



UN Human Rights System: Current Challenges and Debates

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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 Mechanism	Scope	Civil Society Participation	
Human Rights Council	UN State Parties	All human rights	<ul style="list-style-type: none"> • Attend/monitor sessions • Hold side events • Lobby members
Special Procedures	Independent experts	Mandate of procedure	<ul style="list-style-type: none"> • Submit info. on trends/cases • Briefings before for visits
UPR	UN State Parties	All human rights obligations	<ul style="list-style-type: none"> • Submit reports • Attend review • Briefings for states
Treaty Bodies	Independent experts	Mandate of the treaty	<ul style="list-style-type: none"> • Submit reports, other inputs • Attend/monitor review • Briefings for experts
Office of the High Commissioner	Appointed official	All human rights	<ul style="list-style-type: none"> • Provide info. on issues, trends and cases



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**



Treaty Body Strengthening Process

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 reports by Independent Expert Philip Alston \(1988 – 1996\)](#)
- [The UN Secretary-General's proposal of a single report \(2002 – 2006\)](#)
- [High Commissioner Arbour's proposal of a unified standing treaty body \(2006\)](#)
- [The treaty body strengthening process --> General Assembly resolution 68/268 \(2009 – 2014\)](#)

[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