

INTERNATIONAL COOPERATION & NATIONAL HUMAN RIGHTS FOLLOW-UP SYSTEMS AND PROCESSES

Follow-up and implementation: The UN General Assembly (GA) specifically mandated the Human Rights Council (the Council) to promote the full implementation of human rights obligations undertaken by States (GA res. 60/251), including in the context of the universal periodic review and the work of its special procedures. The universal periodic review as an action oriented mechanism has, among its first objectives, *the improvement of the human rights situation on the ground* (HRC res. 5/1). The full and effective implementation by State parties of the treaty obligation and the periodic reporting on progresses achieved is also central to the strengthening of the treaty body system (GA res. 68/268).

International cooperation and the sharing of practices are essential to the efforts undertaken by States towards the advancement of the enjoyment of human rights and the strengthening of the mechanisms established to that aim. Indeed, the Council was created on the basis of the purpose and principles of the UN Charter, including achieving international cooperation in the promotion of human rights. Moreover, the objectives of the universal periodic review include the sharing of best practice among States and other stakeholders.

Technical assistance: In its resolution 30/25, the Council reiterated the importance and added value of technical assistance and capacity-building provided in consultation with, and with the consent of, the States concerned to ensure follow-up to and the effective implementation of their respective international human rights obligations and commitments. It also welcomed the support provided by the Office of the United Nations High Commissioner for Human Rights (OHCHR) to the establishment and the strengthening of national human rights follow-up systems and processes and encouraged the OHCHR to continue to do so. To that aim, the Council invited States to gradually increase their voluntary contributions to the relevant UN trust funds. In reviewing its work and functioning in 2011, the Council equally emphasized that States may request the United Nations representation at the national or regional level to assist them in the implementation of follow-up to their review and that the OHCHR may act as a clearing house for such assistance. It also suggested that financial and technical assistance for the implementation of the review may be reflected in national implementation plans (res. 16/21).

National human rights follow-up systems and processes generate momentum with the potential to foster the national dialogue on human rights. In the eve of the 3rd cycle of the UPR in 2017, the Council encourages States to establish and strengthen such systems and processes, to seek, as needed, technical assistance and capacity-building, and to share experiences and good practices to that end. It also recognizes the important and constructive role played by parliaments, national human rights institutions (NHRIs) and civil society and encourages their continued and unhindered participation in and contribution to these processes (res. 30/25).

The main constituting elements: Human rights follow-up systems and processes constitute the institutional structures and the processes, formal and/or informal, through which States attempt to ensure the efficiency and effectiveness of the implementation of their international human rights obligations and commitments. These structures and processes can take various forms and are established and operate according to the national context. However, a number of components are emerging from States' effective practices as constituting their core, interrelated and interdependent elements which are likely to lead to the achievement of the desired result: The improvement of the human rights situation on the ground. These elements are centered around a national mechanism for reporting and follow-up (NMRF) with four key capacities: engagement, coordination, consultation and information management.

NATIONAL MECHANISM for reporting and follow-up on international human rights obligations and commitments (NMRFs)

Effective **engagement** with the human rights mechanisms, **coordination** among the three branches of the State and specialized bodies, **consultative processes** with relevant stakeholders such as national human rights institutions and civil society representatives and **information management** capacity facilitated through the below key tools:

National **implementation plans** for follow-up on human rights recommendations, drawing from the outcome of the work of the treaty bodies, universal periodic review and special procedures.

The development of **indicators** to help assess the impact of implementation of recommendations.

The creation and maintenance of a **database** to track and report on implementation of recommendations.

THEMATIC IMPLEMENTATION

First and foremost, efficient follow-up and implementation can only be achieved with the support of a solid coordination mechanism between the national entities which are primarily responsible for the thematic implementation of the recommendations, and through continuous consultative practices with, and contribution of, NHRIs and civil society, and engagement with the human rights mechanisms. In addition, the national **implementation** of human rights recommendations, undertaken through a holistic approach, cannot be achieved in an efficient manner without a plan, including the thematic clustering of recommendations, the strategic attribution of responsibilities and the agreement on realistic timelines. Moreover, the best way to identify the most appropriate measures of implementation is to clearly set, from the outset, the desired outcomes. In turn, reporting on the impact these measures have had on the improvement of the human rights situation can only be made on the basis of agreed relevant indicators for measuring progress. Finally, the capacity to proficiently disseminate and manage the wealth of information generated by the process can usefully be supported by setting up a national database.

THE INTEGRATION OF A GENDER PERSPECTIVE

The integration of a **gender perspective** throughout these structures and processes is also paramount for ensuring that implementation supports the achievement of gender equality and the enjoyment of all human rights without discrimination based on gender or sex.

