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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Technical assistance and capacity-building

Summary of the panel discussion on promoting international cooperation to support national human rights follow-up systems and processes**

Report of the United Nations High Commissioner for Human Rights

Summary

The present report was prepared in accordance with Human Rights Council resolution 30/25. It provides a summary of the intersessional panel discussion on promoting international cooperation to support national human rights follow-up systems and processes, held on 9 November 2016, during the twenty-sixth session of the Working Group on the Universal Periodic Review.

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I. Introduction

1. The Human Rights Council, in its resolution 30/25, requested the United Nations High Commissioner for Human Rights to organize an intersessional panel discussion during the twenty-sixth session of the Working Group on the Universal Periodic Review to share experiences and good practices in the establishment and strengthening of national human rights follow-up systems, including the role of international cooperation in this regard. The discussion took place on 9 November 2016.

2. The panel discussion — the first of its kind — aimed to: (a) highlight the main constituting elements of effective national follow-up systems and processes; (b) identify steps to be taken at the national level to put in place effective national follow-up systems and processes; (c) share experiences and practices of national follow-up systems and processes; and (d) identify how such national follow-up systems and processes could best guide States in seeking needed technical cooperation and discuss ways in which international cooperation, through the support provided by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations at large and on a bilateral basis, could be extended.

3. The panel discussion was chaired by the President of the Human Rights Council and moderated by the Chief of the Universal Periodic Review Branch of OHCHR. The panellists were the Minister of Justice, Human Rights and Worship of Ecuador, Ledy Zúñiga; the Minister and Director-General for Human Rights of the Ministry of Foreign Affairs of Paraguay, Juan Miguel Gonzalez Bibolini; the Head of Section in the Human Rights Department of the Ministry of Foreign Affairs, Foreign Trade and Development Cooperation of Belgium, Véronique Joosten; the Deputy Permanent Secretary in the Prime Minister's Office of Mauritius, Devendre Gopaul; and the President of the non-governmental organization UPR Info, Miloon Kothari.

4. The panel discussion was opened by the Deputy High Commissioner for Human Rights. Following the round of contributions by the panellists, 24 States and 2 non-governmental organizations (NGOs) participated in the interactive discussion.

5. In its resolution 30/25, the Council also requested the High Commissioner to prepare a summary report on the panel discussion for submission to the Council at its thirty-fourth session. The present report was prepared pursuant to that request.

6. In the context of the panel discussion, OHCHR prepared an information leaflet on international cooperation and national human rights follow-up systems and processes, which is annexed to the present report.

II. Opening statement

7. In her opening statement, the Deputy High Commissioner for Human Rights thanked the Governments of Brazil and Paraguay, the main sponsors of Human Rights Council resolution 30/25, and commended the Council for placing the issue of international cooperation in support of national human rights follow-up systems and processes high on its agenda.

8. She highlighted the virtuous cycle of national assessment, reporting, recommendations for progress and their implementation, which she considered among the most precious assets that the Human Rights Council offered to the world. She noted that the wheels of a virtuous cycle for a driving momentum to best advance human rights in an achievable and sustainable manner turned all the better when oiled by open exchanges

among States on how best to follow up on the recommendations made by United Nations human rights mechanisms, that is the universal periodic review, the treaty bodies and the special procedures.

9. The Deputy High Commissioner noted that this panel discussion opened up the space to consider follow-up in the context of a comprehensive State-driven process and in consultation with national and international stakeholders. It also provided the opportunity to appreciate the value of effective national action and sound public policy development and to learn more about, identify more clearly and later disseminate more widely information on the keys to effective national human rights follow-up systems. Finally, it enabled States to consider and address their needs for technical cooperation in order to strengthen this virtuous cycle, in terms of both institutions and mechanisms to promote and coordinate follow-up and specific thematic issues.

10. As a contribution to that consideration, the Deputy High Commissioner introduced the information leaflet on international cooperation and national human rights follow-up systems and processes prepared by OHCHR. Intended as a useful one-stop guidance on how effective engagement can take place, the leaflet outlines the different elements of follow-up systems and processes, and presents the different tools developed by OHCHR, as well as the technical assistance offered by both OHCHR and United Nations country teams in all these areas.¹ She announced the forthcoming launch of additional guidance on effective State engagement with international human rights mechanisms through the establishment of national mechanisms for reporting and follow-up² and mentioned the series of knowledge cafés on national human rights follow-up systems and processes³ organized by OHCHR that took place on 10 November 2016 in support of the panel discussion.

