the contribution of monitoring to the other activities of the presence, such as advocacy, technical assistance and capacity-building.

Strategically planning monitoring activities in alignment with the overall country programme prevents HROs from conducting human rights monitoring in a mechanical and routine manner. It encourages HROs to critically assess their interventions in terms of the changes they aim to achieve. Such an approach also helps minimize reactive and ad hoc monitoring that focuses solely on current or visible issues raised by others. Planning fosters a deeper consideration of human rights issues that may have been historically neglected.

Moreover, given the inevitable resource limitations, it is not possible for a presence to monitor all the human rights of all persons in all areas of a country at any given time. It is crucial to prioritize what will be monitored, where and by whom.

Planning should factor in elements that may trigger early warning monitoring (e.g. of any significant and sudden deterioration of the security situation, or of life threats against individuals, groups or segments of the population). (See also section 7, "Adapting to changed circumstances".)

A variety of operational matters will need to be considered further.

- How will HROs be proactive in monitoring human rights as opposed to dealing only with cases that are brought to their attention?
- How will HROs attempt to reach out to those with information (including victims and civil society organizations) who may have only limited access to the presence?
- Will HROs monitor individual cases or thematic situations, or both?
- Will HROs monitor general trends and patterns of violations?
- Will HROs advocate for individual corrective action and/or systemic or policy change? If so, how, and who will undertake that engagement?

While considering a possible strategy, HROs need to assess the resources required to implement it successfully, and to map the plurality of national and international actors that may be performing complementary activities within the same context as the presence.

Engaging with other national and international actors operating in the same environment will maximize the opportunities for sustainable change in the human rights situation.[2] As much as possible, presences should seek to establish complementary strategies that build on local or national initiatives and reinforce the capacity of rights holders and duty bearers to facilitate the realization of human rights.

2 The methodology for actor mapping is described in the chapter on *Analysis*.

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A consultative planning process resulting in a clear and focused plan can maximize impact and enhance the credibility of the presence. Once defined, country programme results and the subsequent human rights monitoring priorities should be clearly communicated and understood internally, by all HROs, and externally, by the main stakeholders. This could help OHCHR to manage the expectations of stakeholders, while making it accountable for the results planned.

1 Key questions in shaping strategy

In developing a strategy for monitoring, the presence will need to weigh up a number of considerations to tailor a strategy best suited to the human rights context, mandate and external environment.

When considering a monitoring strategy, some key questions are:

- What are the human rights concerns that require priority focus by the presence?
- What is the presence's "added value" (taking into account the plurality of national and international actors performing complementary activities)?
- How will monitoring contribute to the outcomes identified for the presence overall in its country programming?
- What particular events or thematic priorities should be the focus for monitoring?
- What particular forms of monitoring are best suited to meeting the objectives?
- What resources does the presence have available to it for monitoring activities?
- What specific outputs are envisaged for the monitoring activities?
- Can particular synergies be developed through the initiatives of other international or national entities?
- How can monitoring feed into the other types of interventions by the presence (such as advocacy, capacity-building and technical assistance) to improve the results of the country programme?
- What risks and contingencies (e.g. security risks, resource issues or external environment changes) need to be considered? What potential means of mitigation exist?
- What resources will be required for this monitoring? Do any specific staffing considerations (e.g. gender, national versus international staff) need to be taken into account?
- What form of reporting will be undertaken?
- What advocacy will be undertaken? Are there key opportunities for advocacy, whether at the national or international level? Such opportunities may include a key anniversary, a parliamentary inquiry, the adoption of legislation, a visit by a special rapporteur or a regional mechanism, the universal periodic review of the country, the appearance of a representative of the country before a treaty body, or a piece of work conducted by an international commission of inquiry or similar body.
- What follow-up activities will be undertaken?
- How and when will the presence evaluate its success in implementing its monitoring strategy and undertake necessary adjustments?

