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Technical assistance and capacity-building

Regional consultations on experiences and good practices relating to the establishment and development of national mechanisms for implementation, reporting and follow-up

Report of the Office of the United Nations High Commissioner for Human Rights*

Summary

The present report, submitted pursuant to Human Rights Council resolution 42/30, provides a summary of the exchanges that took place during five online regional consultations to exchange experiences and good practices relating to the establishment and development of national mechanisms for implementation, reporting and follow-up, and their impact on the effective implementation of human rights obligations and commitments, held from 24 November to 3 December 2021, and of additional information provided by Member States throughout the consultation process. The report also sets out conclusions and recommendations, including on forms of cooperation between the Human Rights Council and national mechanisms.

* The annexes to the present report are circulated as received, in the language of submission only.



I. Introduction

1. In resolution 42/30, the Human Rights Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to organize five regional consultations to exchange experiences and good practices relating to the establishment and development of national mechanisms for implementation, reporting and follow-up and their impact on the effective implementation of human rights obligations and commitments, in consultation with relevant stakeholders. It also requested OHCHR to prepare a report containing the conclusions drawn and recommendations made at the regional consultations to identify forms of cooperation between the Human Rights Council and the national mechanisms, and to submit the report to the Council at its forty-seventh session.

2. In 2020, due to the coronavirus disease (COVID-19) pandemic, the Human Rights Council decided to defer the holding of the five regional consultations to 2021 and the submission of the report to its fiftieth session.¹ Originally planned to be held in Ethiopia, Kyrgyzstan, Lebanon, Paraguay and Thailand, the consultations took place remotely due to the prevailing circumstances.

II. Background

3. The OHCHR practical guide to effective State engagement with international human rights mechanisms and accompanying study of State engagement with human rights mechanisms, both issued in 2016, define national mechanisms for reporting and follow-up as national public structures mandated to coordinate the preparation of reports to, and engage with, international and regional human rights mechanisms, and to facilitate the tracking of national follow-up and implementation of human rights treaty law obligations and the recommendations emanating from those mechanisms.² To ensure regular and beneficial engagement with international and regional human rights mechanisms, States have started adopting more comprehensive and permanent approaches to human rights reporting and the implementation of their recommendations, including through national mechanisms for reporting and follow-up.³

4. The establishment of national mechanisms for reporting and follow-up was a key recommendation of the High Commissioner for Human Rights in her report on the strengthening of the treaty bodies in 2012.⁴ The need to enhance such national capacity and to promote the sharing of good practices among these structures was also specifically recommended by the General Assembly in resolution 68/268. The importance of establishing or strengthening national mechanisms is stressed in letters sent by the High Commissioner to States following each session of the universal periodic review and in reports to the General Assembly or the Human Rights Council.⁵

5. Through the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review and the treaty body capacity-building programme established pursuant to General Assembly resolution 68/268, OHCHR provides support to States for the strengthening and establishment of national mechanisms. Since 2015, support has been provided to 70 countries through training, peer-to-peer exchanges and technical advice. Such activities are also aimed at contributing to the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals.⁶

¹ See decision 45/113.

² See <https://www.ohchr.org/en/treaty-bodies/follow-regional-consultations-national-mechanisms-implementation-reporting-and-follow>.

³ See Human Rights Council resolution 36/29.

⁴ [A/66/860](#).

⁵ See, for example, [A/72/351](#), [A/HRC/41/25](#) and [A/HRC/41/29](#), paras 17–18.

⁶ OHCHR continues to invest in specific tools, including digital ones, to enable such links. The Universal Human Rights Index is one such tool, an online database available to all to identify recommendations from the international human rights mechanisms relevant to each of the Sustainable Development Goals.

6. The recognition of the importance for States of establishing and strengthening national mechanisms is reflected by the inclusion of specific recommendations on those mechanisms in many resolutions adopted by intergovernmental bodies⁷ and the advocacy of the Group of Friends on national implementation, reporting and follow-up at the Human Rights Council.⁸ In that regard, the five online regional consultations mandated by the Council and organized in 2021 were the first events organized for the Member States to share good practices, challenges and lessons learned from their experience with national mechanisms.

III. Process and methodology

7. The online regional consultations, which opened with an address by the High Commissioner for Human Rights, were held for Europe and Central Asia on 24–25 November 2021, for Arabic-speaking countries on 29–30 November 2021, for the Asia-Pacific region on 30 November and 1 December, for the Americas and the Caribbean on 1–2 December and for Africa on 2–3 December 2021.⁹ The consultations consisted of two daily sessions of two hours each. They were structured around the key capacities of an effective national mechanism: engagement, coordination, consultation and information management. In advance of the consultations, OHCHR conducted an online survey to gather information, to which 55 States replied with substantive contributions.

8. The online regional consultations brought together more than 500 participants, two thirds of whom were women.¹⁰ Around 250 State representatives took part, including representatives with experience in engaging with international human rights mechanisms, members of national mechanisms, representatives from ministries, members of parliament¹¹ and the judiciary. Experts from international human rights mechanisms and United Nations Resident Coordinators and officials from United Nations entities also took part in the events. The sessions on consultation and engagement also saw the participation of representatives from national human rights institutions and ombudspersons, civil society organizations and academia. Further written contributions were received following the events.

9. The present report summarizes the practices and experiences shared during the five online regional consultations and through written submissions, including the online survey. It also presents conclusions from the exchanges during the consultations and recommendations for consideration by the Human Rights Council.

IV. Institutional set-up and mandates of national mechanisms for implementation, reporting and follow-up

10. During the regional consultations, numerous State representatives stressed the importance of promoting the establishment or strengthening of standing national mechanisms as an essential tool for effective engagement with international and regional human rights mechanisms.¹² Most States that have established standing national mechanisms through legislation or decree, including the Bahamas and the Philippines, considered them critical in engaging with and following up on recommendations made by United Nations and regional human rights mechanisms.¹³ On the other hand, some participants noted that ad hoc structures, namely those created for the purpose of preparing a specific report were found to be less effective in creating sustainable national capacity to enhance national human rights

⁷ See, for example, Human Rights Council resolution 36/29 and General Assembly resolution 68/268.

⁸ In outcomes of the universal periodic review and in the adoption of resolutions by the Human Rights Council, the Group of Friends, coordinated by Portugal, recommends, inter alia, the establishment or strengthening of national mechanisms in all Member States.

⁹ See <https://www.ohchr.org/EN/HRBodies/Pages/Capacity-Building-Regional-Consultations.aspx>.

¹⁰ Participation in the regional consultations was as follows: 110 participants for Africa, 147 for the Americas and the Caribbean; 75 for the Asia-Pacific region; 60 for Arabic-speaking countries; and 93 for Europe and Central Asia.

¹¹ From Brazil, the Dominican Republic and Turkmenistan.

¹² See annex 2, figure A.

¹³ See annex 2, figure B.

expertise, meet human rights reporting obligations and implement recommendations from the human rights mechanisms.¹⁴

11. As regards the institutional set-ups of national mechanisms, extensive discussions took place on the implications of different institutional arrangements regarding the capacity to engage with international and regional mechanisms.¹⁵ The OHCHR 2016 practical guide and study identified three standing mechanisms: institutionally separate, ministerial and interministerial. During the regional consultations, most States identified their national mechanisms as institutionally separate or functioning under the leadership of a single ministry. An institutionally separate national mechanism functions with its own budget and staff, and is structured into internal directorates, programmes and subprogrammes. A national mechanism led by a single ministry usually relies on the staffing, budget and other resources of that ministry. In both cases, the interministerial set-up through a network of focal points features prominently. Of all the States that shared information on the issue through the online survey and during the online consultations, 33 indicated that their national mechanism was embedded in the Ministry of Foreign Affairs, 14 came under the Ministry of Justice or the Office of the Attorney General, 4 under the Ministry of Human Rights and 8 under another entity.