11. The Deputy High Commissioner stressed the importance of establishing national mechanisms for reporting and follow-up as they strengthened engagement with the human rights mechanisms; enabled coordination among the branches of the State and its specialized bodies; provided for sound consultative processes with relevant stakeholders, such as national human rights institutions and civil society representatives from across the board; and supported effective information management capacity. She mentioned a number of key tools for effective follow-up, such as national implementation plans for following up on human rights recommendations made by treaty bodies, the universal periodic review and special procedures; the development of indicators to help assess the implementation and impact of the recommendations on the ground, with a view to ensuring that efforts translate into desired and tangible results on the human rights situation at country level; and the creation and maintenance of a database to track and report on the implementation of recommendations.

12. In relation to the last point, the Deputy High Commissioner stated that OHCHR was in the process of finalizing a Universal Human Rights Index Web Service, which would enable the transfer of recommendations from the index to customized national databases. A multilingual application to create national databases of recommendations and report on the progress in the implementation of the recommendations would also be made available to States, free of charge.

¹ See annex; also available at www.ohchr.org/Documents/HRBodies/HRCouncil/Panel/Leaflet.pdf.

² See OHCHR, *National Mechanisms for Reporting and Follow-up: A Practical Guide to Effective State Engagement with International Human Rights Mechanisms* (2016), available at www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

³ See OHCHR, *Highlighting and demystifying the issue*, flyer for the knowledge cafés on national human rights follow-up systems and processes (2016), available at www.ohchr.org/Documents/HRBodies/HRCouncil/Panel/FlyerKnowledgeCafes.pdf.

13. The Deputy High Commissioner also stated that the integration of a gender perspective throughout the above-mentioned structures and processes was of paramount importance for ensuring that implementation supported the achievement of gender equality and the enjoyment of all human rights without discrimination based on gender or sex.

14. Finally, the Deputy High Commissioner pointed out that comprehensive processes for following up on human rights recommendations enabled States to drive forward progressive human rights; set in train a coherent action agenda grounded for human rights in sound analysis; and identify concretely any capacity gaps they may face in meeting their human rights goals, obligations and commitments. A key additional benefit of this robust approach was that States seeking technical cooperation could move from generic pleas for assistance to more targeted requests, which could then be better met, with the ultimate effect of better serving the primary purpose of human rights, which is the alleviation of preventable human suffering and the elevation of human dignity.

III. Contributions by the panellists

15. The moderator introduced the panel discussion by recalling Human Rights Council resolution 30/25. She then welcomed the five panellists who, in the light of their respective expertise and experience, were invited to address the following themes: national mechanisms for reporting and follow-up on international human rights obligations and commitments; national implementation plans for follow-up to human rights recommendations; the development of indicators to help assess the impact of implementation; the creation and maintenance of a database to track and report on the implementation of the recommendations, and assist in the management of information; and effective consultative processes with stakeholders. The moderator also welcomed all the participants in the discussion.

A. Intervention by Ledy Zúñiga, Minister of Justice, Human Rights and Worship, Ecuador

16. Ms. Zúñiga stated that, in accordance with its voluntary commitment made during its second universal periodic review in May 2012 and with the technical assistance of OHCHR, Ecuador began developing, in August 2012, an information system called SIDERECHOS to follow up, monitor and assess internally the implementation of the recommendations received during the universal periodic review, as well as the implementation of national and international legal norms and national human rights policies. To this end, a database was created following a review of all the human rights treaties ratified by Ecuador, the concluding observations of the treaty bodies, the report of the universal periodic review, the thematic reports and country visit reports of special procedure mandate holders, the jurisprudence of the Inter-American Court of Human Rights, the resolutions of the General Assembly and of the Human Rights Council and the reports of the High Commissioner for Human Rights. In addition, a web platform was created and a communication strategy to promote the tool was developed. SIDERECHOS was launched on 10 December 2014.

17. One of the first benefits of SIDERECHOS was the facilitation of access to democratized knowledge and the use of human rights law by the greatest number of people in the widest possible way. As a result, transparency in processes and accountability for human rights have been enhanced. SIDERECHOS also facilitates, inter alia, the mainstreaming of human rights in the development of national and sectoral public policies; the adjustment of such policies; and the prioritization of State actions with regard to unrealized rights.

18. Ms. Zúñiga stated that SIDERECHOS was a semi-public, user-friendly web platform managed mainly by the Ministry of Justice, Human Rights and Worship, but which benefited from input by other public institutions, especially those directly involved in specific topics of interest, such as the Ministry of Health, the Ministry of Labour or the Ministry of the Environment, which feed into the database. The platform was designed for a wide range of users, including civil servants, teachers, students, NGOs, human rights defenders, lawyers and journalists.

