



General Assembly

Distr.: General
29 April 2019

Original: English

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda items 2 and 3

Annual report of the United Nations

High Commissioner for Human Rights and reports
of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development

Implementation and enhancement of international cooperation in the field of human rights

Report of the United Nations High Commissioner for Human Rights

Summary

The present report is prepared pursuant to Human Rights Council resolution 38/3, adopted on 5 July 2018. Taking into account the opportunities for advancing human rights provided by the 2030 Agenda for Sustainable Development and the reform process of the United Nations, in the report the universal periodic review is considered as a key entry point for integrating human rights into development efforts while enhancing cooperative endeavours at the national level by Member States, the United Nations and the wider international community on the implementation of recommendations from all human rights mechanisms. The support provided by the Office of the United Nations High Commissioner for Human Rights (OHCHR) for national mechanisms for reporting and follow-up, for national human rights action plans and in integrating human rights into the Sustainable Development Goals is reviewed. The role of regional mechanisms and technical cooperation is analysed, as are ways in which assistance by the United Nations system can be better mobilized to meet national needs, including through more effective use of existing official development assistance (ODA), thus reinforcing national human rights protection systems, while enhancing national ownership and the effectiveness of aid.



I. Introduction

1. In resolution 38/3 of 5 July 2018, the Human Rights Council requested the High Commissioner for Human Rights to prepare a report, to be submitted to the Council at its forty-first session, on the work of OHCHR on the implementation and enhancement of international cooperation in the field of human rights, and propose possible ways to face the challenges to the promotion and protection of human rights, including the right to development.

II. An enabling environment for enhanced international cooperation

2. As outlined by the Secretary-General in his report on strengthening United Nations action in the field of human rights through the promotion of international cooperation, and the importance of non-selectivity, impartiality and objectivity, during the last few years a new momentum has emerged for constructive and cooperative engagement in the field of human rights (see A/72/351). The adoption of the 2030 Agenda for Sustainable Development, the launch of the United Nations reform process and the start of the third cycle of the universal periodic review of the Human Rights Council have served as a catalyst for national implementation efforts that integrate human rights into the 2030 Agenda and the targets and indicators of the Sustainable Development Goals, making use, as a key entry point, of supported recommendations from the universal periodic review, thus leading to nationally led and nationally owned processes which will result in a more constructive engagement with Member States.

3. The 2030 Agenda for Sustainable Development is grounded in the Universal Declaration of Human Rights and international human rights treaties, and is informed by other instruments, such as the Declaration on the Right to Development. It envisages “a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination; of respect for race, ethnicity and cultural diversity; and of equal opportunity”.¹ The implementation of the 2030 Agenda should, therefore, be fully aligned with international human rights norms and standards, and recommendations from international human rights mechanisms should guide implementation of the Sustainable Development Goals. Member States are advised that voluntary national reviews should reflect, as a minimum, supported recommendations from the universal periodic review and more generally should include their own human rights reporting, which greatly improves coordination and follow-up, and reduces their reporting burden.

4. OHCHR is the custodian agency of the United Nations for five official indicators under Sustainable Development Goals 16 and 10, including on national human rights institutions (16.a.1), violence against human rights defenders (16.10.1), the prevalence of discrimination (10.3.1 and 16.b.1) and conflict-related deaths (16.1.2). It is engaged in the realization of Goals 5, 10, 16 and 17, with an emphasis on extending support to human rights mechanisms at the “normative” level and on operational support at the country level.

5. The process of reform of the United Nations launched by the Secretary-General frames the potential for human rights and international cooperation. In regard to development, the reform includes a new generation of United Nations Development Assistance Frameworks as the core planning and implementation instrument governing the efforts of the United Nations to pursue the Sustainable Development Goals at the national level, thus providing opportunities to address underlying human rights concerns. Peace and security reform accords priority to prevention and sustaining peace, and consequently builds the coherence of peacekeeping operations and special political missions aimed at a single, integrated peace and security pillar. In that context, as indicated by the Secretary-General in his initial report to the General Assembly, the collective work of the United

¹ General Assembly resolution 70/1, para. 8.