12. Participants across the five regions generally agreed that no one size fits all in terms of institutional set-up. However, they also noted that it was crucial that national mechanisms be empowered with visibility, political leverage and financial and human resources to effectively discharge their pivotal role in enhancing knowledge and synergy at the national implementation level of human rights treaty obligations. Some countries reported that having an institutionally separate national mechanism gave more political and operational leverage. Clear terms of reference, in which the roles of the members of the mechanism, staff of the secretariat and human rights focal points in different ministries and other institutions were defined and a budget assigned, were found crucial to help provide the necessary leverage.¹⁶

13. A number of State representatives considered that the institutional set-up of a national mechanism had an impact on the involvement of key actors, such as line ministries, parliament or the judiciary.¹⁷ The representatives of Maldives and Portugal pointed to the importance of ensuring membership at both policy and technical levels. The representative of the Dominican Republic stated that policy-level membership ensured the authority to coordinate, seek and receive information, while the representative of Bahrain pointed out that technical membership provided an operational capacity and guaranteed a degree of institutional memory. The representatives of Angola, Kenya and Mauritius also referred to the fact that their national mechanisms followed a strict gender balance and the representative of the Bahamas stated that it met the criterion of representation of specific groups, including persons with disabilities.

14. Increasingly, the membership of national mechanisms extends to representatives from the parliament,¹⁸ the judiciary,¹⁹ statistics offices²⁰ and sometimes local authorities such as municipalities.²¹ Some national mechanisms have established institutionalized tracks of

¹⁴ On the correlation between more institutionalized national mechanisms and better engagement with human rights mechanisms, see OHCHR, *The Status of National Mechanisms for Reporting and Follow-up in Southern Africa. Practices, Challenges and Recommendations for Effective Functioning* (2021), available from <https://www.ohchr.org/en/treaty-bodies/follow-regional-consultations-national-mechanisms-implementation-reporting-and-follow>.

¹⁵ Morocco can be seen as a good example, with its interministerial delegation for human rights designed as a standing government structure with approximately 70 dedicated staff.

¹⁶ Senegal has a budget although it is limited. Challenges related to budget were shared by Angola, Cuba, Eswatini, Kenya and St Vincent and Grenadines.

¹⁷ See annex 2, figure C.

¹⁸ For example, in Brazil, Eswatini, Guatemala, Honduras, Maldives, Paraguay and Serbia.

¹⁹ For example, in Angola, Brazil, Eswatini, Guatemala, Honduras, Kenya, Maldives, Paraguay and Uruguay.

²⁰ For example, in Angola, the Bahamas, Italy, Kenya, Maldives, Mauritius, North Macedonia, Portugal, Samoa, Saudi Arabia, Tunisia and Uruguay.

²¹ For example, the national mechanism of Italy counts on the membership of the National Association of Italian Municipalities.

collaboration with such entities²² or local authorities (for example in Angola), including through standing invitations.²³

15. Participants from some countries reported that parliaments had a decisive role, as not only did they approve the draft reports to be submitted to human rights mechanisms, but public discussions thereon also took place under their aegis.²⁴ Parliaments also contributed to the efforts of States to implement recommendations when they were required to endorse implementation or action plans.²⁵ In Brazil, where the parliament is represented in the national mechanism, the Parliamentary Observatory for the universal periodic review monitors the implementation of recommendations and strengthens national capacities by widely involving civil society organizations and other stakeholders in tracking the status of implementation of recommendations.²⁶ A number of countries, including Benin and the Republic of Korea, have also started including parliamentary representatives in State delegations attending treaty body reviews.

16. The judiciary is an important actor for national mechanisms to coordinate with, to respond to individual complaints and for the collection of information on court cases related to human rights provisions. Tunisia and the Maldives provided examples whereby the judiciary enjoyed standing membership in their national mechanisms. In Tunisia, the Ministry of Justice is represented by two members who play complementary roles. A judge from the Ministry of Justice coordinates information collection with courts within the country, while a judge at the institute of legal and judicial studies under the Ministry of Justice has a technical role in report writing. Tunisia highlighted the importance of continuous capacity-building of judges to enable meaningful engagement with human rights mechanisms.

17. Participants shared the way in which they promoted synergies between human rights and the 2030 Agenda for Sustainable Development, including in the framework of the voluntary national reviews. Some States do so by ensuring that national mechanisms include focal points for the Sustainable Development Goals or support work on issues related to the 2030 Agenda. For example, the Angolan national mechanism took part in the reporting process under the 2030 Agenda and the State uses Sustainable Development Goal indicators to measure progress in the implementation of human rights recommendations. The Ministry of Foreign Affairs of Samoa co-chairs the national mechanism and the Sustainable Development Goal task force.²⁷ In the State of Palestine, most institutions and line ministries represented in the national mechanism are also members of the National Committee for the Implementation of the 2030 Agenda. Consequently, members of the mechanism participated in the drafting and finalization of the national policy agenda for the period 2017–2022.

18. The relationship between national mechanisms and national human rights institutions was extensively discussed during the consultations.²⁸ The OHCHR 2016 study of State

²² These include the national mechanisms of Australia, Bhutan, Brazil, the Dominican Republic, Egypt, Guatemala, Honduras, Mauritius (parliament), Morocco, Paraguay, Samoa, Tunisia (judiciary), Uruguay (judiciary and parliament) and Uzbekistan. In Brazil, the national mechanism maintains a dialogue with the legislative branch, especially the Chamber of Deputies and the Senate Foreign Affairs Secretaries, and with the Human Rights and Minorities Commission, answering inquiries as and when required.

²³ For example, the national mechanism of Portugal has issued a standing invitation to the parliament, the ombudsperson, the national human rights institution and the Office of the Prosecutor to attend and participate in all its meetings and activities.

²⁴ For example, in Serbia and Uzbekistan.

²⁵ Uzbekistan has established a special parliamentary commission to ensure the implementation of its international human rights obligations.

²⁶ This initiative has been financially and technically supported by the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review. See <https://www2.camara.leg.br/atividade-legislativa/comissoes/comissoes-permanentes/cdhm/observatorio-parlamentar-da-revisao-periodica-universal-da-onu/o-observatorio-parlamentar>.

²⁷ See Danish Institute for Human Rights, “Report on country experiences with HR-SDG integrated national mechanisms for implementation, reporting and follow-up” (July 2021).

²⁸ See annex 2, figure D.

engagement with international human rights mechanisms highlighted the relationship between the two bodies, whereby the former would consult the latter for reporting and follow-up purposes along with other independent actors. In practice, an increasing number of States involve national human rights institutions beyond mere consultation. A signal of this shift is the inclusion of representatives of national human rights institutions as members of national mechanisms for implementation, reporting and follow-up.²⁹ Participants from Honduras and Serbia stated that this approach facilitated the involvement of national human rights institutions in reporting and follow-up processes. They also underscored the importance of ensuring that national human rights institutions, as entities independent from government, continued to play their oversight role, for example by submitting separate alternative reports to human rights mechanisms.³⁰ The regional consultations highlighted the need to clarify and maintain the respective roles of national mechanisms and national human rights institutions to ensure the necessary complementarity, while guaranteeing the independence of national human rights institutions.³¹

19. Membership of some national mechanisms extends to selected civil society organizations.³² While this approach was perceived by some stakeholders as a positive step to ensure continuous consultation and involvement, a participating member of the Committee on Economic, Social and Cultural Rights noted the importance of ensuring that membership did not jeopardize the possibility of civil society organizations engaging with human rights mechanisms in parallel, for example through the submission of alternative reports. That would ensure that civil society organizations and national human rights institutions continued to contribute to transparency and accountability at the national level.

20. In relation to the mandates of national mechanisms, practices shared by participants suggested that their functions had evolved from the traditional drafting of reports to human rights mechanisms or engaging in country visits and the tracking of national follow-up of recommendations. In most countries, national mechanisms now coordinated the development of national plans for the implementation of the recommendations issued by human rights mechanisms.³³

21. Generally, the domestication of recommendations from human rights mechanisms has helped to ensure that human rights inform the work of line ministries.³⁴ For example, Angola reported that its Intersectorial Commission for the Deliberation of National Human Rights Reports was tasked with verifying the alignment of the national development plan and the country's five-year governance plan with the recommendations made by human rights mechanisms.³⁵ In the opening statement at the Europe and Central Asia consultations, the representative of Portugal also stressed that the recommendations made by the international human rights system would only bear fruit when implemented in an approach involving the whole of government and progress thereon was reported. He added that national mechanisms were central to these efforts, contributed to the prevention of human rights violations and could facilitate the integration of human rights recommendations in the implementation of the 2030 Agenda.