19. SIDERECHOS comprises four sections: (a) a search engine for constitutional and international standards applicable to each of the 73 rights guaranteed in the Constitution (search by right and/or keyword); (b) a list of the reports submitted by the State to United Nations treaty bodies since 1971, with concluding observations and alternative reports for each review period, the judgments issued by the Inter-American Court of Human Rights with respect to Ecuador and the implementation reports submitted to the Court by the State; (c) a platform dedicated to the drafting of official reports relating to the United Nations human rights treaties, in which a data processor automatically shares information among the State institutions responsible for the drafting of such reports and generates a first draft compiling all the information collected; and (d) a table for follow-up to recommendations that facilitates the systematic monitoring of the implementation of the recommendations from the universal periodic review, treaty bodies and special procedures, which enables the Ministry of Justice, Human Rights and Worship to share the recommendations made by the aforementioned mechanisms with, and request information on their implementation from, the relevant institutions, as well as prepare an updated report on the status of their implementation.

20. Ms. Zúñiga indicated that SIDERECHOS had so far only been used for preparing reports to be submitted to the treaty bodies and that the preparation of the report for the third universal periodic review of Ecuador would be the main test of its functioning. She felt that it would eventually become an ideal tool in the framework of this mechanism as it has the capacity to analyse the status of a given situation, the feasibility of the measures to be taken, and the regulations and other instruments through which the recommendations will be implemented. The system can point directly to the aspects of the recommendation on which the implementation should focus. An additional value is that the status of compliance can be recorded and it indicates pending tasks, whether the recommendation has already been implemented and any subsequent measures to be adopted for implementation. This information makes it possible to carry out quantitative analyses on the level of compliance, as well as on the difficulties, challenges and needs relating to the full implementation of the recommendations.

21. Finally, Ms. Zúñiga stated that the main lesson learned by Ecuador from this process was that a national human rights information system, despite being an ambitious and medium-term process, constituted a solid methodological basis for developing human rights indicators. It also helped to make the information available to a wide variety of users, thereby fostering the notion of shared responsibility for the full observance of human rights among the entire population.

B. Intervention by Juan Miguel Gonzalez Bibolini, Minister and Director-General for Human Rights, Ministry of Foreign Affairs, Paraguay

22. Mr. Bibolini stated that the report for the first universal periodic review of Paraguay was prepared by the main inter-institutional mechanism for the promotion and protection of human rights — the human rights network at the executive level —, which was created in 2009 and is composed of 23 national entities, with the participation of the legislative and judicial branches, as well as civil society, which the Government sees as fundamental. This

broad inter-institutional composition enables the mainstreaming of human rights in all governmental areas and competencies. The network also prepared the 2010-2011 Plan of Action, a reflection of the determined will of the Government to implement its human rights obligations through inter-institutional work with clearly defined priorities. One of those priorities was the strengthening of the follow-up to human rights recommendations, for which Paraguay committed to ensuring continuous State-led monitoring of its actions in implementing its commitments.

23. Mr. Bibolini mentioned that Paraguay had also established an inter-institutional executive commission for implementing international judgments with the aim of implementing the judgments handed down in respect of Paraguay by international courts, such as the Inter-American Court of Human Rights, and making progress in the implementation of the recommendations issued by the Inter-American Commission on Human Rights.

24. As a consequence of the challenges inherent to inter-institutional coordination and articulation for the follow-up and implementation of recommendations made by international bodies, the Government, in cooperation with the OHCHR human rights adviser in Paraguay, created SIMORE, a system to monitor human rights recommendations addressed to Paraguay. SIMORE is an online public platform to follow up on the implementation of recommendations made by treaty bodies and special procedures, as well as judgments handed down by the Inter-American Court of Human Rights. This tool is part of the national mechanism for follow-up and implementation of international human rights recommendations and plays a significant role in the implementation of those recommendations, the preparation of reports and the development of governmental human rights policies and programmes, among other benefits.

25. SIMORE complements the work carried out by the human rights network at the executive level. Its operation is ensured by 45 focal points in 36 institutions, who are tasked with following up the international human rights recommendations assigned to their respective institutions. It is managed jointly by the Ministry of Foreign Affairs and the Ministry of Justice. The focal points upload to SIMORE the activities carried out by their respective institutions to implement the recommendations under their responsibility. It enables the updating of official information, which can be used for the drafting of reports to be submitted to the various international mechanisms.

26. Mr. Bibolini stressed that SIMORE made it easy for civil society to be kept officially informed about the status of implementation of international human rights recommendations and hence, about obligations deriving from international human rights instruments. This is particularly useful for civil society organizations when they prepare their own reports.

27. He added that it was fundamental that the State, as the main actor for promoting and protecting human rights, share information on SIMORE so as to demonstrate the transparency of the national follow-up mechanism, which indirectly acts as an accountability tool since the information contained in it is broad and available to the public.

