





## UN Eritrea Program Document

Project name	Amount
UN Programme in Support to the Government of the State of Eritrea (GoSE) on Implementation of the Universal Periodic Review and Human Rights	USD 28,060,000

Mr. Osman Salih Minister Ministry of Foreign Affairs	Ms. Christine N. Umutoni Resident Representative UNDP Eritrea
Signature: 	Signature: 
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# UN Programme in Support to the Government of the State of Eritrea (GoSE) on Implementation of the Universal Periodic Review and Human Rights Mainstreaming in Eritrea

## **1. Background**

The Universal Periodic Review (UPR) is a unique process, which involves a cyclical review of the human rights records of all 193 UN Member States. The UPR is a significant innovation of the Human Rights Council, which is based on equal treatment for all countries. It provides an opportunity for all States to “peer review” each other and for States to declare what actions they have taken to improve the human rights situations in their countries and to overcome any challenges that may exist. The UPR also includes a sharing of best human rights practices around the globe.

Currently, the UPR is in its second cycle (2012-2016) of reviews and the Working Group on the UPR at its 17<sup>th</sup> meeting on 6<sup>th</sup> February 2014 adopted Eritrea’s National UPR Report detailing some two hundred recommendations for the GoSE to implement in order to improve the human rights situation in Eritrea.

The GoSE have continuously reiterated their support of the UPR process and in particular during the second cycle where they have accepted ninety-two UPR recommendations. (see annex 1 – “Thematic UPR Recommendations”). This represents a significant opportunity for carrying forward human rights work in Eritrea

The challenge for the GoSE now, is to increase progress on implementing the accepted recommendations in a timely manner and to be able to report to the Working Group on its progress. In this respect, the GoSE have requested the cooperation and support of the UN in implementing the accepted recommendations.

## **2. UPR Recommendations and Human Rights Issues**

There have been continuous discussions between the UN and the GoSE in the country. The UN’s Office of the High Commissioner for Human Rights (OHCHR) has also undertaken three missions to Eritrea, where the GoSE have requested needs



## 2. UPR Recommendations and Human Rights Issues

There have been continuous discussions between the UN and the GoSE in the country. The UN's Office of the High Commissioner for Human Rights (OHCHR) has also undertaken three missions to Eritrea, where the GoSE have requested needs assessment and technical assistance in three priority areas namely, Administration of Justice, persons with disability and water and sanitation. Following all the discussions and engagements four areas have been identified where the GoSE has requested UN support on human rights and in particular implementation of UPR recommendations. The four main areas are the following:

- I. Support in strengthening Eritrean institutions to engage and implement UPR recommendations.
- II. Support to identify and implement specific programmatic initiatives through which the UNCT can work with the GoSE to enhance efforts in mainstreaming human rights.
- III. Support on advocacy and information campaign specifically in the areas of building the GoSE's capacities in strategic communications, report writing, research and monitoring and evaluation.
- IV. Greater coordination and information sharing between the GoSE and UNCT on human rights to ensure mainstreaming efforts remain effective and continuously reviewed through joint events, regular coordination meetings, forums, roundtables and workshops.

Focusing on the specific UPR recommendations, the GoSE – led by the Ministry of Foreign Affairs - have drawn up a “Framework for Action 2015-2018” where they have clustered the accepted recommendations into six main categories which are:

- Development and Promotion of Social Equality
- Social Services for an Adequate Standard of Life
- Liberties
- Administration of Justice
- Constitution
- International Cooperation

It must be stated that efforts and progress has already been made in some of the categories above. For instance, the GoSE has made strides in the areas of social equality and social services, and in terms of Eritrea's ratification of key international treaties on torture and children's rights. Implementation of the UPR recommendations has already started through the 2016-2017 Plan of Action and preliminary assessment of the last 8 months has been done by the UPR Coordinating Body (CB). The CB is composed of ministries, government bodies and National Civic Organizations.

The above six categories provide significant scope for human rights support in Eritrea and capture the specific UPR recommendations, which the GoSE have accepted and have shown a commitment to implement. It must be stated that efforts and progress has already been made in some of the categories above. For instance, the GoSE has made strides in the areas of social equality and social services; the country had also ratified a number of international treaties, including treaties on torture plus conventions on children and women's rights.