Nations system to advance human rights should help identify the root causes of and responses to conflict and make better use of the existing human rights mechanisms and their recommendations (see A/72/707, para. 21).

6. The universal periodic review is a mechanism with a 4.5-year cycle based on cooperation and constructive dialogue and involving a peer review of the human rights record of each Member State. It ensures equal treatment for every country and allows for information from the United Nations system, regional mechanisms, national human rights institutions and civil society to be taken into account when assessing the human rights record of the State under review. The aim is to assist countries to take concrete steps to advance the promotion and protection of human rights at country level. The universal periodic review results in recommendations, with the State under review specifying in the Human Rights Council which recommendations it supports. The current, third cycle, which started on 1 May 2017, is focused on an implementation agenda, with Member States encouraged to follow up at least on the recommendations they supported before the next review.

7. At its thirty-seventh session, the Human Rights Council held its annual high-level panel discussion on human rights mainstreaming, focusing on challenges and opportunities for the promotion and protection of human rights in the light of the universal periodic review. The panel recognized the importance of the recommendations from the universal periodic review as a key entry point for cooperation with, and action by, Member States, the United Nations system and the wider international community, including donors. It noted that the substantive issues raised in the review mirrored recommendations from other human rights mechanisms, such as treaty bodies and special procedures, forming a cross-section of critical human rights issues at the country level that, if addressed, would strengthen national human rights protection systems, build more resilient societies and sustain development and peace.

8. The high-level panel emphasized the importance of strong coordination of implementation efforts by Member States and noted the critical role played in that regard by national mechanisms for reporting and follow-up. It further emphasized the role of national human rights institutions and civil society actors. It also identified the implementation of the recommendations of human rights mechanisms as a unique opportunity for Member States to align human rights and development efforts and to move the Sustainable Development Goals forward with human rights at their core.

9. The high-level panel noted that the United Nations system at the country level was well placed to support implementation efforts by Member States through the use of the recommendations of human rights mechanisms, including universal periodic review recommendations supported by Member States, in United Nations Development Assistance Frameworks and in the planning and programming of individual agencies, funds and programmes, fully in line with their specific mandate. The panel also called for increased human rights-related efforts in the context of South-South cooperation and in the provision of ODA.

10. As the third cycle of the universal periodic review is centred on an implementation agenda, Member States have been called upon to redouble their efforts to integrate human rights into the targets and indicators of the Sustainable Development Goals, thus ensuring that reporting on the Goals refers also to human rights efforts. The voluntary practice of midterm reporting under the universal periodic review and the voluntary national reports at the high-level political forum on sustainable development are additional opportunities for Member States to take stock of progress towards the realization of the Sustainable Development Goals and human rights.

11. Those themes were highlighted at the intersessional meeting for dialogue and cooperation on human rights and the 2030 Agenda for Sustainable Development, held in Geneva on 16 January 2019, which concluded that implementation of the Sustainable Development Goals should increasingly be integrated into the universal periodic review, and the human rights treaty bodies and special procedures should continue to be sensitive to the Sustainable Development Goals, while Member States and other stakeholders should make better use of human rights mechanisms in the context of implementation of the

Sustainable Development Goal and share experiences and good practices (A/HRC/40/34, para. 100).

12. In her dialogue with the Human Rights Council on 7 March 2019, the Deputy Secretary-General urged Member States to leverage the multilateral system to secure progress and increase resources for implementation of the 2030 Agenda and human rights at the national level, including for the least developed countries, landlocked least developed countries and small island developing States. She further encouraged Member States to engage with all parts of the United Nations system, especially the human rights system, noting that the universal periodic review and other human rights mechanisms were essential to the effort, since they made key recommendations that could help advance the success of the Sustainable Development Goals at national level.