NMRF

Practices

What it is: A national governmental mechanism or structure, ministerial, interministerial or institutionally separate, and preferably standing in nature established to support the implementation of human rights recommendations and the reporting on the progress achieved. **What it does:** It is mandated and has the capacity to: **engage** with international and regional human rights mechanisms; **coordinate** the follow-up to, implementation, evaluation and reporting processes of the implementation of international human rights obligations, commitments and recommendations with ministries, specialized State bodies, the Parliament and the Judiciary; **consult** with the national human rights institution(s) and civil society; and **manage the information**, including its dissemination and through data collection and databases. **How it does it:** Its approach is comprehensive and includes all international and regional human rights mechanisms, including treaty bodies, the universal periodic review and special procedures.

OHCHR Tools

National Mechanisms for Reporting and Follow-up, A Practical Guide to Effective State Engagement with International Human Rights Mechanisms, OHCHR, 2016 [\[E\]](#) See also the Study [\[E\]](#)

Human Rights. Handbook for Parliamentarians N° 26. OHCHR and Inter Parliamentary Union (IPU), 2016 [\[E\]](#)

CONSULTATIONS

Practices

What it is: The establishment of effective **consultative processes** and dialogue with relevant stakeholders such as the NHRI and civil society representatives.

OHCHR Tools

National human rights institutions and Universal Periodic Review follow-up [\[E\]](#)

How to Follow Up on United Nations Human Rights Recommendations - A Practical Guide for Civil Society. Available in [A-C-E-F-R-S](#)

NATIONAL IMPLEMENTATION PLANS

Practices

What it is: A planning tool to ensure effective and timely implementation. **What it includes:** The thematic clustering of recommendations, the identification of the measures for implementation, the

attribution of responsibilities, timelines and indicators to measure progress. Implementation plans can also serve as a tool to assist in identifying capacity gaps and in the assessment of the needs in terms of technical assistance.

OHCHR Tools

Handbook on National Human Rights Plans of Action. OHCHR [E]

Compilation of National Human Rights Action Plans (NHRAPs), OHCHR [E]

Guide - Experiences from the Development, Implementation and Review of National Human Rights Plans of Action [OHCHR/UPRB].

INDICATORS

Practices

What it is: A tool to assist in the assessment of the impact of the implementation of recommendations on the improvement of the human rights situation on the ground. NMRFs should strategically include representatives of national statistics offices.

OHCHR Tools

Human Rights Indicators: A Guide to Measurement and Implementation. [A-E-F-S]

DATABASES

Practices

What it is: An electronic system to record, track and report on the implementation of the recommendations. It can take the form of a table in a Word document or be supported by various levels of sophistication of software.

OHCHR Tools

The Universal Human Rights Index (UHRI) (including recommendations from all UN mechanisms) [E] [F]. OHCHR is carrying out improvements to the UHRI system which will include the following: enhanced search options, the possibility to produce/export tables of thematically clustered recommendations, and their links with the SDGs. In addition, a **UHRI Web Service** will enable the transferring of recommendations from the UHRI to any customized database or application on any device. Finally, a **multi-lingual application to create national databases of recommendations** and report progress on implementation will be made available to States free of charge.

OHCHR/UN TECHNICAL ASSISTANCE

Practices

What it is: At the request of States, OHCHR and UN Country Teams (UNCTs) provide support, inter alia, on the elaboration of the core elements of national human rights follow-up systems and processes. It also provides support to the thematic (sectorial) implementation of the recommendations. OHCHR also provides support to UNCTs in integrating a human rights perspective into their work. **Who it is:** OHCHR Headquarters, UNCTs and OHCHR field presences which include Country/Stand-alone Offices, United Nations Peace Missions, Regional Offices and Centres, and the deployment of Human Rights Advisers in UN Country Teams. **How it is provided:** The UN is promoting a holistic approach which includes the simultaneous consideration of all recommendations, from the treaty bodies, the universal periodic review and the special procedures, in line with States' priorities. The assistance can take various forms. The most common ones are:

- Advisory
- Seminar and training (National/Regional)
- United Nations Volunteer (UNV) posting
- Consultant services (National/International)
- Facilitation of national or sectoral consultations
- Support to the thematic implementation of recommendations
- Facilitation of peer exchange of practices
- Referral to OHCHR/UN multilateral or bilateral partners

Programmes and Funding Mechanisms

Pursuant to GA resolution 68/268, the OHCHR has established a Treaty Body Capacity Building Programme. In addition, the main funds through which the OHCHR and UNCTs are providing technical assistance in the follow-up and implementation of human rights recommendations from all mechanisms include:

- Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review [E]
- United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights [E]
- UNDG Human Rights Mainstreaming Trust Fund [E]

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