In order to strengthen and build on the work already done, the GoSE have earmarked areas for support to draw from the strength and partnership of the UN and other partners. Interventions under this program will focus on the following areas:

***Strengthening Coordination and Human Rights Mainstreaming Mechanisms and Capacities***

A high level Coordination Mechanism (oversight committee) for UPR and human rights has been established and its operational. Its chaired by the ministry of foreign affairs and consists of relevant ministries and institutions. This coordination mechanism will need support in terms of training and technical assistance, setting up technical committees and strengthening of its secretariat. Support will also be provided to develop and implement the UPR and Human Rights Action plan (NAP).

***Administration of Justice (Lead Ministry and UN Agency: Ministry of Justice and UNDP)*** - Eritrea has issued the new National Codes and campaigns, meetings and sensitization through various means is currently underway. In light of the relevant UPR recommendations; strengthening Eritrea's legal framework, system and laws will be supported under this pillar. While the GoSE have already begun work in this area, the UN will scale-up activities which will also include a strong civic engagement and access to justice component in order to inform citizens of their rights under the new legal codes. Particular emphasis will be made on strengthening the monitoring of access to justice and accountability in general and in particular on the rights of women, children and the disabled. This will entail continuous institutional and organizational strengthening in the administration of justice. Support will also be provided for follow up on ratification, domestication and reporting on international treaties.

***Liberties (Lead Ministry and UN Agency: National Institution in charge of Penitentiary System and UNDP)*** Under this category, UN support will improve Eritrea's penitentiary system and conditions for detainees. Assistance will be provided to improve capacities for institutions in charge of penitentiary system and detention centres. Training programmes for Prison Officials. Advocacy, awareness and exchange of knowledge will be supported to enable peer learning and exchange of best practices in the broader area of liberties.



*Welfare and Protection of Children and the Disabled, Gender Equality (Lead Ministry and UN Agency: Ministry of Labour and Human Welfare, NUEW and UNICEF and UNFPA)* - four major issues will be considered in this respect which are 1) strengthening the social welfare system, 2) Strengthening gender equality and women's empowerment including strengthening systems for prevention and response of violence against women and girls, including female genital mutilation, 3) strengthening provisions around disability rights and 4) combatting child labour and human trafficking. The recommendations in these areas will also constitute part of the international collective effort of which Eritrea is a part to address human trafficking and illegal migration. Overall, this effort will consider the main recommendations related to the rights of health, education and food, ratification of the Convention on the Rights of Persons with Disability and close coordination and consultations will be strengthened for promoting an integrated approach that ensures the protection and welfare of children.

### **3. Implementation Strategy and Programmatic Framework**

The GoSE's stated commitment to implementing the accepted UPR recommendations and their desire to mainstream human rights in Eritrea represents a significant opportunity for continuous support in the improvement of human rights in Eritrea. In order to ensure that the UN's support to the GoSE is effective, it is important to establish a firm foundation upon which the project can be delivered successfully.

Given the broad scope of work and to allow for reporting to the 3<sup>rd</sup> round of the UPR and continued follow-up, this is planned as a four-year project 2016-2020, to be implemented with a sequenced approach. During the first year some activities will begin based on already available information. However, the inception phase will be a time when much of architecture as well as baseline assessments and consultations necessary to deliver this project will be improved to plan for and fine-tune realistic and sustainable interventions and processes for the subsequent years. As Eritrea's UPR 3<sup>rd</sup> Cycle National Report is tentatively planned for adoption in February 2019, this year will be used as a transition to the implementation of the 3<sup>rd</sup> UPR Cycle outcomes.

The inception phase of this project will build on some of the information already available to finalise compilation of data on capacity needs on all of the result areas and support the formation of a robust and effective national human rights architecture, which brings together the various stakeholders in Eritrea, including both state and non-state actors from a variety of sectors, including academia, the body of lawyers, and community-based organizations. The inception phase will also allow for consultative processes with all relevant stakeholders to generate ownership across all sectors while in parallel building awareness on UPR implementation and allowing for strategic planning of concrete, realistic and measurable interventions.



In general, while initial steps are outlined in this document, further updating and proper rearrangement will be made to deepen the depth and scope through annual planning, continuous assessment and updating on the basis of the national development achievements and progress in the implementation of the UPR recommendations.

To this aim, the UN support to the GoSE in implementing UPR recommendations and to mainstream human rights will fall under four outputs. Under each output, proposed sets of activities have been formulated. The total estimated budget for the program is USD 28,060,000. (see annex 2 for indicative multi-annual budget in relation to result areas). The programmatic framework is as follows:

### **Output 1: Coordination and Human Rights Mainstreaming Mechanisms and Capacities Strengthened**

**1.1. Activity Result:** High level State Coordination Mechanism (or Oversight Committee) for human rights mainstreaming strengthened: Chaired by ministry of foreign affairs and consisting relevant line ministries and institutions.