13. The Deputy Secretary-General stated that countries could also show progress in achieving the Sustainable Development Goals by utilizing human rights reporting processes, such as the universal periodic review, which would provide a space for discussion and cooperation among stakeholders, and that those review processes could complement the voluntary national reviews conducted at the high-level political forum for sustainable development.

14. As part of its mandate, OHCHR provides technical support for the implementation of international human rights norms at the national level and works to mainstream human rights in all areas of work of the United Nations, through its field presences in over 70 countries and enhanced support to United Nations country teams, facilitated by the United Nations Sustainable Development Group. Such efforts are anchored in a holistic and integrated approach that takes into account the outcomes and recommendations of all international human rights mechanisms, including the treaty bodies, the special procedures and the universal periodic review.

III. Key elements at the national level

A. Establishing national mechanisms for reporting and follow-up

15. The significant expansion of the human rights system, at both the international and regional levels, has placed increasing requirements on Member States to report to the international and regional human rights mechanisms and follow up on the recommendations or outcomes emanating from them. As a result, an increasing number of Member States are adopting a more comprehensive, efficient and sustainable approach by putting in place a new type of governmental structure, known as a national mechanism for reporting and follow-up.

16. National mechanisms for reporting and follow-up ensure coordination between different government entities, thereby building national ownership and coherence, empowering line ministries and developing sustainable expertise. They also allow for structured and formalized contacts with parliament, the judiciary, national human rights institutions and civil society, strengthening participatory, inclusive and accountable human rights-based governance.

17. Those mechanisms are uniquely placed to take the lead in clustering and prioritizing recommendations, developing a comprehensive national human rights action plan or a specific implementation plan for following up on recommendations and promoting the integration of such recommendations in national policies for the achievement of the Sustainable Development Goals. In a number of countries, such mechanisms also coordinate the preparation of midterm reports to the universal periodic review, which are submitted on a voluntary basis by an increasing number of countries (currently 73).

18. In order to be effective, the mechanisms are normally equipped with four complementary capacities:

(a) Engagement capacity: the capacity to engage and liaise with international and regional human rights mechanisms and centrally facilitate the preparation of reports and

responses to communications and follow-up questions and recommendations or decisions received from such mechanisms;

(b) Coordination capacity: the capacity and authority to disseminate information, and to organize and coordinate information-gathering and data collection from government entities and other State actors for reporting and follow-up to recommendations;

(c) Consultation capacity: the capacity to foster and lead consultations with the country's national human rights institution and civil society;

(d) Information management capacity: the capacity to track the issuance of recommendations and decisions by the international and regional human rights mechanisms, systematically capture and thematically cluster those outcomes, identify the government ministries and/or agencies responsible for their implementation, develop follow-up plans and manage information regarding the implementation of treaty provisions and recommendations, including with a view to preparing the next periodic report.

19. Many Member States have made voluntary commitments or have received and supported recommendations to establish national mechanisms for reporting and follow-up, especially in the context of the universal periodic review, and are also working together to share their experiences in this field. A Group of Friends on the mechanisms offers a broad informal platform for States from all regions, United Nations agencies, national human rights institutions, civil society and other relevant stakeholders, to share good practices on national implementation, coordination, impact, reporting and follow-up, and to discuss common challenges and lessons learned. The Group of Friends is led by Portugal and consists of 27 States.

20. OHCHR provides advice and assistance to Member States on national mechanisms for reporting and follow-up, including through its treaty body capacity-building programme, the Voluntary Fund for financial and technical assistance for the implementation of the universal periodic review and the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights. In 2018, OHCHR supported some 11 countries in the establishment of such mechanisms, or the strengthening of their capacities. For example, in Cambodia, OHCHR supported the Inter-Institutional Commission in the definition of a follow-up programme to the recommendations from the universal periodic review and other international mechanisms. At the regional level, OHCHR organized three peer-learning events to share good practices on national mechanisms for reporting and follow-up in Serbia (with the participation of representatives from 6 countries), Uruguay (with the participation of representatives from 18 countries) and in Geneva (jointly organized with the Group of Friends on national mechanisms for reporting and follow-up).