22. In some states, national mechanisms have been designated as the entity within the government in charge of human rights-related issues and they monitor the implementation of recommendations from human rights mechanisms.³⁶ For instance, the representative of the

²⁹ For example, in Kenya, Saudi Arabia and Senegal.

³⁰ For example, the National Human Rights Commission of Bangladesh reminds the State party when reports are overdue.

³¹ For example, the national mechanism of the State of Palestine has adopted a memorandum of understanding with the national human rights institution.

³² For example, in the Bahamas, the Republic of Moldova, Saint Lucia and Senegal.

³³ See annex 2, figure J.

³⁴ For example, in Australia, Paraguay, Philippines and Uruguay.

³⁵ See also, OHCHR, *The Status of National Mechanisms for Reporting and Follow-up in Southern Africa. Practices, Challenges and Recommendations for Effective Functioning*.

³⁶ For example, in the Bahamas and the Philippines. See also the Moroccan interministerial delegation for human rights, which is composed of three directorates: legal studies and international cooperation, coordination and promotion of human rights; and partnerships and outreach with national

Philippines explained that the national mechanism monitored all aspects of the human rights situation in the country and collected data on human rights indicators. Another example was the national mechanism of Guatemala, which was involved in following up on peace agreements and social issues.

23. The mandate of some national mechanisms also included State party submissions to the treaty bodies on individual complaints and ensuring follow-up to views and decisions.³⁷ However, while some States, including Serbia, were considering extending the mandate of their national mechanisms to cover follow-up to views and decisions on individual complaints, the practice remained sporadic. Some participants warned that the current lack of an adequate institutional follow-up at the national level for individual complaints might leave a gap whereby some individuals were denied an effective remedy to which they were entitled.³⁸

24. Participants in the five online regional consultations shared other examples of functions that went beyond the traditional mandates of national mechanisms. National mechanisms were also involved in advocacy,³⁹ human rights mainstreaming,⁴⁰ outreach to external partners including the United Nations,⁴¹ development actors⁴² and the donor community, capacity-building for its members and for other stakeholders,⁴³ and the production of methodological tools.⁴⁴ In relation to capacity-building, the national mechanisms of Bahrain, Brazil, Iraq, Italy, Lebanon, Morocco, Portugal and the Sudan had organized study days, workshops and seminars on a wide range of human rights-related issues for national stakeholders.⁴⁵ A number of States have seen an improvement in the communication and quality of the information provided to the national mechanism by national actors as a result of such capacity-building and outreach activities.

V. Coordination

25. The coordination capacity of a national mechanism is the capacity and authority to disseminate information and organize and coordinate information-gathering and data collection from government entities, but also from other State actors, such as the national statistics office, parliament and the judiciary.

organizations, and the national mechanisms of Italy, Portugal, Serbia, Uzbekistan and Yemen. In Côte d'Ivoire, the national mechanism is in charge of mobilizing national constituencies on human rights-related issues.

³⁷ For example, Kenya and the Philippines.

³⁸ This issue was also raised by an NGO representative in relation to Kazakhstan. See also Rachel Murray, "The 'implementation' in 'national mechanisms for implementation, reporting and follow-up': what about the victims?" in *A Life Interrupted: Essays in Honour of the Lives and Legacies of Christof Heyns*, Frans Viljoen and others, eds. (Pretoria, Pretoria University Law Press, 2022).

³⁹ In the Philippines.

⁴⁰ In Australia and Kenya.

⁴¹ In the Bahamas. In Uruguay, the Ministry of Foreign Affairs, the Uruguayan Agency for International Cooperation, the United Nations Development Programme and the Office of the United Nations Resident Coordinator take an active part in the implementation of the activities of the national mechanism. This is key to guaranteeing a consistent and serious implementation process. As of 2022, Brazil also plans to include United Nations agencies.

⁴² For example, in Samoa and Uruguay.

⁴³ See also Sébastien Lorion and Stéphanie Lagoutte, "Implementers or facilitators of implementation? Governmental Human Rights Focal Points' complex role in enhancing human rights compliance at the national level", *SSRN* (August 2021).

⁴⁴ For example, in Brazil, Morocco, Paraguay and Uruguay. In Brazil, the mandate of the national mechanism is to monitor the recommendations from the universal periodic review; strengthen the engagement of Brazil with international human rights mechanisms; strengthen institutional capacities and public policies; contribute to the practical effectiveness of the content of the recommendations; and disseminate information.

⁴⁵ The national mechanism of Italy also provides training to universities and the National Association of Italian Municipalities and the national mechanism of Uzbekistan has developed a special course for academics.

26. During the regional consultations, participants emphasized that the establishment and strengthening of national mechanisms had helped to improve national ownership of human rights processes and coordination between the three branches of government, as well as across different levels of government.⁴⁶ Coordination was also seen as instrumental in setting up and preparing the national delegations designated to take part in dialogues with treaty bodies and the universal periodic review. In practice, most heads and members of delegations during the universal periodic review are members of national mechanisms.

27. Coordination is achieved through various means and is instrumental in ensuring that the recommendations stemming from international human rights mechanisms reach the relevant ministries and the different branches of the State. For example, Ecuador, Guatemala, Honduras, Paraguay and Uruguay have established institutional networks of focal points from government, parliament, the judiciary and independent entities that are responsible for following up on the recommendations assigned to their respective institutions.

28. In Uruguay, the president of each parliamentary chamber appoints a focal point to sit on the inter-institutional network. The Supreme Court of Justice appoints the Legal Secretary as the primary focal point. The Legal Secretary in turn appoints magistrates to actively participate and provide information to the inter-institutional network. All focal points are designated by the highest authorities of each institution and feed information to the national mechanism on the status of implementation of the recommendations assigned to them. Such information is provided through the online information management tool used by the national mechanism. Having an extended network of focal points has helped the national mechanism align the priorities in sectoral plans with the recommendations from international and regional human rights mechanisms.

29. A variety of tools have been put in place by States to ensure this coordination. Some States have developed simple tables, whereby the responsibility for each treaty article and the relevant recommendations is attributed to one or various ministries. For example, Malawi has annual work plans that indicate activities to be undertaken in the financial year with the relevant costing.

30. In all regions, participants shared the difficulties of maintaining a high level of cooperation among ministries with expertise in policy areas. Strong ministerial leadership with the necessary political will was seen as critical for effective coordination. The human rights expertise of the members of national mechanisms and their secretariats and their role in building bridges with the relevant ministries were seen as critical to translating human rights obligations into concrete action for proper implementation at the national level. However, maintaining that bridging role was often a key challenge because of turnover among human rights focal points.⁴⁷ As a result, secretariats supporting national mechanisms had sometimes dedicated considerable efforts to building the capacity and expertise of new human rights focal points,⁴⁸ while at the same time facing the loss of institutional memory owing to a lack of information management systems. Another challenge raised by representatives of national mechanisms was understaffing within their own secretariats. Representatives of Cuba, Eswatini and Morocco stressed the importance of having permanent or quasi-permanent human rights focal points and alternates in the different governmental departments to enable sustainable capacity.

31. During the regional consultations, participants in the five regions also shared information about building linkages between human rights and the 2030 Agenda on Sustainable Development. In the 2030 Agenda, the use of existing structures at the national level to minimize reporting burden is promoted.⁴⁹ In practice, strengthened coordination between national mechanisms and Sustainable Development Goal coordination bodies was

⁴⁶ For example, in Australia, Guatemala, the Philippines and Thailand. See also Sébastien Lorion and Stéphanie Lagoutte, "Implementers or facilitators of implementation?"

