GANHRI Annual Meeting

Side event

The role of national human rights institutions in promoting, tracking and reporting on domestic compliance with international human rights norms

23 February 2018, 13h00 to 14h00
Room XXII - Palais des Nations

Building a 'human rights implementation agenda'

In 2006, the then UN Secretary-General, Kofi Annan, called on the new Human Rights Council to lead the international community 'from the era of declaration to the era of implementation.'

Following this call, when the GA moved to establish the Council through resolution 60/251, the theme of implementation ran like a vein throughout the new body's mandate, objectives and methods of work. For example, paragraph 5d says: '[the Council shall] promote the full implementation of human rights obligations undertaken by States;' while paragraph 12 says that 'the methods of work of the Council (…) shall be results-oriented, allow for subsequent follow-up discussions to recommendations and their implementation (…).'

Unfortunately, since its establishment in 2006, the Council has dedicated little time or resources to questions around domestic implementation, monitoring impact, reporting and follow-up. During this time, States have continued to receive many hundreds of recommendations from the international human rights mechanisms (UPR, Treaty Bodies and Special Procedures), but there has been remarkably little interest in the on-the-ground reality – the mechanics - of States implementation. How do States seek to translate international norms into local realities (better policies, laws and practices)? Do they succeed in this regard?

That finally began to change around two years ago, when a number of States (mainly driven by the capacity-constrained challenges involved in managing the myriad recommendations they were receiving each year) began to establish, develop and share

experiences about, so-called 'national mechanisms for implementation, reporting and follow-up' (NMIRFs). These inclusive governmental mechanisms or processes are designed to coordinate the integration of UN human rights recommendations into domestic policy-making and practice, to monitor progress and impact (by applying human rights indicators), and then to report back to relevant UN mechanisms.

The role of NHRIs in the new 'Implementation Agenda'

NHRIs have a central role to play in promoting implementation of international human rights obligations and recommendations from UN bodies. Building on their mandates and functions under the Paris Principles, they may:

- Advise the State on ratification and domestication of international instruments, and on implementation of UN recommendations;
- Monitor and investigate human rights situations, which may include receiving complaints;
- Report to UN human rights mechanism and processes on progress made in the implementation of international human rights standards and UN recommendations; and
- Cooperate and engage with right-holders, communities and civil society, and with the UN system in the area of the promotion and protection of human rights.

The distinct role of NHRIs, protected through either legislative or constitutional norms, is evident in their mandate, and the requirement of compliance with the Paris Principles. This provides NHRIs with a unique degree of legitimacy in advising States on the implementation of human rights norms at domestic level, and to act as an accountability mechanism to help contribute to objective reporting to the UN mechanisms on progress.

NHRIs also work in close cooperation with domestic civil society and with parliaments, forming a potentially powerful 'implementation triangle.' In line with the Paris Principles, NHRI have the mandate to cooperate constructively and consult with NGOs. Regarding parliaments, the 2012 Belgrade Principles on the relationship between NHRIs and parliaments recognize, *inter alia*, the benefits of cooperation in translating the recommendations of the multilateral human rights mechanisms into improved national legislation and policies, and in monitoring the Executive and holding it to account

against the State's international human rights obligations and commitments.

In 2017, a group of States, coordinated by Portugal and supported by the Universal Rights Group (URG) formed a new Group of Friends on domestic implementation and NMIRFs. This in turn built on the outputs of the third Glion Human Rights Dialogue (Glion III), organized by Norway and Switzerland. The Group of Friends, working with other interested stakeholders, including OHCHR, UNFPA, GANHRI and the IPU, is today working, through cooperation and dialogue, to build a new human rights 'Implementation Agenda.' It is imperative, as this Agenda moves forward, that the vital role of NHRIs is underscored at every stage, and that their unique position in the domestic human rights promotion architecture is fully acknowledged and leveraged.

Objectives of side event

With the above in mind, the proposed side event will look to introduce the overall 'Implementation Agenda' to NHRI representatives (including the interconnected roles of governments, parliaments, NGOs, NHRIs and development partners in that regard), underscore the crucial role of NHRIs, and showcase different good practice examples of how NHRIs are currently engaging, and/or are planning to engage, with domestic implementation processes.

The side event will thereby allow for an initial collation of good practice examples, identify common threads, and thereafter disseminate and propagate those good practices and principles among NHRIs – to support their unique role in helping turn universal norms into local realities for the people on the ground.

Format

The side event will take the form of a panel discussion featuring an introduction by the co-sponsors, and then 3-4 case studies from NHRIs from different parts of the world.