Many of these steps are common to most planning processes. In essence, they involve working through a considered planning process for the monitoring: seeking to clarify its objectives, goals, means of implementation, assessment and any adjustments required.

There are some factors specific to monitoring that may usefully be explored further.

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The country programme and related monitoring strategies will need to define the contribution of monitoring to results in the country in terms of:

- The anticipated outputs
- The activities to be implemented to deliver those outputs
- Responsibility for the implementation of activities
- The time frame and the resources needed to carry out the activities.

The monitoring strategy should outline which monitoring approaches or activities will be used (e.g. monitoring through presence, fact-finding, visits to informal settlements, court monitoring); which human rights areas or cases to monitor (e.g. emblematic cases, cases illustrative of a pattern of violations); and which resources to use (e.g. all members of a human rights team focusing on a specific issue).

In its monitoring strategies, a presence may include other criteria or processes that it intends to use for monitoring activities that fall outside the country programme objectives, that is, in the context of early warning or unexpected events or crises.

2 Planning tools

Monitoring is planned for in different ways within a presence. This planning involves overall strategic thinking, linking goals with activities and anticipated outcomes, which is the focus of this chapter. There is also a need to plan for the implementation and operationalization of activities. There are a range of tools that presences may find useful for these activities.

With respect to the strategic planning aspect of monitoring activities, some presences have found it helpful to develop one overall monitoring strategy that seeks to articulate the vision for the monitoring to be undertaken against the background of the current human rights situation, and that sets out the expected achievements, modalities and necessary resources. A template for such a standalone monitoring strategy is included in the annex to this chapter. Other presences have elected to reflect their intended monitoring activities in the overall country strategic plan (e.g. in the country strategy or other programming document) and have then developed detailed monitoring plans for particular events (e.g. elections), or themes (e.g. torture and ill-treatment in detention, sexual and gender-based violence, or inadequate access to healthcare).

Whichever approach is taken, the essence of the planning task remains one of deliberating upon what the presence is seeking to achieve through its monitoring and identifying how it will approach and assess this.

When dispatching a team in a given country or region to undertake human rights monitoring on a situation or event, the approach of OHCHR is to develop a concept of operations (CONOPS) or terms of reference (TORs), which set out the strategic planning for the anticipated monitoring activities.

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Additional planning tools

Investigation plan: Where a presence is contemplating an in-depth investigation, it may be useful to develop an investigation plan to guide activities and to outline the precise scope of the investigation and the intended methodology, including specific staffing allocations. Helpful hints on investigation planning can be found in the OHCHR publication, *Commissions of Inquiry and Fact-finding Missions on International Human Rights and Humanitarian Law: Guidance and Practice*.[3]

Information collection plan: a simple tool to guide the information-gathering process, unpacking each issue to be examined and detailing likely sources to be explored (see chapter on *Gathering and verifying information*).

Actor mapping: a tool for understanding key actors and mapping out relationships and channels of influence with respect to the human rights problem. It helps presences and HROs to identify more easily and creatively where the opportunities for influence lie, and it can subsequently guide their corrective actions or advocacy strategies (see chapter on *Analysis*).

Concept note for report: to guide the preparation of public reports. Using this tool can bring clarity to the role and focus of the report and can provide guidance on the anticipated audience and length of the report, associated products and a communication strategy.

3 Selecting priority areas for monitoring

There are a number of criteria that presences may find helpful in prioritizing areas for monitoring:

- **The gravity and scale of the alleged human rights violations**, including the number and situation of rights holders affected
- **Whether the violations are linked to a human rights crisis** impacting on peace and security and affecting large segments of the population or territory (e.g. a conflict or humanitarian emergency) or to potential future crises (e.g. arising from violations in the electoral process or from incitement to racial hatred or violence)
- **The history of the presence** (the background to the establishment of the presence, including indications given in the founding documents, and/or building upon previous work of the presence)
- **Whether the presence will have access** to victims, witnesses and sources and to the sites of the violations concerned
- **The protection of victims, witnesses and sources**
- **Emblematic issues**: issues that could be used as illustrative examples of an overall pattern of violations, or that could be used when undertaking advocacy with duty bearers. In prioritizing emblematic issues, HROs invest in the potential to generate change on a wider scale, beyond the case itself
- **The opportunity to highlight neglected violations or violations against marginalized groups**, that is, human rights violations that are less visible or that have been neglected by other national and international actors. In some cases, if a human rights issue is not considered or perceived as such by local actors, the decision of a presence to tackle it can raise awareness of the issue among other actors and can overcome resistance or indifference (e.g. discriminatory laws and practices against LGBTIQ+ persons)

3 OHCHR, *Commissions of Inquiry and Fact-finding Missions on International Human Rights and Humanitarian Law: Guidance and Practice* (New York and Geneva, 2015).

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- **The "added value" of OHCHR**: Where there are other credible actors undertaking detailed investigations in certain areas, presences will have to consider whether particular added value is brought by OHCHR working on the same issues, or whether the presence would have more impact by focusing on a different area. Depending on the circumstances, other credible actors may include national human rights institutions, civil society organizations and other entities of the United Nations system
- **Potential for positive change**: high potential to positively influence developments as a consequence of having addressed or redressed a case or situation through monitoring. There may be linked opportunities for maximizing impact through coordinated monitoring, advocacy, technical assistance and capacity-building.

Palestine

Before October 2023, the OHCHR presence in the Occupied Palestinian Territory set the priorities for monitoring with a view to its extensive mandated reporting obligations, and in coordination with its partners in the protection cluster (which the Office leads). These priorities have covered violations of international humanitarian law (during escalations of conflict, and violations related to occupation and settlements, such as forcible transfer), extrajudicial or summary executions, arbitrary detention, torture and ill-treatment, violence against women, and freedom of expression, association and assembly. Given capacity limitations, other areas in which there were credible actors undertaking monitoring work were set aside (e.g. working on housing rights, children's rights beyond grave violations as required for reporting under Security Council resolution 1612 (2005), and the situation of those displaced in camps), with a preference for areas in which OHCHR had a comparative advantage. Given the high level of needs regarding civil and political rights, monitoring on economic, social and cultural rights was carried out mainly in connection to violations of international humanitarian law related to Israeli settlements and to the blockade of Gaza. Monitoring by the Office encompassed the three main duty bearers: Israel, the Palestinian Authority and the de facto authority in Gaza (Hamas). Monitoring was planned for the year ahead with a view to informing the mandated annual reports that OHCHR was producing for the General Assembly and the Human Rights Council, as well as the numerous other requirements to report to the Security Council, the Economic and Social Council and other bodies. OHCHR had a multi-year strategy for the themes of the mandated reports, to be revisited every year during the planning process and/or on an ad hoc basis when required because of unexpected developments (such as escalations of protests or of conflict, emblematic killings or settlement expansions in the West Bank, including East Jerusalem). The team integrated gender into monitoring and reporting by ensuring that cases involving women or girls as primary victims were included, and by undertaking a gender analysis of emblematic cases.

The 2023 attacks on Israel by the Izz al-Din al-Qassam Brigades of Hamas and by other Palestinian armed groups, and the subsequent attacks by Israel on Gaza, with the consequent severe increase in violations of international human rights law and international humanitarian law, required significant strengthening of the monitoring and reporting activities of OHCHR. In 2024 alone, the Office released three thematic reports, as well as the mandated General Assembly and Human Rights Council reports. OHCHR also led the verification process for civilian casualty figures. Significant planning was required for the monitoring in order to meet the demands of public reporting. In addition, several statements were issued, at either Headquarters level or local level, harnessing public advocacy as an effective tool for change.

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4 Selecting monitoring activities

There are a range of activities that can form part of a monitoring strategy.