⁴⁷ For example, in Botswana, Kenya, Mongolia, Papua New Guinea, Samoa and Thailand. See also OHCHR, *The Status of National Mechanisms for Reporting and Follow-up in Southern Africa. Practices, Challenges and Recommendations for Effective Functioning*.

⁴⁸ See OHCHR, *The Status of National Mechanisms for Reporting and Follow-up in Southern Africa* and annex 2, figure H.

⁴⁹ Para. 74 (f).

promoted in a number of countries, including through the use of data from human rights reporting for reporting on the Goals and vice versa.⁵⁰ As this tendency remains sporadic, the United Nations continues to promote these synergies.

VI. Information management

32. The information management capacity of a national mechanism refers to its capacity to track the issuance of recommendations and decisions by the international and regional human rights mechanisms; systematically capture and thematically cluster those recommendations and decisions in a user-friendly spreadsheet or database; identify the government ministries and/or agencies responsible for their implementation; develop follow-up plans, including timelines, with relevant ministries to facilitate implementation; and manage information regarding the implementation of treaty provisions and recommendations, including with a view to preparing the next periodic report.

33. States usually manage the wealth of recommendations received from human rights mechanisms through the adoption of action or implementation plans.⁵¹ Such plans cluster recommendations by theme or target group, identify current or planned activities to implement the recommendations, indicate responsibilities⁵² and, in some cases, allocate budgets.⁵³ Some States, such as Honduras and the United Republic of Tanzania, make use of matrixes to map the required information across treaties.

34. While some countries adopt comprehensive plans incorporating the recommendations from human rights mechanisms, others favour the development of more focused plans, such as a national action plan on childhood or on business and human rights.⁵⁴ The importance of and the challenges related to the use of indicators were discussed during the consultations, including the added value of aligning human rights and Sustainable Development Goal indicators. The preparation of human rights reports and the tracking of human rights situations would benefit from existing efforts on data collection and nationalization of the indicators.⁵⁵ In Serbia, for instance, indicators were developed for all clustered recommendations arising from the third cycle of the universal periodic review, with full alignment with Sustainable Development Goal indicators. That approach facilitated the preparation and submission of the mid-term report submitted to the third cycle of the universal periodic review by Serbia in 2021.

35. Governments and, in some countries, other stakeholders, have developed digital tools to manage human rights-related information.⁵⁶ Systematizing information management was seen as a means to promote transparency and accountability by Honduras and Mexico and ensure efficiency in reporting, given the possibility for multiple users to directly input information into a system, by Guatemala. During the regional consultations, a number of States expressed interest in acquiring digital tools to overcome some of their information management and data collection challenges.⁵⁷

36. During the consultations, OHCHR presented the redesigned version of the national recommendations tracking database, which allows States to manage information and facilitate coordination in one place. The tool is provided free of charge and is available in a number of United Nations languages. Its functionality supports efforts to prioritize and process recommendations issued by United Nations human rights mechanisms. It is designed to act as a central repository for all recommendations, related follow-up plans and a platform to support the drafting of reports on progress made. The recommendations in the database are imported from the Universal Human Rights Index, which is also maintained by OHCHR.

⁵⁰ For example, in Angola, Belize, Cuba, Kenya, Lebanon, Morocco, Papua New Guinea and Paraguay.

⁵¹ See annex 2, figure E.

⁵² For example, in Kenya, Malawi, Mozambique, North Macedonia, Saudi Arabia and the Sudan.

⁵³ Experience was shared by Saudi Arabia.

⁵⁴ For example, in Portugal.

⁵⁵ For example, in Italy, Paraguay, Portugal, Serbia, Thailand and Uzbekistan.

⁵⁶ According to the online survey, approximately 50 per cent of States are using an information management system, such as spreadsheets or digital systems.

⁵⁷ For example, Papua New Guinea and Samoa.

Users can also enter recommendations from regional mechanisms and national plans in the national recommendations tracking database, which should help to facilitate coherent and comprehensive follow-up on the human rights obligations of States.

37. At least four digital information management systems are currently being used in the Americas and the Caribbean: SIMORE/SIMORE+, an information management tool developed by Mexico, SERIDH, which is also connected to the Sustainable Development Goals, SIDERECHOS and the national recommendations tracking database. A number of cooperation agreements are being developed for further roll-out in the region.⁵⁸ In the Asia-Pacific region, IMPACT OSS software⁵⁹ and SADATA (a national version of the former as rolled out in Samoa) are being used. A number of the above-mentioned tools not only feature recommendations from international and regional mechanisms but also support the integration of other important national documents such as sectoral plans, in some cases making the link with the Sustainable Development Goals.⁶⁰

38. The representative of the United Kingdom of Great Britain and Northern Ireland noted that the connection between sectoral plans and strategies and the recommendations of international human rights mechanisms was instrumental in ensuring coherence and accountability. Morocco reported that its centralized information system provided a collaborative platform for all stakeholders to monitor and follow up on the implementation of recommendations. When reports from national human rights institutions were integrated in such tools, their recommendations also fed into the overall effort of implementing the human rights obligations of the State. Participating national human rights institutions and civil society organizations also shared a number of tools that they used to track the implementation of recommendations by their States.⁶¹

39. Collection and processing of data and access to disaggregated data remain a challenge to measuring human rights progress. Several participants reported that their countries had not been able to establish systems that enabled them to collect and produce data with the level of disaggregation needed for human rights assessments or requested by treaty bodies. States and other stakeholders insisted on the role national statistics offices could play in filling the current gap. One of the federal States present during the regional consultations reported experiencing challenges in gathering information from bodies in charge of implementing human rights public policies at the subnational level. Some States mentioned the challenges relating to the current lack of information management tools in local languages. Developers of information management tools were increasingly seeking innovative solutions for translating information to and from local languages to address the burden on national mechanisms.

40. The lack of adequate digital systems for tracking the implementation of recommendations because of financial and technical constraints was mentioned and the difficulties of ensuring the intensive and collaborative work needed to keep the content of an information management system up to date were also raised. In particular, several smaller States referred to the lack of capacity to continuously populate databases. Paraguay indicated that institutional commitment to make the necessary resources available was required to maintain databases.

41. Participants drew attention to the fact that while information management tools facilitated information collection and processing, reports to human rights mechanisms would still need to be drafted with information extracted therefrom. Digital tools would thus not replace the need for dedicated human resources. It was suggested that this topic deserved another opportunity for deeper dialogue in a format that promoted peer-to-peer exchanges

⁵⁸ For example, Brazil is working towards the signature of a technical cooperation agreement with Paraguay for the implementation of SIMORE in the country.

⁵⁹ See <https://impactoss.org/impactoss/>.

⁶⁰ During the Asia-Pacific region consultations, Rosalind Croucher, President of the Australian Human Rights Commission and Chair of the Asia Pacific Forum of NHRIs stated that in Samoa, all recommendations from the national human rights institution were incorporated in the Samoan national mechanism digital system.

⁶¹ The Geneva Academy will carry out a mapping project of existing digital tools used by States to support their engagement with human rights mechanisms.

among users. For example, Mexico was exchanging views with Canada and Egypt on their experience with the SERIDH information management system. More generally, bilateral exchanges were already taking place on good practices and challenges relating to national mechanisms, as in the case of the cooperation between Djibouti and Senegal. This was noted by the OHCHR regional representative for West Africa as a manifestation of South-South cooperation and the voluntary commitments promoted under targets 17.9 and 17.16 of the Sustainable Development Goals. Portugal also offered to host bilateral visits to share the experience of its national mechanism.

VII. Engagement

42. The engagement capacity of a national mechanism refers to its capacity to engage and liaise with international and regional human rights mechanisms (in the context of reporting, interactive dialogues or facilitation of visits, including by special procedure mandate holders or the Subcommittee on the Prevention of Torture); and to organize and centrally facilitate the preparation of reports to international and regional human rights mechanisms; and to respond to communications and follow-up questions and recommendations or decisions received from such mechanisms.