21. The importance of establishing or strengthening national mechanisms for reporting and follow-up was also highlighted by three regional workshops on good practices for implementation in the context of the third cycle of the universal periodic review organized in 2018 by OHCHR in Kampala (in cooperation with the national human rights institution and with the participation of representatives from 18 countries); in Dakar (jointly with the International Organization of la Francophonie (OIF) and with the participation of representatives from 36 countries); and in Praia (jointly with the Community of Portuguese Language Countries and the United Nations Development Programme (UNDP) and with the participation of representatives from 9 Portuguese-speaking countries).

B. Developing national human rights action plans and plans for the implementation of recommendations of human rights mechanisms

22. National human rights action plans offer a structured and practical approach to strengthening the realization of human rights by placing human rights improvements in the context of public policy. Such plans, which vary in scope and focus, are aimed at identifying and addressing gaps in the national human rights protection system. Existing national laws, policies and other institutional frameworks are considered and the aim is to address the human rights protection gaps thus identified through consultation with all stakeholders, based on baseline assessments, through collaboration across government

ministries, political parties and civil society groups. The plans cover civil and political rights and economic, social and cultural rights, and often specifically target equal access and enjoyment of human rights by particular groups who may be in vulnerable situations.

23. Since the idea of national human rights action plans was launched in the Vienna Declaration and Programme of Action in 1993, numerous States have established national or sectorial plans. OHCHR has developed a comprehensive guidance manual on national human rights action plans and has provided technical assistance to Member States on their establishment.

24. Plans for the implementation of recommendations thematically cluster all recommendations from international human rights mechanisms, prioritize them, assign implementation responsibilities to ministries and State entities and indicate a time frame for implementation, as well as resources and indicators.

25. The increased coordination capacity provided by national mechanisms for reporting and follow-up is crucial for strengthening the capacities of Member States to develop national or sectoral human rights action plans or plans for the implementation of recommendations, and link them to national efforts for the achievement of the Sustainable Development Goals. In support, OHCHR aims to strengthen national capacities in that regard. For example, in 2018, OHCHR provided support to Haiti, Nauru, the Republic of Moldova, Samoa and Uganda on the establishment or strengthening of national mechanisms for reporting and follow-up and, in addition, provided technical assistance on the elaboration or revision of national human rights action plans (see A/HRC/40/3).

C. Integrating human rights into national policies for the achievement of the Sustainable Development Goals

26. OHCHR has developed a number of tools to support efforts by Member States to enhance implementation of international human rights recommendations and integrate them into their national policies for the achievement of the Sustainable Development Goals. They include supporting the establishment of information management systems to facilitate the clustering and prioritization of recommendations and the development of human rights indicators.

27. The Universal Human Rights Index, a web-based database designed to facilitate access to human rights recommendations issued by the treaty bodies, the special procedures and the universal periodic review, has proven to be a useful tool to produce overviews of recommendations by country, linking them to each of the 17 Sustainable Development Goals. As part of an agreement between OHCHR and the Danish Institute for Human Rights, in 2018 a database was launched linking more than 50,000 recommendations made during the first and second cycles of the universal periodic review to specific Sustainable Development Goals, with a view to expanding it to include the recommendations from all human rights mechanisms (A/HRC/38/28, para. 17).

28. In a number of countries, OHCHR is also piloting, at their request, a specific tool, the national recommendations tracking database, which aims to facilitate the recording, tracking and reporting on the implementation of recommendations at country level, drawing road maps and assigning responsibilities, with clear budgets, benchmarks of success and timelines, for their implementation. The database allows Member States to import the recommendations from United Nations human rights mechanisms addressed to them directly from the Universal Human Rights Index, cluster and prioritize them, develop an implementation plan, including indicators and responsible institutions, and report on implementation. Member States can search and retrieve all this information through several parameters, including thematic areas, affected persons or groups and Sustainable Development Goals and targets.

