



# General Assembly

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## Sixty-eighth session Third Committee

Agenda item 69 (c)

### **Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives**

**Albania, Argentina, Australia, Bosnia and Herzegovina, Croatia, Cyprus, Czech Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Lithuania, Luxembourg, Mexico, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Slovenia, Sweden, the former Yugoslav Republic of Macedonia, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution**

### **National institutions for the promotion and protection of human rights**

*The General Assembly,*

*Recalling* its previous resolutions on national institutions for the promotion and protection of human rights, the most recent of which was resolution [66/169](#) of 19 December 2011, and those of the Commission on Human Rights and the Human Rights Council concerning national institutions and their role in the promotion and protection of human rights, the most recent of which are Human Rights Council resolutions 20/14 of 5 July 2012 and 23/17 of 13 June 2013,

*Welcoming* the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

*Recalling* the principles relating to the status of national institutions for the promotion and protection of human rights (“the Paris Principles”),<sup>1</sup>

*Reaffirming* the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms, in strengthening participation and the rule of law and in developing and enhancing public awareness of those rights and freedoms,

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<sup>1</sup> Resolution 48/134, annex.



*Recalling* its resolution [67/163](#) of 20 December 2012 on the role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights,

*Recognizing* the important role of the United Nations, in particular the Office of the United Nations High Commissioner for Human Rights, in assisting the development of independent and effective national human rights institutions, guided by the Paris Principles, and recognizing also in this regard the potential for strengthened and complementary cooperation among the United Nations, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and those national institutions in the promotion and protection of human rights,

*Recalling* the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,<sup>2</sup> which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations, in disseminating information on human rights and in education in human rights,

*Reaffirming* that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

*Bearing in mind* the significance of national and regional particularities and various historical, cultural and religious backgrounds, and that all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

*Recalling* the programme of action adopted by national institutions, at their meeting held in Vienna in June 1993 during the World Conference on Human Rights,<sup>3</sup> for the promotion and protection of human rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

*Taking note with appreciation* of the reports of the Secretary-General to the Human Rights Council on national institutions for the promotion and protection of human rights<sup>4</sup> and on the process currently utilized by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights to accredit national institutions in compliance with the Paris Principles,<sup>5</sup>

*Welcoming* the strengthening in all regions of regional cooperation among national human rights institutions, and noting with appreciation the continuing work of the Network of African National Human Rights Institutions, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia-Pacific Forum of National Human Rights Institutions and the European Network of National Human Rights Institutions,

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<sup>2</sup> A/CONF.157/24 (Part I), chap. III.

<sup>3</sup> See A/CONF.157/NI/6.

<sup>4</sup> A/HRC/23/27.

<sup>5</sup> A/HRC/16/77.

1. *Takes note with appreciation* of the report of the Secretary-General<sup>6</sup> and the conclusions contained therein;

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in accordance with the Paris Principles;<sup>1</sup>

3. *Recognizes* the role of independent national institutions for the promotion and protection of human rights in working together with Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from the international human rights mechanisms;

4. *Welcomes* the increasingly important role of national institutions for the promotion and protection of human rights in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights;

5. *Recognizes* the role of national human rights institutions, established and operating in accordance with the Paris Principles, in the continued monitoring of existing legislation and the provision of consistent information to the State about its impact on the activities of human rights defenders, including by making relevant and concrete recommendations;

6. *Also recognizes* the role that national human rights institutions can play in preventing and addressing cases of reprisals, thus support cooperation between their Governments and the United Nations in the promotion of human rights, including by contributing to follow-up actions, as appropriate, to recommendations made by international human rights mechanisms;

7. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,<sup>2</sup> it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

8. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of all human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action;

9. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights, and welcomes in particular the growing number of States that have accepted recommendations to establish national institutions compliant with the Paris Principles made through the universal periodic review and, where relevant, by treaty bodies and special procedures;

10. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

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<sup>6</sup> A/68/208.