28. During the second cycle of the universal periodic review, Paraguay became a member of the Human Rights Council, for the first time, and assumed the responsibility for promoting initiatives that contribute significantly to strengthening the promotion and protection of human rights. In this context, Paraguay, together with Brazil, initiated Council resolution 30/25 — the first of its kind —, which was co-sponsored by 53 countries. In addition, at the invitation of OHCHR, Paraguay shared the SIMORE experience in seminars and workshops attended by representatives of more than 50 countries in Latin America, the Caribbean, Africa, Asia and the Pacific. Furthermore, Paraguay recently started developing a bilateral technical cooperation programme for countries seeking to set

up their own national systems to follow-up human rights recommendations, using the SIMORE experience as good practice. Successful cooperation has so far been achieved with Uruguay, Chile and Honduras, and requests for technical assistance have been received from countries in Central America, the Caribbean, Eastern Europe and Central Asia.

29. Mr. Bibolini concluded by reaffirming the commitment of Paraguay to its human rights obligations. SIMORE, as an innovative and participatory system, has allowed Paraguay to improve its follow-up of recommendations received, as well as its capacity to comply with these recommendations and adopt a more effective implementation strategy. It has also contributed to strengthening the human rights mechanisms at the global level, in particular the follow-up to recommendations made by the universal periodic review.

C. Intervention by Véronique Joosten, Head of Section, Human Rights Department, Ministry of Foreign Affairs, Foreign Trade and Development Cooperation, Belgium

30. Ms. Joosten welcomed the opportunity to share experiences on the follow-up to human rights recommendations, which she considered a global challenge.

31. She noted that the adoption of General Assembly resolution 68/268 on the treaty bodies strengthening process and the subsequent capacity-building work, as well as related OHCHR publications, inspired the Government of Belgium to explore ways to improve its national human rights follow-up process.

32. Ms. Joosten stated that the federal structure of Belgium — in which the relationship between the federal State and the federated entities is not one of subordination, but rather of equality — requires a lot of coordination and consultation when preparing human rights reports and ensuring follow-up to human rights recommendations. A practical consequence was the setting up of a permanent coordination and consultation structure for multilateral issues within the Directorate-General for Multilateral Affairs of the Ministry of Foreign Affairs.

33. Ms. Joosten shared the main lesson learned by Belgium in relation to the topic, which is that, “one size does not fit all”. A choice must be made as to the follow-up system or process that best addresses a country’s needs in order to ensure efficiency and effectiveness in the follow-up to human rights recommendations. Belgium therefore decided not to establish a new national human rights follow-up system, but to build on the existing structure that was already being used extensively by the Human Rights Department of the Ministry of Foreign Affairs to prepare human rights reports, interactive dialogues with and country visits of international and regional human rights mechanisms.

34. In addition to organizing ad hoc meetings in preparation for a particular report or presentation to or visit of a given human rights mechanism, the Human Rights Department of the Ministry of Foreign Affairs has, since January 2015, instituted the practice of organizing six-monthly meetings, which allows it to, inter alia, provide information about the reporting calendar, address horizontal issues — such as translation of documents, dissemination of reports and data collection — and follow-up on recommendations.

35. These meetings are attended by the human rights focal points in the relevant departments of both federal and federated entities. The human rights focal points gather all relevant input within their respective departments to draft the reports and provide this information and data in a consolidated document to the drafter. They are also responsible for providing in a consolidated manner all the information on the implementation of recommendations under the responsibility of their department.

36. Ms. Joosten stated that, in order to enhance the coherence and efficiency of human rights reporting and follow-up by Belgium, the responsible department decided to develop a consolidated table of all the human rights recommendations received by thematic cluster. This tool does not only group together by theme all the recommendations made by the universal periodic review and treaty bodies, but also includes all recommendations made by special procedure mandate holders following their visits and the recommendations made by Council of Europe mechanisms. Most importantly, the coordinators or the main government bodies responsible for the implementation of the respective recommendations are identified.

37. The advantage of this comprehensive approach is two-fold in that it allows the body responsible to: (a) combine the considerable number of recommendations and bring it to a more manageable number that is easier to digest; and (b) identify recurring issues raised by different bodies, which in turn enables it to prioritize follow-up. The table is perceived as a living work document, which entails the need for regular updating.

38. Ms. Joosten mentioned that, in September 2016, a decision was taken, for the first time, to bring the issue of follow-up to human rights recommendations to the political level, by putting it on the agenda of the Federal Council of Ministers for early 2017.

39. To conclude, she stated that Belgium had taken important steps to enhance the efficiency and effectiveness of its national human rights follow-up process, but that the journey had just started and it was clearly a work in progress.