43. During the regional consultations, States and other stakeholders explained how they engaged with human rights mechanisms, including how they prepared and hosted the visits of special procedure mandate holders. While the mandates of a number of national mechanisms include engagement with both the international and regional human rights mechanisms,⁶² some have a more limited scope. For example, 56 per cent of respondents to the survey indicated that their national mechanisms had a mandate to engage with the special procedures, while 44 per cent reported that they engaged with regional mechanisms.⁶³ However, there was some agreement among participants that a mandate to coordinate regional engagement and reporting with international engagement could potentially help ensure adequate implementation at the national level. The OHCHR study on the status of national mechanisms in Southern Africa contained a similar observation.⁶⁴

44. The reporting burden was raised by participants, with most States being parties to multiple international and regional treaties. While efforts were being made at the national level to enhance coordination and information management, a number of States suggested a need for international mechanisms, in particular the United Nations treaty bodies, to simplify their reporting procedures and guidelines to help reduce the reporting burden.⁶⁵ Similarly, referring to the large number of recommendations made by international human rights mechanisms, sometimes on very similar issues, participants suggested greater coordination between human rights mechanisms to reduce unnecessary duplication and avoid contradictions.

VIII. Consultation

45. The consultation capacity of a national mechanism for reporting and follow-up refers to its capacity to foster and lead consultations with a country's national human rights institution(s) and civil society.

46. During the regional consultations, participants stressed the importance for national mechanisms to meaningfully consult with non-governmental entities.⁶⁶ Considering that a

⁶² For example, Angola, Côte d'Ivoire, Italy, Paraguay, Senegal and the Sudan. See also annex 2, figure I.

⁶³ See annex 2, figure I.

⁶⁴ See OHCHR, *The Status of National Mechanisms for Reporting and Follow-up in Southern Africa. Practices, Challenges and Recommendations for Effective Functioning*.

⁶⁵ This call is in line with the "vision" paper adopted in 2019 by the Chairs of the treaty bodies, agreeing to align procedures and working methods in order to facilitate enhanced interaction between States parties and other stakeholders and the treaty bodies (see [A/74/256](#), annex III).

⁶⁶ For example, information provided by Ecuador during the consultations and in the online survey.

vibrant and active civil society can contribute to the quality of engagement of States with human rights mechanisms, representatives of States and non-governmental organizations noted the importance of an enabling environment for civil society organizations, both from the legislative point of view and in relation to resources.⁶⁷

47. While the practice in some countries limits consultation to organized groups of civil society organizations or those that have advisory status, many stakeholders stressed the importance of ensuring that the consultation processes were meaningful, inclusive, formalized and provided for regular participation. They underscored the importance of full participation by the broadest range of civil society organizations,⁶⁸ including the most marginalized and grass-roots organizations, as well as representatives of specific groups, such as women, children and youth.⁶⁹ Consultations can also involve the private sector, academia or religious groups.⁷⁰

48. Samoa stressed the importance identifying key stakeholders to be consulted when preparing each national report to the international human rights mechanisms. Such stakeholders include women, children, persons with disabilities, older persons, youth, academics, parliamentarians, representatives of the private sector, development partners and international and regional organizations, where relevant. For the third cycle of the universal periodic review, Samoa recognized the need to strengthen consultations with civil society organizations that had submitted alternative reports to human rights mechanisms. Some States, such as Thailand, noted that the shift to increased online consultations had enhanced the participation of subnational or local stakeholders.⁷¹

49. Some stakeholders pointed to the lack of institutionalized consultation with the most marginalized groups, specific groups and/or human rights defenders. Because some human rights defenders might face reprisals for engaging with international and regional human rights mechanisms, one NGO specifically mentioned the need for national mechanisms to provide protection measures to secure their participation and consultation.

50. States often organized consultations when they initiated report drafting and in the final phase held validation workshops.⁷² In some countries draft State reports were shared for inputs on a systematic basis.⁷³ Others organize consultations on an ad hoc basis, depending on the needs identified by States.⁷⁴ Some countries have developed the practice of a public presentation of a progress report on the implementation of specific recommendations⁷⁵ and debrief sessions following reviews by human rights mechanisms.⁷⁶ Samoa noted that once the recommendations were received from the relevant human rights mechanism, the consultation process restarted, with the identification of key stakeholders that would be involved in tracking progress.

51. Representatives of States mentioned the tools put in place by national mechanisms to facilitate consultations, such as regular meetings, a calendar of activities, mailing lists, online platforms and a presence on social media.⁷⁷

⁶⁷ See annex 2, figure F.

⁶⁸ For example, the Dominican Republic consults with more than 700 civil society actors.

⁶⁹ For example, the consultation of children and youth through focus groups in the United Kingdom. Representatives of the Paraguay Foundation Semáforo de Eliminación de Pobreza and Edmund Rice International in Peru spoke to the importance of involving children and youth in these processes.

⁷⁰ Bhutan, North Macedonia, Papua New Guinea and Samoa spoke to these issues. Benin includes the Bar association and women's lawyers' associations in dissemination sessions.

⁷¹ Also noted by the National Human Rights Commission of Bangladesh.

⁷² For example, Côte d'Ivoire, Gabon, Kenya, Lebanon, Papua New Guinea, Portugal, Senegal and the State of Palestine.

⁷³ Information provided, inter alia, by Malaysia and Serbia through the online survey.

⁷⁴ For example, Bhutan.

⁷⁵ For example, Uruguay.

⁷⁶ For example, Samoa or Senegal. See also annex 2, figure G.

⁷⁷ Angola, Australia, Italy and Mauritius all spoke to these issues. Brazil organizes public consultations on the online platforms of the Ministry of Women, Family and Human Rights that are open to the general public. Australia has publicly available material online, where its progress on implementation is shown, and Portugal puts the pages of the national mechanism on social media.

IX. Conclusions and recommendations

52. The regional consultations confirmed the observation made in previous reports on the role of national mechanisms, namely that a focus on human rights-related processes at the national level is critical.⁷⁸ National human rights systems constitute the essential counterparts of international and regional human rights mechanisms, which translate their recommendations into effective human rights progress at the national level.⁷⁹ Strengthening national human rights knowledge and capacities therefore optimizes the impact of regional and international human rights mechanisms.

53. The regional consultations revealed that the role and impact of many national mechanisms have expanded. They are increasingly involved in human rights advocacy, planning and implementation. They also play an instrumental role in developing partnerships with the United Nations, bilateral development agencies at the national level and other actors. As such, national mechanisms have become increasingly proactive in promoting human rights mainstreaming. They have also developed innovative practices for meeting human rights obligations.

54. The regional consultations highlighted the importance of a strong legal basis for national mechanisms, including through the enactment of legislation or the adoption of a government decree, with a clear mandate and terms of reference. Terms of reference can outline the composition of the national mechanism; the responsibilities of its secretariat; and the means of coordination with human rights focal points in different ministries and other government institutions, and of consultation with non-governmental stakeholders and various civil society actors.

55. Given the importance of a multidimensional and whole-of-society approach to advance human rights, national mechanisms would gain from higher-level political support, as is the case for Sustainable Development Goal coordination bodies. The latter are often attached to the office of the head of State or the cabinet, an arrangement which has proven particularly effective in promoting the mainstreaming of the Sustainable Development Goals in sectoral policies.

56. The relationship of national mechanisms with the parliament and the judiciary is of paramount importance. Parliaments are instrumental in ensuring that the recommendations stemming from human rights mechanisms are translated into legislation and are implemented at the national level. The experience of some States shows that coordination between national mechanisms and the parliament through the nomination of a parliamentary focal point in national mechanisms or close links between national mechanisms and the parliamentary human rights committees are two promising options. The relationship between national mechanism and the judiciary is equally critical in following up on views and decisions emanating from human rights mechanisms on individual cases and in ensuring that recognized victims enjoy effective remedy. Human rights mechanisms also often request statistical data that are usually collected by the judiciary.