29. Strong synergies can be built by clustering recommendations emanating from the human rights mechanisms and linking them to the Sustainable Development Goals. In Paraguay, the online database for following up on the recommendations of the international human rights mechanisms was developed with OHCHR support and was expanded in 2017

to link human rights recommendations with the Sustainable Development Goals and their targets. In addition, a new feature was added through which civil society organizations can monitor the follow-up to each recommendation and can provide comments and observations, creating the first dialogue space between the various stakeholders involved in the implementation and monitoring of recommendations and the Sustainable Development Goals (A/HRC/38/28, para. 18). In 2018, OHCHR provided support for sharing the experience of Paraguay with Argentina, building the capacity of relevant officials to use the same methodology, organize recommendations into thematic groups and identify focal points at the federal level.

30. Human rights indicators allow States to assess their own progress in implementing human rights and their compliance with international treaties, and provide tools for civil society to monitor progress and ensure accountability. In order to respond to the growing demand for human rights indicators, OHCHR has developed a conceptual and methodological framework of indicators, both quantitative and qualitative, that provides guidance for the identification of contextually relevant and feasible indicators in compliance with international human rights norms and principles.

31. OHCHR has also developed guidance tools to promote the use of human rights indicators and disaggregated data in the implementation of the 2030 Agenda, and has provided support to Member States in that regard. For example, in Kenya, as a result of support provided by OHCHR, through its human rights adviser, the National Bureau of Statistics and the National Commission on Human Rights signed a memorandum of understanding in 2017, establishing a framework for institutional collaboration on the development of human rights and Sustainable Development Goal indicators and on data collection. Over time, the memorandum will facilitate the inclusion of Sustainable Development Goals 10 and 16 by the National Bureau of Statistics in its measurements, which will in turn realize a full capturing of human rights obligations and concerns (A/HRC/38/28, para. 27). Participation in the implementation and follow-up to the Sustainable Development Goals is crucial. At the request of the Human Rights Council, OHCHR has produced guidelines for States on the effective implementation of the right to participate in public affairs. In October 2018, the Human Rights Council, in resolution 39/11, took note with interest of the draft guidelines and presented them as a set of orientations for States and other relevant stakeholders.

D. Strengthening national human rights institutions

32. National human rights institutions that are in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) have a crucial role in promoting and monitoring the effective implementation of international human rights standards at the national level. Effective national human rights institutions also serve as a bridge between the State and civil society, promoting broad-based participation in shaping policies and implementing recommendations from the international human rights system.

33. At the international level, national human rights institutions actively engage with the human rights treaty bodies, the special procedures and the universal periodic review through the submission of information and the review of progress (or lack thereof) in the implementation of human rights recommendations. National human rights institutions have a special oversight role vis-à-vis the policies of and actions by Governments in follow-up to recommendations from the international human rights system, especially those that Governments have supported during previous cycles of the universal periodic review. National human rights institutions are critical in their participation in national mechanisms for reporting and follow-up and in their support for the implementation of and follow-up to human rights actions integrated with the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. It should be noted that in the current cycle of the universal periodic review, more than 90 per cent of national human rights institutions with A status have submitted written contributions to OHCHR summary reports.

34. OHCHR cooperates closely with the Global Alliance of National Human Rights Institutions and is developing further its strategic partnership with national human rights institutions, not least through the tripartite letter of intent signed in February 2017 by UNDP, the Global Alliance of National Human Rights Institutions and OHCHR. In addition, OHCHR provides technical assistance on the establishment and strengthening of national human rights institutions, including through the provision of legal advice on legislative frameworks for their establishment, the implementation of capacity-building activities and the sharing of best practices. It also encourages their engagement with international human rights mechanisms and supports their efforts to mainstream human rights in national development policies. For example, in 2018 OHCHR organized, jointly with the Uganda Human Rights Commission, two workshops on harnessing human rights indicators and on a human rights-based approach to data collection in the measurement and implementation of the Sustainable Development Goals in Uganda (A/HRC/39/20, para. 17). During the annual meeting of the Global Alliance of National Human Rights Institutions in March 2018, OHCHR organized a side event to share best practices on the role of national human rights institutions during elections and how better to cooperate with electoral observation organizations.