D. Intervention by Devendre Gopaul, Deputy Permanent Representative, Prime Minister's Office, Mauritius

40. Mr. Gopaul began by stating that several United Nations human rights treaty bodies had recommended that Mauritius develop a set of human rights indicators. He added that one of the recommendations in the National Human Rights Action Plan (2012-2020) dealt with the development of human rights indicators for assessing progress in its implementation.

41. In 2013, at the request of the Prime Minister's Office, the University of Mauritius developed a database of human rights indicators. However, it was deemed too complex for non-experts in the field of human rights, it was not user-friendly and it did not clearly indicate the list of indicators and data that could be used as an evidence-based approach for each periodic report, among other issues.

42. In the light of this situation, the Government of Mauritius solicited the assistance of OHCHR to develop human rights indicators that could be used to: (a) provide empirical evidence of progress in the implementation of human rights recommendations; (b) identify trends in progress made; and (c) compare its human rights implementation with that of other similar countries and with other continents, in general. In September 2016, OHCHR organized a training workshop on human rights indicators in Mauritius, which was attended by human rights focal points, periodic report writers and statisticians. The workshop enabled participants to familiarize themselves with the OHCHR publication, *Human Rights Indicators: A Guide to Measurement and Implementation*.⁴ The importance of indicators as emerging requirements of treaty bodies and as an evidence-based approach to United Nations periodic reporting — the so-called “data revolution” — was stressed. Participants learned how to identify the different types of indicators, for example, structural indicators (legislation), process indicators (measures taken to reach a certain objective) and outcome

⁴ OHCHR, *Human Rights Indicators: A Guide to Measurement and Implementation* (2012), available at http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf.

indicators (the result of the measures taken or percentage of targeted persons reached). They were briefed on the sources of data to feed the indicators; the need to express results in terms of percentage, instead of in absolute figures, for comparison purposes; the role and importance of statisticians in the process; and the need to review the composition and terms of reference of the national mechanism for reporting and follow-up.

43. Mr. Gopaul stated that, following the workshop, the Prime Minister's Office reviewed the said terms of reference so as to include the development of, and follow-up to, human rights indicators and the composition of the mechanism so as to include at least two statisticians. The first meeting of the mechanism was subsequently held, during which a non-exhaustive list of cross-cutting indicators was identified with respect to the protection of women; the protection of the child; the rights of persons with disabilities; poverty alleviation; racial discrimination; and administration of justice.

44. Finally, Mr. Gopaul stated that indicators would be used in the short term to prepare the fifth periodic report of Mauritius to the Committee on Economic, Social and Cultural Rights and the combined twentieth to twenty-third periodic reports to the Committee on the Elimination of Racial Discrimination. In the medium term, Mauritius will publish its "digest of human rights statistics" covering a five-year period, and intends to make this document a regular feature in the long term. It will eventually use indicators in all United Nations periodic reports, in a consistent manner.

E. Intervention by Miloon Kothari, President of UPR Info

45. First of all, Mr. Kothari highlighted the need to look at the adequacy of the national consultation process, the types of issues covered and whether access is granted to civil society organizations. In UPR Info's experience, in a number of countries, only one consultation is organized, usually in the capital, which means that many people are excluded from the process, or consultations are limited to organizations with which the State mechanisms are familiar or organizations whose work they agree with. For instance, in some countries, governments are not willing to discuss issues that they deem sensitive, such as lesbian, gay, bisexual, transgender or intersex persons. Such limitations must be overcome.

46. He highlighted the importance of consultations taking place at various stages of preparation, for example, prior to the universal periodic review, in the interim period, and leading to the drafting of midterm reports.

47. Mr. Kothari noted that, just as national mechanisms for reporting and follow-up have conducted positive consultations with civil society, there are several positive examples of civil society initiating consultation processes, such as in Kenya, Myanmar and Thailand. In the case of Kenya, the consultation process led to the holding of a national dialogue, which, in turn, led to the drafting of a national action plan. He also mentioned SIMORE in Paraguay, where the inputs of civil society are taken into account. Therefore, no matter who initiates the consultation process, it is important that it ends up being a multi-stakeholder process that benefits everyone.

48. Mr. Kothari pointed out the critical role of national human rights institutions in the consultation process and in the process leading up to the universal periodic review of a country. He mentioned the positive example of Denmark, where the national human rights institution prepared action-oriented recommendations ahead of the country's second universal periodic review. He said that the National Human Rights Commission of India had also been active in preparing indicators and engaging with the Government of India and civil society.

49. Mr. Kothari flagged the strong advocacy and research work undertaken by civil society organizations. He mentioned as examples the monitoring tool developed by the Working Group on Human Rights in India and the United Nations, a coalition of civil society organizations and individual human rights experts, and the fact sheets developed by UPR Info and the Centre for Economic and Social Rights, which are currently available for six countries. These are comprehensive, thematically-targeted tools which can help bring precision to the implementation of recommendations and contribute to the preparation for a forthcoming universal periodic review.

