UN Human Rights System: Current Challenges and Debates

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October 30, 2019
UN Human Rights System

✓ Core instruments:
  ▪ UN Charter (1945; drafted 1941); UN Declaration of Human Rights (1948)
  ▪ International human rights treaties

✓ Key human rights bodies & mechanisms

✓ Key actors
Human Rights Treaties

- The Convention on the Rights of the **Child** (CRC)
- UN Convention Against **Torture** and Other Cruel, Inhuman or Degrading Treatment (CAT)
- Convention on the Elimination of All Forms of Discrimination Against **Women** (CEDAW)
- International Convention For Elimination of Racial **Discrimination** (CERD)
- International Covenant on **Economic, Social, and Cultural Rights** (ICESCR)
- International Convention on Rights of **Persons with Disabilities** (CRPD)
- International Covenant on **Civil and Political Rights*** (ICCPR)
Human Rights Bodies & Mechanisms

- Human Rights Council
  - Special Procedures (now 44)
  - Universal Periodic Review (UPR)

- Treaty Bodies

- Office of the High Commissioner
## Human Rights Mechanisms: at a glance

<table>
<thead>
<tr>
<th>Human Rights Mechanism</th>
<th>Scope</th>
<th>Civil Society Participation</th>
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</thead>
<tbody>
<tr>
<td><strong>Human Rights Council</strong></td>
<td>UN State Parties</td>
<td>All human rights</td>
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<td>• Attend/monitor sessions</td>
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<td>• Hold side events</td>
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<td>• Lobby members</td>
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<td><strong>Special Procedures</strong></td>
<td>Independent experts</td>
<td>Mandate of procedure</td>
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<td>• Submit info. on trends/cases</td>
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<td>• Briefings before for visits</td>
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<td><strong>UPR</strong></td>
<td>UN State Parties</td>
<td>All human rights obligations</td>
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<td>• Submit reports</td>
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<td>• Attend review</td>
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<td>• Briefings for states</td>
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<td><strong>Treaty Bodies</strong></td>
<td>Independent experts</td>
<td>Mandate of the treaty</td>
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<td><strong>Office of the High Commissioner</strong></td>
<td>Appointed official</td>
<td>All human rights</td>
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<td>• Provide info. on issues, trends and cases</td>
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If leaders do not listen to their people, they will hear from them – in the streets, the squares, or, as we see far too often, on the battlefield. There is a better way. More participation. More democracy. More engagement and openness. That means maximum space for civil society.

UN Secretary-General Ban Ki-moon’s remarks
High-level event on supporting Civil Society
23 September 2013
Important Role of Civil Society

United Nations
  • First inter-governmental organization to enshrine NGO relations in its founding charter (Article 71)

Department of Public Information (DPI) (1946)
  • Recognition of the importance of working with and through NGOs

Secretary General’s panel on the UN and Civil Society (2004)
  • to find best practices and facilitate NGO participation as part of “Strengthening the United Nations”

Civil Society an essential part of international cooperation
  • "Our times demand a new definition of leadership - global leadership. They demand a new constellation of international cooperation - governments, civil society and the private sector, working together for a collective global good.” –Ban Ki-moon (2009)
Safe and Sustainable Environment for Civil Society

- Legal Framework Compliant with International Standards
- Effective Access to Justice
- Political Environment Conducive to Civil Society
- Long-term Support & Resources for Independent Civil Society
Challenges include:

– Backlog of State reports, individual communications, and urgent actions

– Insufficient compliance by States parties with their reporting obligations

– Diverging working methods among the treaty bodies
Treaty Body Strengthening

Since 1988, four major initiatives to enhance the effectiveness of the treaty body system:

- **The UN Secretary-General’s proposal of a single report (2002 – 2006)**
- **High Commissioner Arbour’s proposal of a unified standing treaty body (2006)**

Resolution 68/268 comprises two review mechanisms:
- Biennial report by UN Secretary-General on state of treaty body system
- An overall review of the effectiveness of the measures taken pursuant to resolution 68/268 no later than 2020

Resolution 73/162 adopted on 17 December 2018
- Requests that UN Secretary-General submits his biennial report in January 2020, which will be the third one (two previous reports submitted in 2016 & 2018)
- Biennial report requested in advance of 2020 review of the treaty body system, which should take place no later than 9 April 2020
The determination and integrity of civil society actors bring me, and perhaps bring to you, a sense of humility, a feeling of a great and powerful debt being owed, and the will to continue working for the equal and inalienable dignity and rights of every human being.

Prince Zeid Ra’ad Al-Hussein
UN High Commissioner for Human Rights
October 2014