Examples of activities that can be part of a human rights monitoring strategy

Visibility activities[a]

- Establishing a regular presence in areas of greater human rights concern (e.g. setting up a sub-office or having a mobile team visit the area periodically)
- Organizing regular visits to areas of concern (involving the presence alone or working jointly with other United Nations agencies, national or international non-governmental organizations (NGOs), or diplomatic representatives).

Information gathering[b]

- Gathering and analysing existing information on a human rights issue
- Developing questionnaires to assist HROs in conducting interviews
- Conducting interviews with victims, witnesses and other sources
- Conducting regular visits to sites where human rights violations may occur (e.g. informal settlements, places of detention, borders or schools) or where sources are present (particularly in the case of displacement)
- Gathering public statements of authorities or other relevant actors
- Ensuring adequate and secure documenting of the information gathered (e.g. using a database or other information management tool to safely and accurately record the information, including interview notes, lists of contacts and documentation).

The scale of information gathering may vary in accordance with the objectives of the monitoring.

Analysis and report writing

- Analysis of material collected through monitoring (with legal and other specialized assistance) to draw conclusions on violations and patterns or trends
- Preparation of confidential briefs and updates for use within the United Nations system (e.g. by OHCHR, the peace mission or the country team) and of submissions to other United Nations human rights mechanisms)
- Preparation of public reports to highlight human rights issues of concern
- Preparation of supporting products (e.g. summaries of reports in local languages, press releases, multimedia material).

Advocacy activities[c]

- Holding meetings with the authorities to raise specific human rights concerns and to prompt measures to address them
- Writing confidential communications to a national authority to expose a concern
- Holding joint press conferences with other United Nations agencies regarding a situation

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[a] See chapter on *Using presence and visibility*.

[b] See chapter on *Gathering and verifying information*.

[c] See chapter on *Advocacy and intervention with the national authorities*.

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- Supporting interventions by high-level personnel (such as the United Nations High Commissioner for Human Rights or the special representative of the Secretary-General for the mission)
- Supporting submissions by the United Nations country team to the universal periodic review, treaty bodies and special procedures of the Human Rights Council.

Follow-up activities

- Follow-up with authorities and victims in relation to action taken to provide remedies to individual victims
- Follow-up with service providers on referrals (e.g. facilitating contact between service providers and survivors needing assistance)
- Targeted monitoring to assess extent of changes in laws, programmes or policies.
- Technical cooperation in areas identified through monitoring as needing skills development
- Advisory services to change laws and policies assessed as non-compliant with international human rights standards.

Evaluation

- Periodic assessment of what monitoring has been undertaken and progress in achieving outputs and outcomes of the presence
- Consideration of any relevant changes in internal or external environment
- Necessary adaptation of monitoring plans.

Convening activities

- Organizing a joint monitoring mission with several actors
- Promoting and facilitating the creation of a protection working group in a specific location to monitor the situation
- Organizing training sessions and workshops for local civil society organizations and the United Nations country team as necessary.

Kyrgyzstan

After the outbreak of the ethnically motivated violence in June 2010, the OHCHR presence had to tackle a number of human rights concerns. There were concerns about the right to fair trial. Torture and arbitrary arrest were common. Access to lawyers and courts was problematic, and there was a widespread lack of accountability. The perception of impunity among the population was strong, and incidents of violence taking place in courts reinforced this perception. The OHCHR presence put in place a monitoring strategy to tackle these issues. It had the following features:

- It focused on selected high-profile cases monitored over time with follow-up activities.
- It maintained a presence at key events, particularly during trials, it made in situ visits, it held meetings with different actors, and it operated a hotline to report alleged violations.
- Information gathered on these cases was used for advocacy interventions.
- Advocacy interventions were normally made by the representative of the High Commissioner through visits, high-level meetings or official correspondence. They focused on problematic trends rather than the specific details of individual cases.
- The information gathered through monitoring was used to identify gaps in capacity and to design capacity-building activities for judges, lawyers and prosecutors.