50. Mr. Kothari raised the issue of support for civil society organizations. He welcomed the Voluntary Fund for Financial and Technical Assistance put in place for Member States in the framework of the universal periodic review, but found it regrettable that no such fund exists for civil society organizations. He felt that political support was needed to address this issue, which could ultimately undermine the efficiency and legitimacy of the universal periodic review.

51. Mr. Kothari also noted the tremendous ongoing efforts by many countries to ensure follow-up to the recommendations from the universal periodic review, but warned that the concluding observations of treaty bodies and the recommendations made by special procedure mandate holders should not be left out. Finally, he stressed that the 2030 Agenda for Sustainable Development should not be seen as a parallel process, but should be included in the ongoing follow-up work.

IV. Summary of the interactive discussion

52. During the interactive discussion, contributions were made by representatives of the following States, in order of appearance: Pakistan (on behalf of the Organization of Islamic Cooperation), Germany, Greece, Paraguay, Uruguay, Montenegro, Kenya, Thailand, the United States of America, Tunisia, Georgia, Canada, Australia, Brazil, Republic of Korea, Egypt, Libya, Portugal, Belarus, Indonesia, Haiti, Norway, South Africa and Chile.

53. Contributions were also made by representatives of the NGOs International Lesbian, Gay, Bisexual, Trans and Intersex Association (joined by ARC International and the International Bar Association) and the International Service for Human Rights.

A. General observations

54. Most delegations expressed support for Council resolution 30/25 and commended Brazil and Paraguay, as the main sponsors, as well as OHCHR for convening the panel discussion. The delegations also thanked the Deputy High Commissioner and the panellists for their presentations, which they found practical and informative. They welcomed the panel discussion as an important peer-to-peer learning opportunity on how to establish and strengthen effective national human rights systems and processes tasked with following up human rights recommendations.

55. During the discussion, several delegations stressed the great importance of implementing the recommendations made by the human rights mechanisms for a tangible impact on the ground. They recalled that States had the primary obligation to promote and protect human rights and, as such, a strong political will to implement and follow up their human rights obligations was paramount to achieving the desired outcome. In addition, States would only benefit from their engagement with regional and international human rights systems if they put in place appropriate follow-up, monitoring and accountability systems at the national level. The setting up of such systems should be the prerogative of

States. More generally, international peace, security and prosperity would only be strengthened if human rights are fully respected and protected.

56. A number of delegations highlighted the timeliness of the panel discussion, which took place against the background of the end of the second cycle of the universal periodic review and the recent adoption of the 2030 Agenda for Sustainable Development. In relation to the first point, several delegations reiterated their full support for the universal periodic review mechanism, which they deemed a success story, as it has proven to be highly useful in assisting States in improving their human rights programmes. In this context, the importance of midterm review reports was also mentioned. As to the second point, the nexus between the sustainable development and the human rights agendas was emphasized several times, leading to the question as to whether a unified system for the implementation of the recommendations made by the human rights mechanisms and of the Sustainable Development Goals could be devised.

B. Sharing of experiences and good practices in the establishment and strengthening of national human rights systems

57. Most delegations shared the various models that their governments had put in place to ensure effective follow-up to recommendations made by human rights mechanisms. It was pointed out on a number of occasions that there was no set standard of national human rights follow-up system or process and that any model should be tailored to the realities and needs on the ground.

58. Several features common to the models developed by States were identified in the course of the discussion. First, several States had adopted or were in the process of adopting national human rights action plans or national implementation plans on human rights that take into account the recommendations made by human rights mechanisms. These plans reportedly contain measurable goals, clustered by theme, with timed commitments. One delegation mentioned the specific action plans its Government had developed on the rights of the child and against racism and intolerance, which included related recommendations. Another delegation referred to the national legislation, policies and mechanisms put in place to combat domestic violence and forced labour, to protect human rights defenders, to protect the rights of persons with disabilities and to promote the right to truth and memory, which were supported by recommendations and decisions submitted to the country by regional and international human rights mechanisms. Yet another delegation stated that its Government had clustered recommendations around the following themes: women; children; detained persons; discrimination; memory, truth, justice and guarantees of non-recurrence; and institutional strengthening. Another delegation mentioned the national human rights strategy, which had led to the approval of an action plan by the Government. One NGO stressed that States should be encouraged to adopt national implementation plans on United Nations human rights recommendations.