- Minimum meetings during the year
- Approval of sectoral and multi-sectoral programmatic initiatives and policies to mainstream human rights

**1.2. Activity Result:** - Coordinating Body (CB) strengthened: consisting of representatives from relevant line ministries, institutions, and National Associations.

- Setting up of a human rights focal point system
- Support to MoFA to be the secretariat to the technical and to the high level coordination mechanisms, through provision of technical assistance (using UPR advisor in Resident Coordinator's Office and any other technical assistance that may be needed on government side)
- Identify and develop sectoral and multi-sectoral programmatic initiatives and policies to mainstream human rights, including training and communication plans; for decision by high level oversight committee
- UNCT to work closely with GoSE coordination body to follow up implementation of UPR recommendations and devise work plans and reporting/monitoring mechanisms

**1.3. Activity Result:** Capacity building strategy and training plan for GoSE institutions developed and implemented.

- Develop a training plan with the GoSE to:
  - a) Establish training workshops to be delivered to all GoSE human rights focal points, associated staff and civic groups mentioned above by HR experts on technical and process-related areas and aspects of human rights including the UPR process, including on monitoring of implementation of the UPR, research, analysis, communication and advocacy

- b) Establish a series of training workshops on programme management (RBM and HRBA) to increase the capacities of ministry staff involved in UPR and HR implementation

**1.4. Activity Result:** UPR and Human Rights National Action Plan (NAP and coordination developed and implemented

- Once initial trainings have been provided and technical level committee is established, organize baseline analysis and consultations with state and non-state actors on a NAP
- Develop National Action Plan for sustainability of all of the other outputs and ease of reporting at next UPR
- Strengthen the GoSE its effort on developing a human rights infrastructure of coordination and engagement; This brings together the UPR CB, WG on CRC, WG on CEDAW, WG on Labor, and migrant rights, etc and support to this effort will be an important dimension

**Output 2: Accepted Rule of Law recommendations from the UPR implemented**

**2.1 Activity Result:** Support for the implementation of recommendations related to administration of justice.

- Strengthen the - community courts which are a major pillar in the administration of justice in the country.
- Rehabilitation of courts and support to legal training centres
- Undertake (training) needs assessment across the justice sector (Investigation, Prosecution, Judges, Registrars and lawyers/paralegals)
- Development of trainings and workshops for justice sector on administration of justice
- Assessment on legal aid in view of setting-up legal aid system (linkage to activity result 2.2 on detainees)
- Strengthen case management system
- Increase Legal education for future lawyers and paralegals, including scholarships for youth, women and other selected groups
- Development on a baseline on justice needs in the country to feed into potential justice sector plan/policy

**2.2 Activity Result:** Implementation of recommendations to improve prison conditions.

- UN development of Policy framework in support of work in this area.
- Physical Rehabilitation of prisons and detention centres
- Strengthen and expand Rehabilitative/livelihood programmes through education and training, sport- programmes, improve and establish additional health clinics and public health programmes (SOPs, training, sensitization);
- Training programmes for Prison Officials on Prison Service delivery



- Strengthening of internal oversight mechanisms and coordination with relevant authorities including the MOJ and law enforcement agencies
- Activities to support women, children and the disabled in detention
- Strengthen and develop the record keeping and case-management system on detainees
- Advocacy, awareness and exchange of knowledge will be supported to enable peer learning and exchange of best practices in the broader area of liberties.

**2.3 Activity Result:** Ratified treaties are domesticated in national legal and institutional framework.

- Support and capacity building of the judiciary system and the legal process
- Support and expertise to reflect international conventions and treaties in the national laws and processes
- Support campaigns for dissemination on legal reviews and human rights to both state actors, non-state actors and the population

**Output 3: Strengthened Engagement with the International Human Rights Mechanisms and other bodies**

**3.1 Activity Result:** Engagement with Treaty Bodies strengthened.

- Support to GoSE on ratification of relevant treaties and convention that are not yet ratified including the Convention on the Rights of Persons with Disabilities, Convention on Protection of the rights of migrant workers and the ILO Convention concerning the prohibition for elimination of child labour.
- Support with reporting to Treaty Bodies by Government, including through consultative processes

**3.2. Activity Result:** Support provided to follow-up of the UPR processes with the Human Rights Council, including mid-term review and the process in the preparation of third cycle National UPR report