57. The regional consultations have highlighted the fact that some national mechanisms play an increasingly significant role as a bridge between the human rights and sustainable development agendas at the national level. National mechanisms have also started to strengthen links with national statistics offices and other relevant actors collecting and generating statistical data. Through engagement with national and subnational structures of the 2030 Agenda, national mechanisms can ensure that implementation of the 2030 Agenda and its promise to leave no one behind is guided by the international human rights obligations of the State in question.

58. National mechanisms could also benefit from the practices developed in just a few years in the context of voluntary national reviews, including meaningful

⁷⁸ See [A/HRC/41/25](#) and [A/72/351](#).

⁷⁹ See the opening speech of the High Commissioner for Human Rights, available from <https://owncloud.unog.ch/s/sF2n02pG3oXV9bS> (English) and <https://owncloud.unog.ch/s/6VBo3ym6uOMabxN> (Spanish).

consultation of marginalized groups and local communities. National mechanisms can help create synergies by promoting and aligning human rights and reporting on the Sustainable Development Goals. Ensuring a consistent flow of information between human rights mechanisms and Sustainable Development Goal structures will help to join up the dots between distinct yet related policies, reduce the reporting burden of States and enhance implementation efforts.

59. Information and knowledge management was identified as a key enabler, as well as a challenge for national mechanisms. While some States have successfully developed digital information management systems, many have identified a need for additional capacity-building support and peer exchanges in this area.

60. Generally, the regional consultations showed that States had acquired considerable experience in the functioning of national mechanisms and that learning could be harvested from that experience. Knowledge generated through peer-to-peer learning is authentic and by definition reflects the realities on the ground. Moreover, lessons learned and progress achieved in terms of the digital shift during the COVID-19 pandemic provide windows for enhancing exchanges between States.

61. In the light of the conclusions of the regional consultations, it is recommended that the Human Rights Council explore ways of:

(a) Supporting further peer-to-peer exchanges between national mechanisms at the global and regional levels or on specific themes;

(b) Facilitating the creation of a community of practice and a knowledge hub for national mechanisms in collaboration with interested partners;

(c) Supporting the continued development of the digital infrastructure of the human rights mechanisms, including the national recommendations tracking database and other digital tools, to facilitate the engagement of States and other stakeholders;

(d) Supporting initiatives aimed at strengthening the information management capacity of national mechanisms, including through the acquisition of digital information management tools, such as the national recommendations tracking database;

(e) Further supporting OHCHR in its technical assistance and capacity-building activities in relation to the engagement of States with the human rights mechanisms and the implementation of their outcomes. That would include reinforcement of the treaty body capacity-building programme, which is funded by the regular budget, and additional contributions to the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review and to other relevant trust funds, such as the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights;

(f) Defining modalities and tools that enhance synergies in reporting, implementation and follow-up processes under both human rights and the 2030 Agenda.

62. It is also recommended that:

(a) All international human rights mechanisms promote national mechanisms as key human rights structures at the national level, including by recommending, where relevant, the establishment and strengthening of national mechanisms in their outcomes and engage with them for the preparation and execution of country visits and in follow-up to such visits;

(b) The treaty bodies accelerate their efforts towards enhancing predictability, harmonizing working methods and simplifying their methods for stakeholders, bearing in mind that a coherent and effective treaty body system is essential to achieving meaningful engagement by national mechanisms, national human rights institutions, civil society organizations and other actors, and for the implementation of recommendations.

63. In line with the Secretary-General's Call to Action for Human Rights and his report entitled "Our Common Agenda", the access of national mechanisms to the United Nations system should be further promoted. The human rights focus of national mechanisms can contribute to the development of relevant rights-based analyses and programme documents, including the United Nations Sustainable Development Cooperation Framework.

Annex 1

Practices shared during the consultations

The following practices transpired from exchanges among states and other stakeholders during the five regional consultations.

Institutional setup and mandates of national mechanisms

1. Support to the establishment and strengthening of national mechanisms through targeted funding, institutional support and technical advice;
2. Provision of the necessary leverage, including political leverage at the highest level, to fulfil their mandate through legislation or a government decree, supported by clear terms of reference;
3. Provision of a secretariat with the necessary human resources;
4. Comprehensive mandate of national mechanisms to engage with all human rights mechanisms, including regional human rights mechanisms, to improve coherence in the implementation of human rights obligations at the national level; and
5. Extension of the role of national mechanisms to advocacy and coordination of the implementation of human rights obligations, including the implementation of recommendations from human rights mechanisms.

Coordination and consultation capacities

1. Formalization of the relationship with parliaments through the designation of a parliament focal point or through standing operating procedures. This would ensure that recommendations from international and regional human rights mechanisms that require legislative measures such as the adoption of new laws or budgetary adjustments, are identified and given priority consideration, as per the draft Principles on Parliaments and human rights;⁸⁰
2. Coordination with the judiciary, including through the designation of focal points as members of national mechanisms;
3. Coordination with national statistical offices and any relevant actor involved in data collection, including through standing operating procedures or memoranda of understanding, to inform reporting processes on human rights at the international, regional and national levels in line with the human rights-based approach to data;
4. Consultation with national human rights institutions while bearing in mind their independent oversight role in line with the Paris Principles;
5. Strengthened consultation with CSOs, human rights defenders, marginalized and specific groups to ensure their active, meaningful and equitable participation; and
6. Continued efforts to ensure visibility of the work of international and regional human rights mechanisms among the public and facilitation of their engagement with human rights mechanisms.

Coherence with other implementation and follow-up processes at the national

1. Contribution of national mechanisms in the development and monitoring of sectoral and other plans as they relate to human rights;

⁸⁰ Draft Principles on Parliaments and human rights, [A/HRC/38/25](#), annex 1, par. 3 d)

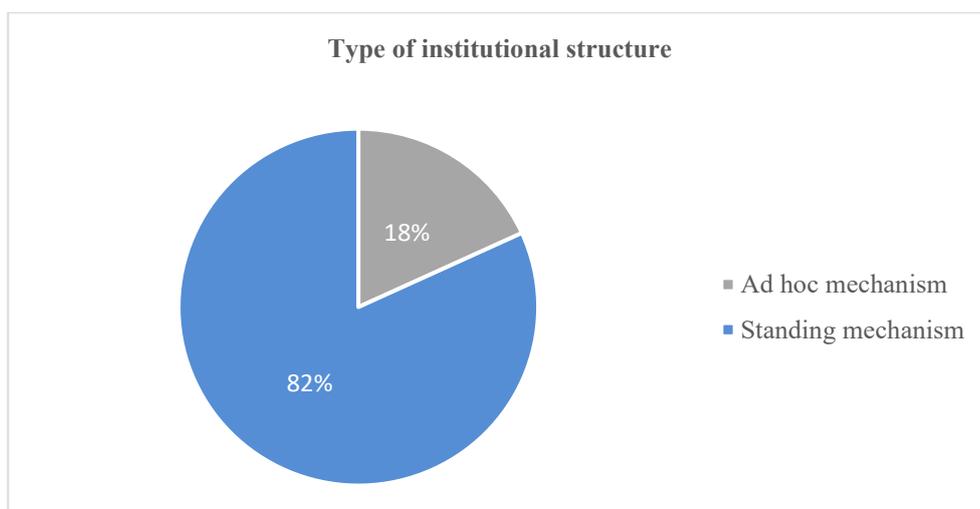
2. Consultation with national actors involved in the development of sectoral and other plans to ensure consistence with recommendations stemming from international and regional human rights mechanisms; and
3. Systematic and sustained collaboration with national and sub-national structures reporting on the implementation of the 2030 Agenda to ensure the flow of relevant data and analysis between them. This includes sharing relevant information to inform the country's VNR as well as feeding the data and analysis prepared within the scope of the VNR process to inform the reporting to international and regional human rights mechanisms, reflecting the interconnectedness between the 2030 Agenda and human rights.