59. Secondly, many delegations mentioned the structures their Governments had established to ensure adequate follow-up to regional and United Nations human rights recommendations. These structures often involved the participation of several ministries and enjoyed the support of the highest levels of government. In one instance, the structure was chaired by the Prime Minister and involved the entire Cabinet. In a few instances, the permanent nature of the structure was highlighted as a best practice. In federal States, collaborative efforts between the federal, provincial and territorial authorities were highlighted. Some countries had reportedly developed a series of tools to meet their goals, such as implementation matrixes to structure all efforts made towards the implementation of the various recommendations received; an e-human rights reporting system in the form of a database of human rights improvements, which also aims at better mainstreaming

human rights in all governmental policies; and a set of human rights indicators based on the aforementioned OHCHR guide on human rights indicators.

60. Thirdly, the majority of delegations emphasized the critical importance of ensuring that follow-up processes and systems were widely inclusive, with a view to involving multiple stakeholders.

61. In this regard, the continued active role played by civil society, including NGOs, academics, legal and health professionals, was welcomed by numerous delegations. Several delegations mentioned that they had prepared their national implementation plans in cooperation with NGOs. One delegation mentioned specifically indigenous groups in its consultation process. Another delegation stated that civil society, together with national human rights institutions, provided crucial support in measuring the implementation of recommendations. This is all the more true in the absence of an effective follow-up mechanism at the State level, as stated by an NGO. The same organization added that civil society has been actively engaging with various governments to ensure that they are aware of sexual orientation, gender identity, gender expression and sex characteristics issues and know what steps they need to take. Another NGO recommended that national human rights follow-up systems should systematically involve civil society and human rights defenders in the follow-up to recommendations, from the planning stage to the actual implementation.

62. National human rights institutions were also praised on several occasions as being valuable partners in ensuring follow-up to recommendations. For instance, one delegation mentioned that the Government had made a commitment to work with the national human rights commission to develop a public and accessible process for monitoring progress in relation to recommendations made by the universal periodic review. Similarly, a number of delegations referred to the legislative branch as being one stakeholder that should be involved in the follow-up process. In this regard, the importance of the participation of Members of Parliament in State delegations during the universal periodic review, notably in the run up to its third cycle, was stressed.

63. Referring to the recent Glion Human Rights Dialogue, one delegation asked whether there would be any merit in establishing some guidelines for national human rights follow-up systems and processes.

64. Finally, one NGO suggested that, inter alia, United Nations human rights bodies prioritize the adoption of objective criteria to assess and incentivize the implementation of their recommendations and systematically request States to establish national follow-up systems when relevant. It also called on United Nations country teams to redouble efforts to support the implementation of all United Nations human rights recommendations evenly.

C. Role of international cooperation to support national human rights follow-up systems and processes

65. Several delegations emphasized the importance of international cooperation to support national human rights follow-up systems and processes. One delegation noted that a follow-up and implementation perspective was helpful for understanding the types of needs countries may have, the practices they were developing to meet those needs, and how these could inspire other countries to take similar actions, with the support of the United Nations. A few delegations emphasized that the consent of the State receiving technical assistance had to be the rule.

66. A number of delegations shared their experiences in providing technical assistance to other States. One delegation stated that it had developed a programme of cooperation that had been implemented successfully in various countries. It noted that each country created

its own model, in accordance with its needs. Other delegations mentioned their positive experiences as recipients of technical assistance provided by other States to develop follow-up mechanisms. For instance, one delegation mentioned the training of inter-institutional focal points who would be in charge of effectively implementing the aforementioned SIMORE platform. Another delegation emphasized the importance of regional cooperation as well as South-South cooperation to enhance national follow-up efforts.

67. Several delegations thanked OHCHR for providing support to requesting countries through technical cooperation and capacity-building activities. One delegation thanked, in particular, the regional office in South-East Asia in this regard. Another one stated that it had accepted to be a pilot country for implementing the database for reporting on and follow-up to recommendations emanating from treaty bodies and special procedures that would be launched during the first quarter of 2017. The same delegation stated that, together with United Nations Development Programme and OHCHR, it would organize seminars on developing indicators to assess the impact of the implementation of recommendations. Another delegation stated that it was seeking to strengthen its partnership with OHCHR, while another asked how to seek assistance from the Office.

68. A number of delegations emphasized the importance of the existing trust funds aimed at supporting States in the framework of the universal periodic review, with a view to closing the gaps in capacity and needs. In that regard, one delegation mentioned that it had made a financial contribution to both the Voluntary Fund for Participation in the Universal Periodic Review and the Voluntary Fund for Financial and Technical Assistance.

69. Finally, it was stressed that international cooperation should be deepened and widened in the context of the third cycle of the universal periodic review.