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- Monitoring activities were undertaken in close coordination with civil society and other partners. Coordination was primarily facilitated through the Human Rights Working Group, which was chaired by the presence and included representatives of NGOs, the national human rights institution, the United Nations country team and the Organization for Security and Cooperation in Europe.
- The presence maintained an open and transparent relationship with the authorities regarding its activities in the area. This relationship was maintained through periodic discussions and meetings with the authorities, in particular by the head of the presence.

These monitoring activities resulted in the identification of gaps in legislation with regard to the ability of prosecutors to investigate cases independently and their reluctance to take action against the State, such as in cases of torture.

Monitoring through presence deterred or limited the occurrence of violations (including violence in court), and the presence gained trust among human rights defenders, who turned to it for advice, not only to report violations but also to seek its preventive interventions.

Coordination and capacity-building activities with partners, particularly the national prevention mechanism and the national human rights institution, enabled them to learn, adopt and adapt OHCHR monitoring methodology. The transfer of monitoring skills to national stakeholders was an important result to ensure the sustainability of the monitoring strategy.

5 The role of others: coordination and collaboration

The presence does not operate in isolation. Through their monitoring work, HROs engage with a range of actors, from civil society to national authorities, international organizations and other United Nations agencies. Hence, it is essential that the presence considers how it relates with others, and how it can integrate the role of others and its relationships with them into its strategy.

When planning its monitoring activities, the presence should be aware of the priorities and focus of the work of other actors, including duty bearers, to ensure that the work of HROs complements existing efforts. Such an assessment of what is already being done is essential in order to determine what the presence should be concentrating on.

The following may be considered as guiding questions:

- What human rights monitoring activities are civil society, national authorities, international actors and others already doing?
- Who are the key actors that can influence or change the human rights situation?
- What is the presence's relationship with them?
- Whom can the presence influence the most?
- Who, among the presence's partners, can exert pressure on influential actors?
- How can the presence use its convening role to foster dialogue and coordination among national and local actors and ensure the sustainability of its interventions?
- Who can the presence collaborate with in its monitoring work?

For some presences (and for standalone human rights advisers in particular), resource constraints make extensive monitoring impossible. However, in many such contexts, the presence has sought to empower others to undertake more detailed monitoring, for example by providing a national human rights

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institution or a civil society organization with capacity-building or technical assistance. Training of this sort routinely covers the methodology of conducting human rights monitoring, including in relation to integrating gender.

Joint monitoring?

All OHCHR presences carry out their monitoring activities with the support of strong partnerships with local organizations, including NGOs and national human rights institutions. These relationships underpin effective monitoring in a number of ways. They make it possible to maximize access to a broad range of information and actors, to gain a fuller appreciation of the context, and to sound out recommendations with actors that can support implementation. OHCHR presences have traditionally undertaken most monitoring activities "in-house", that is, relying on their own resources to collect, verify, analyse and report on violations. This modality has been regarded as having particular advantages for shaping the focus of monitoring activities and ensuring a uniformity of approach based upon adherence to OHCHR standards of monitoring.

There are some situations in which presences have joined with other actors in conducting specific monitoring activities. Undertaking joint monitoring can be a sensitive decision that should be guided by considerations around similar or overlapping mandates, by clear objectives and by appropriate consideration of risks that might arise (e.g. possible differences in methodology or in the use of information). Care needs to be taken, when engaging in joint monitoring, to ensure that there are clear protocols in relation to how the monitoring is to be conducted, how information will be safely secured and what use can be made of the material, as well as ensuring that those who are interviewed or provide information clearly understand the nature of the joint monitoring activity. There will need to be clear processes for clearance of any joint public report or press release.

Joint monitoring activities have been seen as useful to optimize access to sources, to expand the scope of monitoring (thanks to pooled resources) and potentially to increase the impact of the monitoring. Joint monitoring can also lead to an exchange of human rights monitoring skills between organizations, as well as information sharing.