Annex 2

Charts on main findings of the online survey

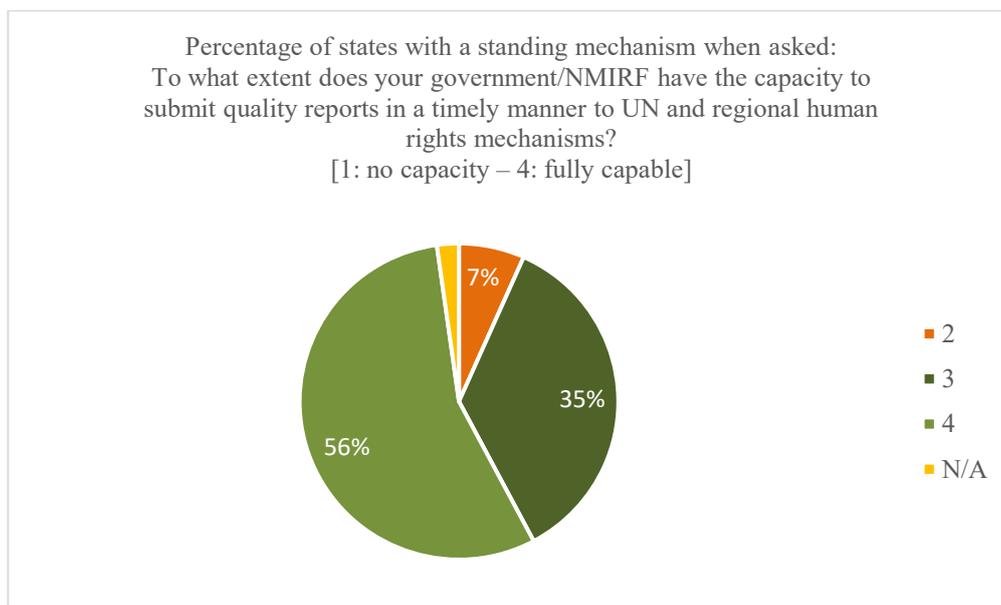
In advance of the regional consultations of National Mechanisms for Implementation, Reporting and Follow-up, the Office of the High Commissioner for Human Rights prepared an online survey to gather information, to which 55 states replied with substantive contributions.

A. Type of institutional structure engaged with United Nations human rights mechanisms and regional human rights mechanisms

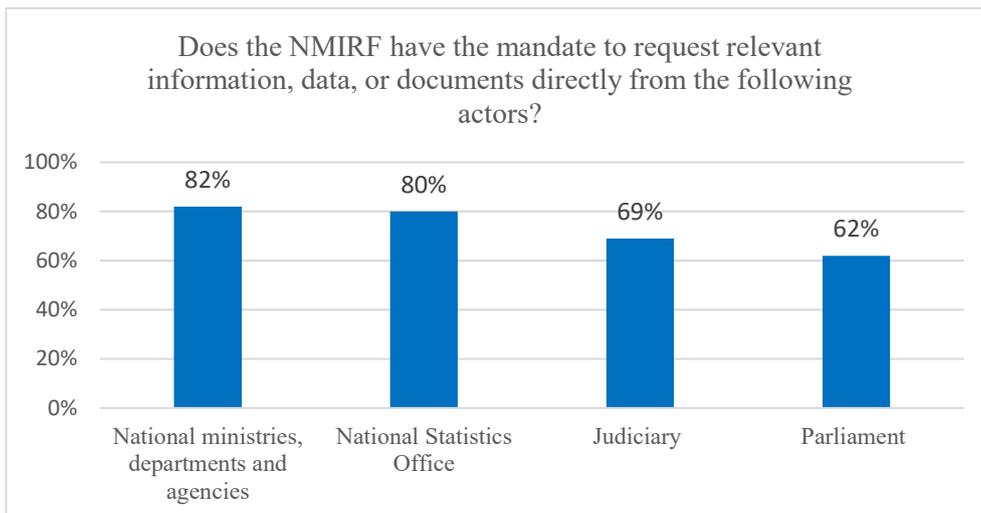


B. Link between having a standing mechanism and the capacity to report and follow-up on recommendations made by international human rights mechanisms

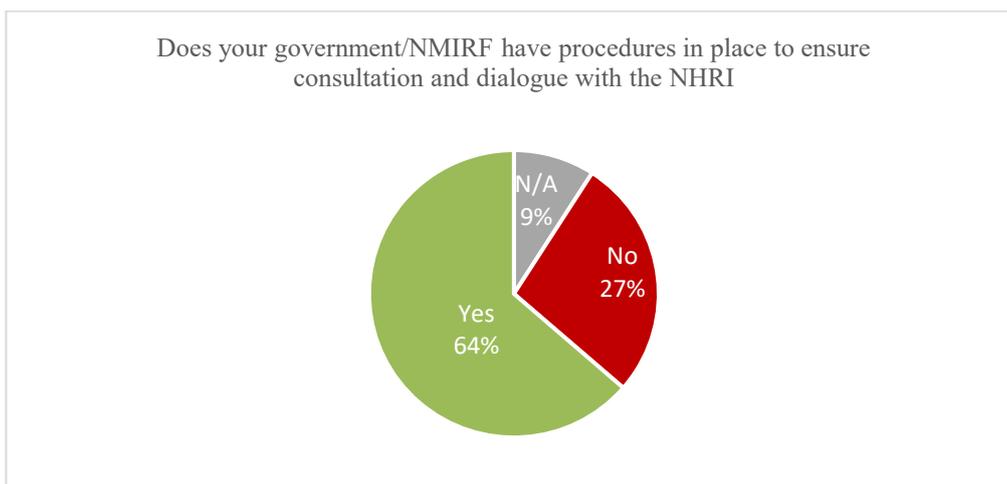
When asked to rank from 1 to 4 the extent to which their national mechanism has the capacity to submit quality reports in a timely manner to human rights mechanisms, 56% replied that their national mechanism is fully capable (4).



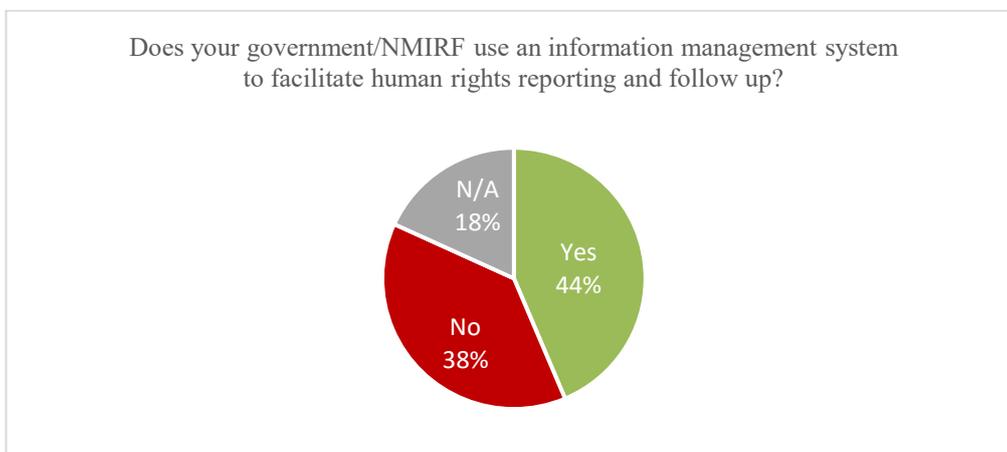
C. Level of cooperation with and among ministries, the National Statistics Office, the judiciary and parliament



