Sharing experiences with national plans of action on human rights: wider question of implementation
Analytical basis

The Council’s objectives and mandate

- GA Resolution 60/251 – creation of the Human Rights Council

  Fulfillment of international obligations – implementation

  the Council shall be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, (OP2)

  Promote the full implementation of human rights obligations undertaken by States (OP5d)

  the work of the Council shall be guided by the principles of … constructive international dialogue and cooperation, (OP4)

  the Council shall, inter alia:

  Promote … technical assistance and capacity-building (OP5a)
Analytical basis

The Council’s objectives and mandate

- GA Resolution 60/251 – creation of the Human Rights Council

Methods of work

Decides also that the methods of work of the Council ... shall enable genuine dialogue, be results-oriented, allow for subsequent follow-up discussions to recommendations and their implementation and also allow for substantive interaction with special procedures and mechanisms, (OP12)

- Also domestic human rights imperatives, needs! (guided and shaped by international and regional commitments)
Declaration to implementation? (OP5a,b,d; OP12)
At the time of the establishment of the Council in 2006, UN SG Kofi Annan said:

The Human Rights Council should lead the international community from “the era of declaration” to the “era of implementation”

So has it?
Expansion of the mechanisms

Quantitative growth

Lots of enthusiasm
Quantitative growth

Lots of enthusiasm
Filling the implementation gap?

- How does implementation happen at domestic level?
- Good we are now at least asking question
  - Brazil and Paraguay resolution (30/25) – panel during UPRWG36 in Nov.
    - OHCHR (UPRB and TBD)
    - Glion III
    - OHCHR Change Initiative
  - No 'one size fits all'
  - Depends on national conditions, systems of government (e.g. federal), levels of development
    - National human rights action plans
    - Inter-ministerial human rights committees
    - UPR standing committees
    - More elaborate SNICRS
    - Combination
Filling the implementation gap?

- URG research: interesting cases studies, including:
- National human rights action plans, informed by relevant UPR recommendations and Treaty Body concluding observations, in Germany, Indonesia, Malaysia, Mexico, SA;
- Inter-sectoral human rights standing committee (and related information system) in Colombia, led by the Vice-President;
- The SIMORE online implementation and reporting platform in Paraguay;
- A national mechanism in Ecuador to coordinate implementation and reporting to all mechanisms, and create a human rights indicator database;
- Inter-ministerial standing committees / units on human rights in Jordan, Morocco;
- A national ‘Human Rights Council’ in Georgia, chaired by the Prime Minister and with the engagement of all line ministries, the parliament, judiciary and domestic civil society;
- a permanent consultative body in Costa Rica, attached to the Ministry of Foreign Affairs
IMPLEMENTATION

Action plans and other structures and processes

So, many different models and combinations.

But certain common characteristics:

- Comprehensive in approach, engaging on all human rights issues, with all human rights mechanisms at the international and regional levels, AND engaging on domestic human rights priorities and needs

- Cluster and prioritize UN recommendations, and combine with regional recs, and national priorities

- National public mechanisms/structures - ministerial, inter-ministerial or institutionally separate.

- ‘Standing’ in nature – permanent, with a formal legal or administrative mandate

- ‘Standing’ – coordinate full cycle (implementation-monitoring-reporting-implementation)

- Coordination structures or processes, rather than implementing agencies themselves
Implementing processes/structures tend to be/have (cont.):

• High-level political support or backing

• Mandated to track progress with implementation – they ‘manage information’ about the domestic realization of universal norms (measurement indicators)

• Transparency – ensure information is made publicly available, for example via a website-database.

• Inclusive – they perform their functions in coordination with other ministries, specialized bodies and parliaments and judiciaries, and in consultation with the NHRI and civil society.

• Inclusive – all levels of State (national, regional, local)

• Closely involve ministries of foreign affairs

• Some SNICRS also consult with international development partners, including UNCT
What next?

• Exchanging experience and good practice
  • Side events like this
  • ‘Communities of practice’ (Geneva, or regional)
• UN level voluntary guidelines? (With key principles for effective implementation)
• Continued OHCHR technical support – v imp.
• Link with international-level tools like the Universal Human Rights Index
• Include more information on action plans, processes, SNICRS, in UPR national reports