to: Mr. Goro Onojima
A: Secretary of the Human Rights Council

8 October 2021

THROUGH:
S/C DE:

FROM: Johannes Huisman, Director
DE: Programme Planning and Budget Division, OPPFB

SUBJECT: Oral Statement of programme budget implications arising from
draft resolution A/HRC/48/L.2 of the Human Rights Council

I would be grateful if the text of the attached oral
statement could be read and distributed prior to adoption
of draft resolution A/HRC/48/L.2, entitled “Technical
assistance and capacity-building in the field of human
rights in the Democratic Republic of the Congo”.

cc: Mr. Ramanathan
    Mr. Pearce
    Ms. Veaudour
    Ms. Alirzaeva
ORAL STATEMENT BY THE SECRETARIAT IN CONNECTION WITH DRAFT RESOLUTION A/HRC/48/L.2 ENTITLED “TECHNICAL ASSISTANCE AND CAPACITY-BUILDING IN THE FIELD OF HUMAN RIGHTS IN THE DEMOCRATIC REPUBLIC OF CONGO”.

1. This statement is made in accordance with rule 153 of the Rules of procedure of the General Assembly.

2. Under the terms of operative paragraph(s) 42, 43, 44, 45 and 46 of draft resolution A/HRC/48/L.2, the Human Rights Council would:

(a) Decide to renew the mandate of the team of international experts on the situation in Kasai, and to extend it throughout the national territory of the Democratic Republic of the Congo, and requests the team to present a final report to the Human Rights Council at its fifty-first session, during an interactive dialogue, and to provide an oral update at its forty-ninth session;

(b) Request the High Commissioner to provide the Government of the Democratic Republic of the Congo with technical assistance, including the necessary forensic expertise, to support the country's judicial authorities in their investigations into allegations of human rights violations and abuses with a view to bringing the perpetrators to justice;

(c) Also request the High Commissioner to provide the Government of the Democratic Republic of the Congo with technical assistance to support the ongoing process of establishing the transitional justice mechanism in the Democratic Republic of the Congo through the establishment of a national commission for transitional justice and reconciliation;

(d) Request the High Commissioner to present, in the framework of an enhanced interactive dialogue, an oral update on the human rights situation in the Democratic Republic of the Congo, including Kasai, at its forty-ninth session;

(e) Also request the High Commissioner to prepare a comprehensive report on the situation of human rights and to present it in the framework of an enhanced interactive dialogue, at its fifty-first session.

3. In order to implement the requests contained in the draft resolution, the following activities and one-time resources would be required in 2021 and 2022:
Support staff to the two International human rights experts
(two international staff)

(a) General temporary assistance for two staff (both based in Kinshasa), based within the UNJHRO, to support the two international human rights experts in the follow-up, assessment and monitoring of the implementation of the recommendations of the report presented by the former Team of international experts to the HRC, as follows:

CONTINUING POSITIONS:

(i) One Human Rights Officer at P-4 level for 12 months, based in Kinshasa, to support the inter-ministerial working group set up by the Ministries of Justice and Human rights, and drafting the final report of the Experts to the Council.

(ii) One Human Rights Officer at P-3 level for 12 months, based in Kinshasa, to provide advisory support in current initiatives in the area of transitional justice, particularly in support of reconciliation efforts.

(b) Travel of the two international experts:

i) One travel of 5 workings days to Geneva of the two international human rights experts, at the beginning of their mandate.

ii) One travel of 3 working days to Geneva to participate in an enhanced interactive dialogue at the forty-ninth session of the HRC.

iii) One travel of 5 working days to Geneva for the presentation of the report in an interactive dialogue at HRC's fifty-first session;

iv) Four travels of 15 working days of the two experts to DRC regions; 1 in 2021 and 3 in 2022

(c) Travel of staff:

i) One travel of 5 working days to Geneva of one P-4 at the beginning of the mandate of the team of international Human Rights experts in 2021

ii) One travel of 5 working days to Geneva of one P-4 at the presentation of the report in an interactive dialogue at HRC’s fifty-first session;

iii) Four travels of 5 working days each of two staff members from Kinshasa to regions within the DRC for consultation with authorities, 1 in 2021 3 in 2022;

iv) Two travels of 10 working days each of two staff members from Kinshasa to regions within the DRC by road, to implement the mandate in 2022.
Team for Technical assistance to the DRC Government (eleven international staff and five national staff):

(a) General temporary assistance for a team based in Kinshasa and Goma, to provide technical assistance and Advisory services to the Auditorat Militaires to complete its investigatory work concerning allegations of violations and abuses, as follows:

CONTINUING POSITIONS:

(i) One Victims and witness protection Officer at P-4 level for 10 months, based in Kinshasa, to provide advisory services and technical support to the Auditorat Militaire during the investigative process and hearings in relation to the incidents under investigations;

(ii) One SGBV Adviser at P-4 level for 10 months, based in Kinshasa, with criminal investigation expertise and who will support the integration of a gender perspective and victim-centred approach into all stages of the follow up of the recommendations of the Team of Experts, including in the follow-up, assessment and support provided to the government of the DRC in the implementation of recommendations related to the fight against impunity and reconciliation. In particular, s/he will provide support to civil and military judicial authorities to effectively prosecute sexual and gender-based crimes, including by providing guidance in the development of a gender-sensitive prosecution strategy as well as in the design of gender-sensitive protection measures for victims and witnesses of sexual and gender-based crimes; and, provide advice in the development of a gender-sensitive transitional justice process, including reconciliation measures and reparations for victims.

(iii) 5 forensic experts, based in Kinshasa and Goma, for 12 or 10 months, who will provide advisory services, local capacity building and technical support in relation to forensic expertise, including, but not limited to, collecting evidence for sexual and gender-based crimes, as well as collecting evidence of violent deaths of criminal cause, including the maintenance of the chain of custody on all the evidence collected, forensic quality control of the procedures, and compliance with the procedure for obtaining evidence. These will include the following:
- One Forensic Expert at P4 level for 12 months- Kinshasa
- One Forensic Expert at P4 level for 10 months- Goma
- 3 Forensic Experts at P3 level for 10 months- 2 Kinshasa and 1 Goma
(iv) One Geo-spatial information officer, at P-3 level for 10 month, based in Kinshasa, in order to, inter alia, support the forensic experts in the timely preparation, maintenance, and provision of geospatial information and maps; Collect, process, and evaluate geospatial data including vector, raster and thematic data; Conduct image analysis and image processing of satellite imagery and aerial photograph, etc.; Conduct geospatial/terrain analysis studies and prediction of the effects of terrain, weather and situation on the forensics’ operations.

(v) One Field Security Officer at P-3 level for 12 months, based in Kinshasa, who will assist with a focus on all security related issues; participate in field missions; conduct Security Risk Assessments for all the locations where the team will operate; ensure the mission and its staff are MOSS compliant with particular attention to emergency communications and personal protection equipment and procedures; work closely with UNDSS, MONUSCO and OHCHR security apparatus while performing the above;

(vi) One national Administrative Officer at NO-A level for 11 months, based in Kinshasa, who will assist with all issues related to logistics; provide overall administrative assistance to the technical cooperation team for the preparation, conduct and follow up of all field missions; support the planning and organization of meetings and other relevant countries; support the organisation of trainings, seminars and workshops, and assist with all issues related to human resources, budget and archiving of documents;

(vii) Two national Human Rights Officers for 11 months, based in Kinshasa and Goma, to assist the Forensic Experts in their work and;

(viii) Two locally-recruited Interpreters, for 11 months, based in Kinshasa, who will provide accurate translation/interpretation, as required, from French or English to local relevant languages and vice versa; participate in field missions; produce accurate and verbatim translation of written and oral witness statements from French to local relevant languages and vice versa; produce accurate and timely written translation of documents from French to local relevant languages and vice versa, as required; produce accurate translation of media articles as required; maintain strict security and confidentiality of information; and perform any other tasks, as necessary;

NEW POSITIONS:
(ix) One forensic expert, based in Goma, for 10 months, who will provide advisory services, local capacity building and technical support in relation to forensic expertise, including, but not limited to, collecting evidence for sexual and gender-based crimes, as well as collecting evidence of violent deaths of criminal cause, including the maintenance of the chain of custody on all the evidence collected, forensic quality control of the procedures, and compliance with the procedure for obtaining evidence.

(x) One psychologist at P-3 level for 10 months, based in Kinshasa, who will be a specialist of psychology support in post-conflict situation and trauma healing for victims of violence.

(b) Travel of staff:

i) Ten travels, each for 10 working days of mission for four staff members, to provinces within the DRC, with flights in 2022;

ii) Six travels of 10 working days each for six staff members within the DRC by road, to implement the mandate in 2022;

iii) Six travels of 5 working days each of six staff by helicopter, to implement the mandate in 2022;

Operating costs

(a) Operating costs including:

i) Casual workers for the excavation;

ii) Rental of 4 MOSS-compliant vehicles;

iii) Fuel for vehicles and for the functioning of the power generator;

iv) Security expenses, such as security escorts for experts and support teams deployment;

v) Rental office space from MONUSCO;

vi) Utilities - electricity, water, cleaning from MONUSCO;

vii) Medical assistance from MONUSCO;

viii) Information Communication and Technology Services costs;

ix) Monthly costs for Satellite phones;

x) Lump sum for unforeseen security expenses;

xi) Other miscellaneous services;

xii) Supplies for the work of the forensic experts;
Emergency supplies and security/protection material (vest, individual first aid kit, emergency trauma bag, etc.);