There have been a number of examples of fruitful joint monitoring work by OHCHR and other United Nations agencies.

Uganda

OHCHR Uganda and the United Nations Children's Fund (UNICEF) carried out joint assessment missions in northern Uganda to investigate allegations of children being forced to enrol in army primary schools by soldiers of the Uganda People's Defence Force. The joint teams held interviews with the local Defence Force commander, parents, children who had reportedly been forced to attend army primary schools, teachers, community leaders and other local actors. Subsequently, OHCHR Uganda and UNICEF prepared a joint position paper that outlined the national and international legal and policy frameworks on the right to education and set out recommendations for follow-up action by the Government.

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There have also been examples of joint monitoring (including detailed investigations) with State institutions, most commonly the national human rights institution and to a lesser extent civil society organizations.[4]

OHCHR has been involved in successful joint monitoring activities, including the following:

Ethiopia

OHCHR and the Ethiopian Human Rights Commission conducted a comprehensive joint investigation into alleged human rights violations and abuses and violations of international humanitarian law and refugee law, committed by all parties to the conflict in the Tigray region. This investigation, which took approximately seven months to be concluded, was an unprecedented undertaking, and the resultant report has continued to shape the human rights discourse and national and international interventions on human rights. In response, the Government established an interministerial task force to implement some of the joint investigation report's recommendations. The investigation effectively mobilized joint United Nations action on human rights and helped to mainstream human rights through the support provided by the United Nations to countries in situations of conflict.

The conducting of a joint investigation between OHCHR and the national human rights institution enhanced the institution's independence and competence. Shortly after the joint investigation, the institution achieved A status accreditation by the Global Alliance of National Human Rights Institutions. The collaboration helped infuse international expertise in investigating international human rights and humanitarian law with the context-specific expertise of the national human rights institution.

Mexico

To enhance monitoring and reporting in Mexico, OHCHR worked with the country's National Institute of Statistics and Geography to measure the impacts of the coronavirus disease (COVID-19) pandemic and explore existing data to shed light on the repercussions of COVID-19 for economic, social and cultural rights, particularly in the design of the graveyard census. The census revealed that death rates attributable to COVID-19 were higher than those registered by the Ministry of Health.

4 On the different modes of engaging with civil society organizations to conduct monitoring, see chapter on *Engagement and partnerships with civil society*.

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Liberia

The OHCHR presence in the country organized joint monitoring missions with the Independent National Commission on Human Rights, the Ministry of Labour and Human Rights Platform (a civil society organization) to concession areas including those of the Bea Mountain Mining Company and ArcelorMittal in Grand Cape Mount and Nimba Counties, respectively. During the joint monitoring visits, the OHCHR-led team received and documented complaints of human rights violations in the context of business and human rights. The findings were shared with the Ministry of Justice, which is leading the National Steering Committee on Business and Human Rights in conducting follow-up action. The information from these missions contributed to the finalization of the National Action Plan on Business and Human Rights, which was launched in August 2024 by the Vice-President of Liberia.

6 Allocating resources

The availability of resources is an essential element to consider, since it will ultimately determine the type of intervention the presence may be able to undertake. As noted above, limitations of resources will necessitate the prioritization of particular human rights issues and the tailoring of specific approaches to monitoring. At the same time, careful planning will optimize the use of resources for monitoring activities. Documentation of specific plans and relevant changes in environment will assist presences when they seek to mobilize additional resources for monitoring. In addition, the presence should be prepared to regularly revise the allocation of its human and material resources to ensure that these are used in the most efficient way to achieve the goals that have been set.

Several framing questions may guide such an assessment:

- What resources are needed to achieve the desired results?
- Are the resources allocated adequate for the results pursued?
- Are the resources sufficient to achieve the goals or to make a difference, or are they excessive, considering the achievements made?
- Are the resources that have been allocated consistent with the priorities identified?
- Can the presence raise additional resources?