11. *Recognizes* that national human rights institutions and their respective members and staff should not face any form of reprisal or intimidation, including political pressure, physical intimidation, harassment or unjustifiable budgetary limitations, as a result of the activities undertaken in accordance with their respective mandates, including when taking up individual cases or when reporting about serious or systematic violations in their countries;

12. *Recognizes* the role played by national institutions for the promotion and protection of human rights in the Human Rights Council, including its universal periodic review mechanism, in both preparation and follow-up, and the special procedures, as well as in the human rights treaty bodies, in accordance with Council resolutions 5/1 and 5/2 of 18 June 2007<sup>7</sup> and Commission on Human Rights resolution 2005/74 of 20 April 2005;<sup>8</sup>

13. *Welcomes* the strengthening of opportunities to contribute to the work of the Human Rights Council for national human rights institutions compliant with the Paris Principles, as stipulated in the Council review outcome document<sup>9</sup> adopted by the General Assembly by its resolution 65/281 of 17 June 2011, and encourages national human rights institutions to make use of these participatory opportunities;

14. *Welcomes* the contribution of national human rights institutions compliant with the Paris Principles to the work of the United Nations, inter alia, of the Commission on the Status of Women, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, the Open-ended Working Group on Ageing and the ongoing intergovernmental process of the General Assembly on strengthening and enhancing the effective functioning of the human rights treaty body system;

15. *Encourages* national human rights institutions compliant with the Paris Principles to continue to participate in and to contribute to deliberations in all relevant United Nations mechanisms and processes in accordance with their respective mandates, including the deliberations that should lead to the designing of the post-2015 development agenda;

16. *Requests* the Secretary-General to focus in his next report to the General Assembly on the current participation of national human rights institutions compliant with the Paris Principles in the work of the Assembly and related processes, with a view to exploring the feasibility of enabling national human rights institutions compliant with the Paris Principles to participate independently in relevant United Nations mechanisms and processes in accordance with their respective mandates and based on practices and arrangements agreed upon in Assembly resolution 60/251 of 15 March 2006, Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007 and 16/21 of 25 March 2011 and Commission on Human Rights resolution 2005/74 of 20 April 2005, while ensuring their most effective contribution;

17. *Stresses* the importance of the financial and administrative independence and stability of national human rights institutions for the promotion and protection

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<sup>7</sup> See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53 (A/62/53)*, chap. IV, sect. A.

<sup>8</sup> See *Official Records of the Economic and Social Council, 2005, Supplement No. 3 and corrigenda (E/2005/23 and Corr.1 and 2)*, chap. II, sect. A.

<sup>9</sup> Human Rights Council resolution 16/21, annex.

of human rights, and notes with satisfaction the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

18. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions;

19. *Underlines* the importance of the autonomy and independence of Ombudsman institutions, encourages increased cooperation between national human rights institutions and regional and international associations of Ombudsmen, and also encourages Ombudsman institutions to actively draw on the standards enumerated in international instruments and the Paris Principles to strengthen their independence and increase their capacity to act as national human rights protection mechanisms;

20. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national human rights institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national institutions, and invites Governments to contribute additional voluntary funds to that end;

21. *Encourages* all United Nations human rights mechanisms as well as agencies, funds and programmes to work within their respective mandates with Member States and national institutions in the promotion and protection of human rights with respect to, inter alia, projects in the area of good governance and the rule of law, and in this regard welcomes the efforts made by the High Commissioner to develop partnerships in support of national institutions, including the tripartite partnership among the United Nations Development Programme, the Office of the United Nations High Commissioner for Human Rights and the International Coordinating Committee;

22. *Welcomes* the important role played by the International Coordinating Committee, in close cooperation with the Office of the High Commissioner, in assisting Governments, when requested, in the establishment and strengthening of national human rights institutions in accordance with the Paris Principles, in assessing the conformity of national human rights institutions with the Paris Principles, and in providing technical assistance to strengthen national human rights institutions, upon request, with a view to enhancing their compliance with the Paris Principles, and calls upon Member States and other stakeholders, including United Nations agencies, to follow up on the recommendations of the Subcommittee on Accreditation of the International Coordinating Committee to enable national human rights institutions to fully comply with the Paris Principles in both law and practice;

23. *Encourages* national institutions, including Ombudsman and mediator institutions, to seek accreditation status through the International Coordinating Committee;

24. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national human rights institutions and to support the work of the

International Coordinating Committee and its regional coordinating networks in this regard, including through support for the relevant technical assistance programmes of the Office of the High Commissioner;

25. *Requests* the Secretary-General to continue to provide the assistance necessary for holding international and regional meetings of national institutions, including meetings of the International Coordinating Committee, in cooperation with the Office of the High Commissioner;

26. *Also requests* the Secretary-General to report to the General Assembly at its seventieth session on the implementation of the present resolution.

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