Office expendable supplies, stationary and water (provided by MONUSCO);

5 mobile phones;

Office Automation equipment: replacement of 5 computers;

Miscellaneous for office equipment;

4 five working days workshops in regions within the DRC for 60 participants (transportation, DSA, rental of room, miscellaneous) to support the implementation of the inter-ministerial working group in charge of monitoring and assessing the implementation of the recommendations of the Team of International Experts, one in 2021, 3 in 2022;

Assistance to 70 victims/witnesses per month for the duration of the mandate (local travel and expenses);

Three five working days technical trainings in DRC provinces on criminal investigations and the use of forensic science for 20 members of the Congolese judiciary (local DSA, rental of room miscellaneous) in 2022;

Preparation of comprehensive report and enhanced interactive dialogue

One General Temporary Assistance at P-3 level, in Geneva, for six months to support reporting, preparation and follow-up of the enhanced interactive dialogue at the human rights council fifty-first session;

Travel to Geneva for 2 working days for two high level stakeholders to participate in the enhanced interactive dialogue at the human rights council forty-ninth and fifty-first session (one for each session).

Conference services for the translation of the reports to be submitted at the fifty-first human rights council session.

The activities referred to above relate to section 2, General Assembly and Economic and Social Council affairs and conference management; and section 24, Human rights of the programme budget for the years 2021 and 2022.

5. The adoption of the draft resolution would give rise to total requirements of $4,018,100 as follows:
(United States dollars)

<table>
<thead>
<tr>
<th>Section 2, General Assembly and Economic and Social Council affairs and conference management</th>
<th>Total requirements</th>
<th>Included in the 2021 budget</th>
<th>Additional requirements for 2021</th>
<th>Included in the 2022 proposed budget</th>
<th>Additional requirements for 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-session documentation</td>
<td>62,500</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>62,500</td>
</tr>
<tr>
<td>Subtotal, section 2</td>
<td>62,500</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>62,500</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 24, Human rights</th>
<th>Total requirements</th>
<th>Included in the 2021 budget</th>
<th>Additional requirements for 2021</th>
<th>Included in the 2022 proposed budget</th>
<th>Additional requirements for 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other staff costs</td>
<td>2,566,400</td>
<td>-</td>
<td>447,700</td>
<td>-</td>
<td>2,118,700</td>
</tr>
<tr>
<td>Travel of experts</td>
<td>169,500</td>
<td>-</td>
<td>34,600</td>
<td>-</td>
<td>134,900</td>
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<tr>
<td>Travel of staff</td>
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<td>9,200</td>
<td>-</td>
<td>310,300</td>
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<tr>
<td>Contractual Service</td>
<td>8,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>8,000</td>
</tr>
<tr>
<td>General operating expenses</td>
<td>435,700</td>
<td>-</td>
<td>69,700</td>
<td>-</td>
<td>366,000</td>
</tr>
<tr>
<td>Supplies and materials</td>
<td>24,400</td>
<td>-</td>
<td>2,700</td>
<td>-</td>
<td>21,700</td>
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<tr>
<td>Furniture and equipment</td>
<td>17,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>17,000</td>
</tr>
<tr>
<td>Grants contributions, meeting participants/witnesses</td>
<td>415,100</td>
<td>-</td>
<td>87,300</td>
<td>-</td>
<td>327,800</td>
</tr>
<tr>
<td>Subtotal, section 24</td>
<td>3,955,600</td>
<td>-</td>
<td>651,200</td>
<td>-</td>
<td>3,304,400</td>
</tr>
<tr>
<td>Total</td>
<td>4,018,100</td>
<td>-</td>
<td>651,200</td>
<td>-</td>
<td>3,366,900</td>
</tr>
</tbody>
</table>

6. The related provisions have not been included under the programme budget for the year 2021 nor the proposed programme budget for the year 2022. Accordingly, should the Council adopt draft resolution A/HRC/48/L.2, the related additional requirements of $4,018,100 would arise, including $651,200 under section 24, Human rights of the programme budget for 2021, and $62,500 under section 2, General Assembly and Economic and Social Council affairs and conference management, and $3,304,400 under section 24, Human rights, of the programme budget for 2022.

7. These requirements, in accordance with established procedures, would be brought to the attention of the General Assembly, at its 76th session, in the context of the annual report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council during 2021.