7 Adapting to changed circumstances

- Considerable agility may be required if internal or external circumstances change significantly. There may be a possibility of unplanned events such as the outbreak of conflict, with allegations of mass human rights violations, or a natural disaster, which could require the human rights aspects of the national, regional and international response to be monitored.

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Afghanistan

Despite a notable decrease in levels of armed conflict following the takeover of power by the Taliban in 2021, there was a significant increase in human rights violations committed by de facto authorities, in particular against former government officials and members of the Afghan National Defence and Security Forces, individuals accused of affiliation with armed groups, civil society and the media. OHCHR and the United Nations Assistance Mission in Afghanistan shifted their monitoring activities to respond to the situation.

Republic of Moldova

After the outbreak of the war in Ukraine, the United Nations human rights adviser in the Republic of Moldova and her team played a key role in monitoring the situation on the border, focusing in particular on the human rights of refugees entering the country and those in the newly set-up refugee accommodation centres. The United Nations country team had not previously been involved in humanitarian work. When the team began providing support, there was a 30 km line of cars, with hundreds of people, primarily women, children and older persons, waiting to cross the border from Ukraine. The team observed the situation, spoke to people (including refugees, border guards and service providers) and identified what was necessary for support and protection, which included access to information, shelter (including accessible shelter), health services, food, clothing, education, access to assistive devices, translation services and legal assistance. The team also monitored the refugee accommodation centres to assess their capacity and understand the difficulties experienced by particularly vulnerable people, including Roma, persons with disabilities and families with young children, in finding accommodation in the centres. This was undertaken with a view to identifying needs for and gaps in protection, and any human rights concerns. Findings were shared with organizations providing refugee response. As the presence of the Office of the United Nations High Commissioner for Refugees and other international organizations increased, the human rights team refocused on mainstreaming human rights in humanitarian action through participation in strategic working groups until it was able to fundraise for a project focused on protection monitoring.

Internal changes (e.g. staffing levels) or external changes may dramatically affect the environment for conducting monitoring. This requires preparedness to revise monitoring strategies. Presences have often had to shift to remote monitoring in situations where staff are relocated or evacuated due to a serious deterioration in the security situation or a natural disaster. The COVID-19 pandemic forced changes in both the focus and the modality of monitoring for many presences.

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Responding to the COVID-19 pandemic

During the COVID-19 pandemic, OHCHR presences altered some of their monitoring strategies to continue their work in monitoring, tracking and reporting on human rights issues of concern, including from a gender perspective and as they related to vulnerable groups, particularly with regard to the vaccine roll-out. OHCHR presences closely monitored pandemic-related restrictions that limited political rights and freedoms, including the freedoms of expression, association and peaceful assembly, and the adequacy of State responses.

Mali

When the COVID pandemic restricted the ability of HROs in the human rights component to carry out their monitoring activities in person, the Human Rights and Protection Division of the United Nations Multidimensional Integrated Stabilization Mission in Mali developed a specialized monitoring strategy to provide direction for operational activities. It covered remote monitoring of the human rights situation in general and of conditions of detention, as well as remote monitoring of human rights during periodic elections. The strategy also provided guidance on early warning reports, the preparation of public reports, the backup and protection of data in the OHCHR database and the remote pursuit of advocacy activities.

In the context of downsizing in a presence, an extensive recalibration of monitoring strategy will need to take place.

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Nepal

When OHCHR offices were closed (leaving only headquarters staff), OHCHR-Nepal had to reorganize its work and structure. This included adapting its monitoring strategies to the changed circumstances in order to maximize the use of resources while striving to keep a strong monitoring function. The offices were replaced by three types of missions carried out by headquarters teams:

- **Thematic missions**, which included follow-up to emblematic cases, combined with other capacity-building or advocacy activities
- **General monitoring missions** in priority districts where no thematic missions were scheduled
- **Rapid response missions** to respond to a particular serious situation or incident, to assess the potential impact on human rights and security on the ground, to undertake preventive monitoring of major demonstrations, or to respond to emergency situations, including humanitarian emergencies.