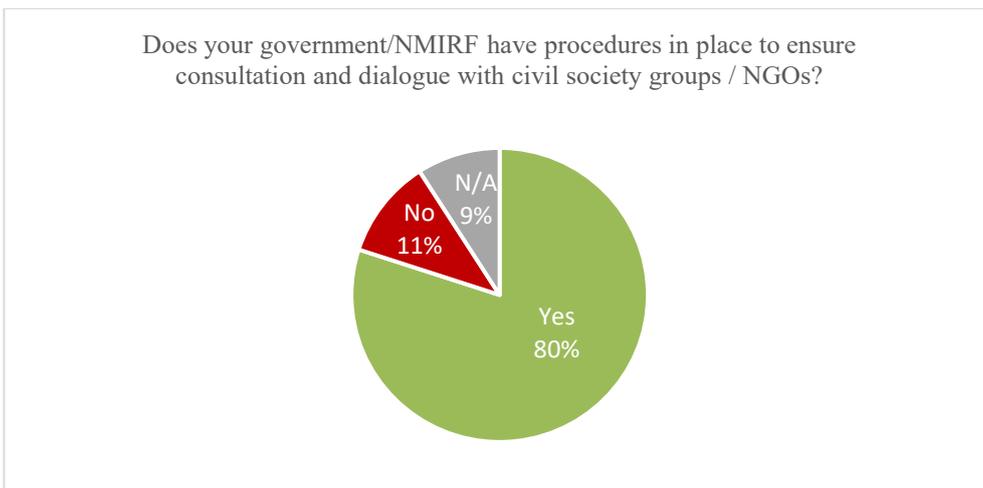
D. Consultation and dialogue with national human rights institutions



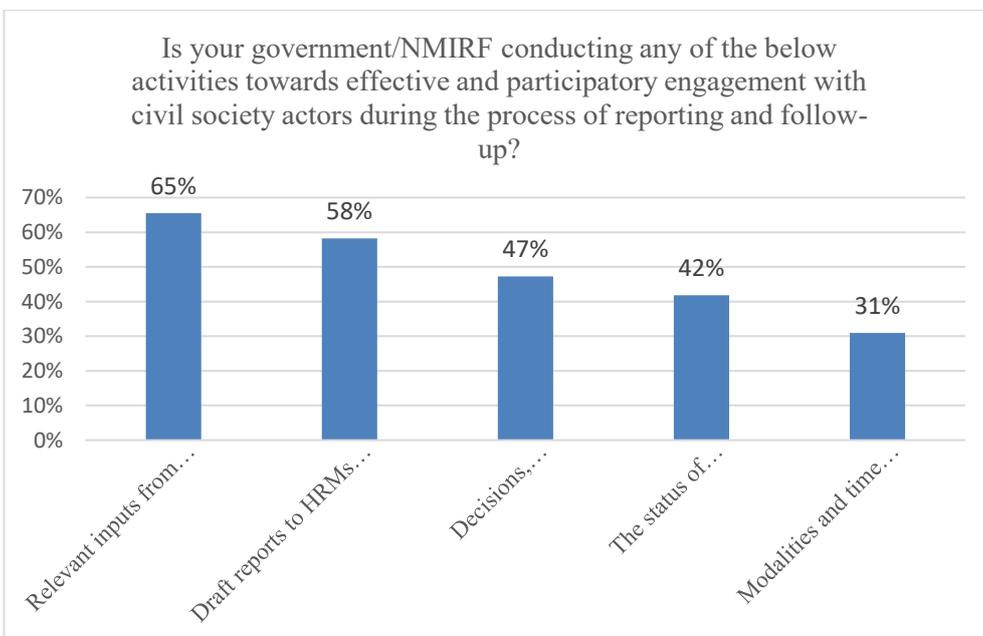
E. Percentage of states using information management tools



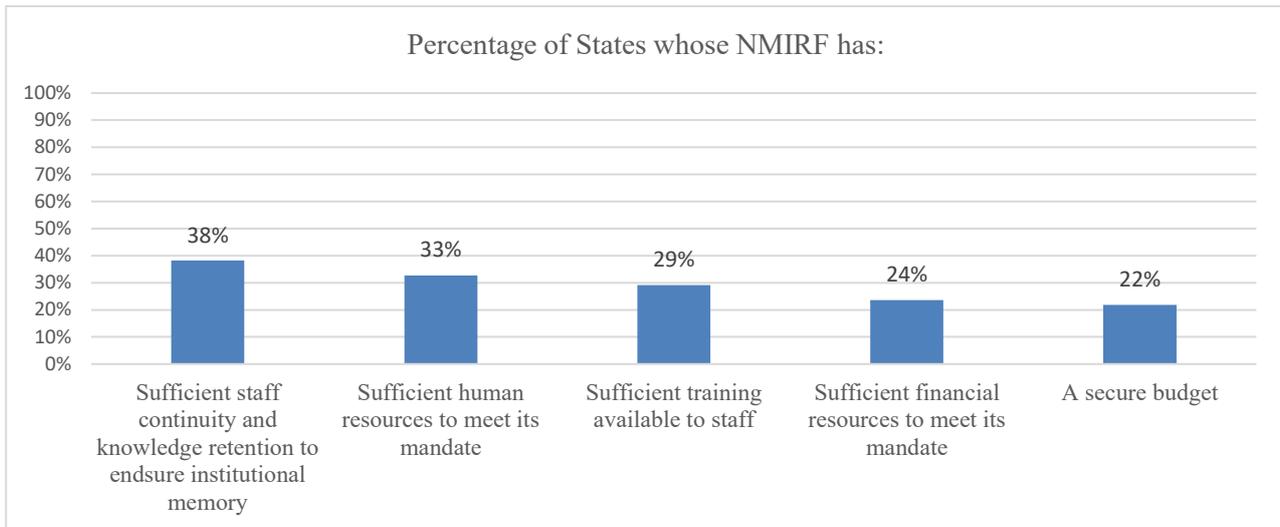
F. Consultation and dialogue with civil society organizations



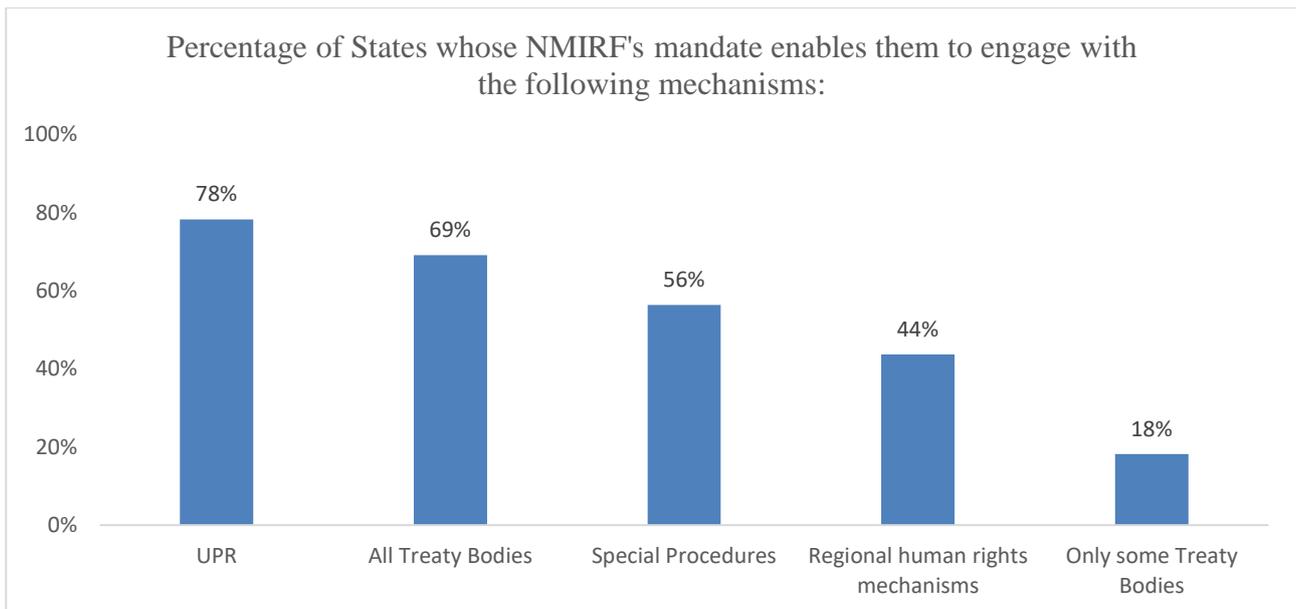
G. Percentage of States engaged in different activities with civil society



H. Challenges encountered by national mechanisms in terms of human and financial resources



I. National mechanism's engagement with international and regional human rights mechanisms



J. Development of national human rights action plans or recommendation implementation plans