V. Concluding remarks

70. The moderator asked the panellists to react to comments and questions raised during the discussion.

71. Ms. Zúñiga found the exchange of experiences on the issue very useful. She responded positively to a question on whether the experience of Ecuador in developing the SIDERECHOS database could be replicated in other countries. She said that the database was user-friendly and facilitated the collection of information, which would not only assist States in preparing their reports for the universal periodic review, but would also feed into other processes. She stressed the need for States to commit to exchanging with other countries on good practices in relation to follow-up. She also expressed her belief that State institutions should always be guided by the experience of civil society through a coordinated working relationship. For instance, the Government of Ecuador had involved officials from the executive, legislative and judiciary branches, as well as civil society representatives, when preparing its report for the Committee on the Elimination of Discrimination against Women. Ms. Zúñiga concluded by assuring the participants of the commitment of Ecuador to continue working to ensure that a strong mechanism was in place at both the regional and global levels with a view to meeting all the goals set, including the Goals in the 2030 Agenda for Sustainable Development.

72. In response to questions raised, Mr. Bibolini stated that, based on the experience of working with OHCHR and States in different regions, the SIMORE model developed by Paraguay could be exported easily owing to the small size of the country and of the administration that manages it, which allows reports to be up to date and the set-up to be fully operational. Countries with a similar State structure could use the model. Moreover, Paraguay has been able to prioritize the recommendations received, which helped the dialogue with civil society on the basis of a shared agenda. Mr. Bibolini also highlighted

the need to involve academia and the private sector in the process. Finally, he stated that Paraguay was currently working with OHCHR to extend the SIMORE model to cover the Sustainable Development Goals.

73. Ms. Joosten noted that it was important not to have two parallel processes for follow-up to human rights recommendations and the pursuance of the Sustainable Development Goals, bearing in mind that both processes would have their separate dynamics. She added that OHCHR was working to make the link with the Sustainable Development Goals in its Universal Human Rights Index. In response to a question on whether the national human rights follow-up process had helped Belgium to identify technical cooperation needs, she replied positively and stated that two horizontal issues had been identified, namely, data collection and indicators. In this regard, Belgium developed a national action plan on racism, in liaison with OHCHR. Ms. Joosten noted the usefulness of exchanges among States at the multilateral level which should be combined with exchanges at the peer level, such as bilateral political consultations, which Belgium has done and will continue to pursue.

74. In response to a question on how to enhance the use of human rights indicators, Mr. Gopaul stated that it was necessary to first identify the indicators that could be extracted from the United Nations human rights conventions to which the country is a party. He reiterated that if an indicator was to be used for comparison purposes, it was important not to use absolute values, but rather percentages. He fully agreed with the comments made about the importance of commitment by States to achieve meaningful results and of involving civil society in all processes. Finally, Mr. Gopaul expressed support for the idea of having a common mechanism for the realization of human rights and the Sustainable Development Goals.

75. Mr. Kothari, responding to a question on what forms technical cooperation may take, stated that the exchange of good practices among States in relation to follow-up should be encouraged, similar to what civil society organizations have done. States could also follow up bilaterally with another State on the recommendations it has received, as has already been done by some States. Another form of cooperation could consist in providing support to the development of disaggregated data and indicators, with the involvement of national human rights institutions, civil society organizations and academics. Mr. Kothari also stressed that Sustainable Development Goals and human rights commitments were mutually reinforcing and mentioned civil society networks in India and Nepal that have sought to merge the two agendas. He highlighted the importance of universal periodic review midterm reports and encouraged more States to adopt this practice as it would help to track the implementation of recommendations. He flagged the need to establish a national mechanism for reporting and follow-up coupled with a national implementation plan. Finally, Mr. Kothari stated that States should not engage in the universal periodic review in a piecemeal manner to satisfy the international community, but should think in terms of broader national policy objectives.

76. Finally, the moderator thanked the panellists for their useful interventions that have contributed to demystifying the issue at hand. She thanked Brazil and Paraguay, the main sponsors of Human Rights Council resolution 30/25, for bringing this dialogue before the Council. She echoed the high appreciation of sharing experiences and reiterated the message that there is no “one size fits all” solution when engaging with national follow-up systems and processes, and what was important was the political will to engage in concrete implementation of recommendations. She stated that, while the leaflet prepared by OHCHR was not an absolute way to proceed, it reflected the Office’s efforts to create a “one-stop shop” of ideas and tools on follow-up available to States. To conclude, the moderator noted that States have always been and will remain in the driving seat on how to engage with human rights mechanisms on follow-up to their recommendations.

Annex

International cooperation and 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 rev. 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 States 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 centred 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 No. 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 [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 [E]

Compilation of National Human Rights Action Plans (NHRAPs) [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. They also provide 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 sectorial 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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