**3.3. Activity Result:** Institutional Support provided for GoSE on human rights engagement and cooperation

- Participation in international forums, sessions, consultation at the UN in Geneva\, New York and other relevant HQs
- Coordination between the GoSE and the UNCT,
- Organize a series of joint GoSE/UNCT events on human rights in relation to the emerging Sustainable Development Goals and the upcoming Strategic Partnership Cooperation Framework in Eritrea Promotion of engagement and consultations with non-state actors and the population on UPR and human rights mainstreaming efforts



- Outreach: promotion of engagement and consultations with state and non-state actors on UPR and human rights mainstreaming efforts, including websites, newsletters, TV messaging, radio, events

**Output 4: Children, Women and Persons with Disabilities' welfare promoted as per accepted recommendations from the UPR**

**4.1. Activity result:** Support provided to state actors and non-state actors in charge of promotion and protection of gender equality and women's welfare and rights.

- Strengthening gender equality and women's empowerment including strengthening systems for prevention and response to violence against women and girls, including female genital mutilation (FGM)
- Implementation of recommendations related to FGM, Gender based Violence (GBV), child labour, and human trafficking (link to Output 1) and regular reports to CRC and CEDAW Committees

**4.2. Activity result:** Support provided to state and non-state actors promoting children's welfare and rights.

- Support to state and non-state actors and community groups for delivery of social services and community outreach and awareness raising campaigns on children's welfare and rights
- Children supported through Community based orphan unification  
Community based Rehabilitation of disadvantaged and street children
- Institutional Capacity Development on human welfare

**4.3. Activity result:** Support provided to state and non-state actors to strengthen provisions relating to persons with disability in Eritrea

- Finalize a national disability law and a plan of action to domesticate provisions contained in the Convention on Persons with Disabilities
- Support activities arising from the national plan of action including equipping central and local government with skills relating to convention and then cascading this down to public services [education, health], mainstreaming disability into UNCT activities.
- Strengthen and expand Community Based Rehabilitation Programmes (CBRP) for PWDs
- Strengthen the National Orthopaedic Workshop
- Consolidate data collection and analysis on persons with disabilities

**4. Risk Mitigation**

There is need for increased capacity of the GoSE in the area of human rights, both from a technical aspect and in terms of human resources. Delays in implementation could come from either or both of these challenges and should be factored into future project planning.

The first year of the programme (“the inception period”) will begin implementation of some activities; but most important a number of assessments, consultations with government partners will be done in order to put in place due diligence policies and a comprehensive risk analysis.

## **5. UN Capacity and Implementation Partnerships**

***Collaboration with GoSE.*** The GoSE have assembled a UPR focal point team from all relevant line-ministries and institutions to carry out initial discussions with the UN Human Rights Working Group in order to fine-tune and establish the specifics of GoSE/UNCT cooperation on this project. This project will build on this modest architecture whereby the GoSE/UNCT will form joint teams and regular coordination and evaluation meetings will take place throughout the course of this project to ensure project continued project relevance and long-term sustainability.

***Inter-Agency Collaboration.*** The UN enjoys a significant comparative advantage in Eritrea with eight UN Agencies operating on the ground, one keeping a liaison office and a number of Non-Resident Agencies (NRAs), which together, offer a wide-range of expertise on a number of critical developmental areas. In addition to this, human rights capacities at the UN regional and HQ levels are strong and this project will also draw upon these to provide support to this project at both the technical and advisory levels. This project will maximise this significant comparative advantage through employing a joint programming and planning approach where all UN Agencies, given the wide scope of UPR recommendations to be implemented, will play a role in this project through the technical and oversight committees and where relevant and appropriate, give direct support in the implementation of activities. For instance, while UNDP will lead on areas related to Liberties and Administration of Justice and support to people with disabilities, UNICEF will lead activities on the Welfare and Protection of Children and people with disabilities and UNFPA could lead on areas of gender equality and women empowerment. All involved agencies will bring in UN expertise from other agencies as required. OHCHR will provide support whenever possible.

Currently, there exists a UN Human Rights Working Group, established by the UN Country Team (UNCT), the group may expand as and when necessary to support government.

***Project Management.*** The A Senior UPR Advisor based within the Resident Coordinator’s Office RCO in Eritrea will technically guide and oversee this project. Additionally, specialized personnel as and when necessary will be recruited with both UPR and human rights, as well as project management expertise. The program will be managed as strategic under the direct implementation modality.

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