Monitoring through these three types of missions was based on a careful prioritization exercise, whereby OHCHR-Nepal prioritized both geographically, with high- and low-priority districts, and thematically (in relation to matters such as impunity, transitional justice, detention, torture, emblematic cases, sexual and gender-based violence, caste-based discrimination, and the situation of Indigenous Peoples and religious minorities). HROs had maps of the country with districts coloured on the basis of low or high priority and the types of human rights issues to be monitored.

OHCHR-Nepal had two contingency plans: (a) to respond to major security incidents and large-scale demonstrations; and (b) to respond to a humanitarian emergency.

By definition, there are some contingencies that can be foreseen and others that are unforeseen. Planning will thus need to incorporate contingency planning for anticipated risks, and a willingness to be agile in the case of unforeseen events.

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Annex: Template for developing a monitoring strategy in a presence

Name of presence	
Title of the strategy	For example, Strategy to monitor human rights in the context of elections in country x; Contingency plan to monitor human rights as part of humanitarian response; Strategy to monitor human rights violations in region x; Monitoring strategy on forced eviction to complement the presence's work on the right to adequate housing.
Time frame	
Geographic coverage	
Expected results (contribution)	Indicate to which expected result of OHCHR planning and the country programme the monitoring strategy would contribute. For example, human rights defenders are better protected and are empowered to contribute effectively to their societies.

Introduction

- Briefly describe the human rights context.
- Include reference to the mandate as relevant and the trigger for this monitoring work.
- Rationale for using monitoring as part of the response, including compared advantage/added value of the presence and relevant previous work.

Expected achievements

- Identify what will be achieved with the envisaged activities and outputs of the strategy.
  For example, mapping of human rights violations undertaken; regular, accurate and public reports produced on the human rights situations; individual cases on issues x and z brought to the attention of the competent authorities.

Outputs and/or activities

- Describe what the presence will do and how, including through coordination with others.
- Define timelines and indicators.
  For example, monitoring through presence; undertaking fact-finding missions; using databases; establishing a referral pathway on certain types of violations; joint monitoring with other organizations and related coordination.

Roles and responsibilities

- Describe who will do what in the presence, including management functions, number of staff assigned to monitoring activities, thematic expertise required, etc.

Equipment and logistics

- Specify which assets will be devoted to monitoring activities (e.g. satellite phones, use of cars, cameras).

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Resources

- Indicate where resources will be coming from (e.g. the strategy is part of the country programme and is already budgeted for in the annual plan; new funding is required as the strategy responds to an unforeseen emergency).

Attachments

- Country programme;
- Budget and staffing, as relevant;
- Maps, as relevant;
- Other relevant documents.

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MANUAL ON human rights MONITORING

This chapter forms part of the revised *Manual on Human Rights Monitoring*. Following the success of its first edition, published in 2001, the Office of the United Nations High Commissioner for Human Rights has updated and restructured the *Manual*, to provide the latest and most relevant good practices for the conduct of monitoring work by human rights officers, under the approach developed and implemented by the Office.

The revised *Manual* provides practical guidance for those involved in the specialized work of human rights monitoring, particularly in United Nations field operations. This publication comprehensively addresses all phases of the human rights monitoring cycle, setting out professional standards for the effective performance of the monitoring function. It also outlines strategies to maximize the contribution of monitoring to the protection of human rights.

While each chapter has been made available separately, linkages with other chapters are highlighted throughout. A full reading of the *Manual* is thus recommended for a comprehensive understanding of human rights monitoring.

This tool has been tailored to the everyday needs of United Nations human rights officers in the field. The methodology it sets out would, nonetheless, be of equal relevance to others tasked with human rights monitoring functions. Its wider use and application by regional organizations, national human rights institutions, non-governmental organizations, relevant governmental bodies and others is strongly encouraged.









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