E. Enhancing the role of parliaments

35. As one branch of government, parliaments play a critical role in contributing to the preparation of the national reports of Member States, participating in the various international human rights mechanisms, especially the universal periodic review, ensuring follow-up to recommendations that require legislative reform or other action by parliaments, and in scrutiny of legislation drafted to give effect to such recommendations. Parliaments therefore contribute to ensuring that Member States comply with their international human rights obligations and in establishing and ensuring the proper functioning of national human rights protection systems. By laying the foundation for and strengthening the rule of law; providing oversight regarding the functioning of Governments and national institutions, and ensuring that rights-based approaches are taken into account in national budgets, parliaments are essential to facilitating the implementation by Member States of recommendations made by the international human rights mechanisms and contributing to the implementation of the 2030 Agenda for Sustainable Development.

36. A strengthened role for parliaments on human rights can greatly contribute to increasing the implementation of recommendations made by international human rights mechanisms, better linking of human rights to national development efforts and enhancing the effectiveness of national human rights institutions and civil society organizations. In a report on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review, prepared in close cooperation with the Inter-Parliamentary Union (IPU), OHCHR noted that more than 50 per cent of recommendations emanating from the universal periodic review required parliamentary action for them to be implemented (A/HRC/38/25, para. 11).

37. For that reason, and so as to enhance and streamline such efforts, OHCHR recommended that parliaments consider the setting up of specialized human rights committees and strengthen their engagement with the international human rights mechanisms, especially the universal periodic review (*ibid.*, para. 63). The draft principles on parliaments and human rights, annexed to the report provide relevant guidance for parliaments that wish to establish such human rights committees.

38. The report was also welcomed during the thirty-ninth session of the Human Rights Council in a joint statement delivered by Ecuador on behalf of the core group of countries on the contribution of parliaments to the work of the Human Rights Council and the universal periodic review (Ecuador, Italy, Maldives, Morocco, the Philippines, Romania and Spain). The efforts by OHCHR and IPU to promote a constructive discussion on the issue were also commended and States were encouraged to look into the recommendations of the report to keep building on this important initiative in the near future.

39. OHCHR organized the second session of the Forum on Democracy, Human Rights and the Rule of Law, held in Geneva on 22 and 23 November 2018, on the theme of “Parliaments as promoters of human rights, democracy and the rule of law”. Referring to the report on the contribution of parliaments to the work of the Human Rights Council and the draft principles on parliaments and human rights (see A/HRC/38/25 and annex I), Martin Chungong, Secretary-General of IPU and Chair of the Forum, encouraged parliamentary involvement in the universal periodic review and other United Nations human rights mechanisms. Parliamentarians needed to ensure that the recommendations of United Nations human rights mechanisms were implemented, particularly as implementation often required legislative changes. He referred to the role played by international and regional parliamentary organizations in strengthening the attention paid by parliaments to human rights issues. Mr. Chungong called on all present to examine the recommendations in the report on the Forum (A/HRC/40/65) and consider how they could be implemented. Further engagement between members of parliaments from francophone States participating in the universal periodic review and Chairs of existing parliamentary human rights committees worldwide are envisaged in June 2019, in close cooperation with OIF and IPU. In November 2018, the Commonwealth Secretariat and the Universal Rights Group published a study, in which they made the point that “the domestic implementation of universal human rights obligations and commitments is at the very top of the international political agenda”.² In the conclusions of the study, the OHCHR report and the draft principles annexed to it were referenced, the authors noting that they mirrored the work of the Commonwealth “in promoting consideration and elaboration of universal principles to guide the engagement of national parliaments with the UN human rights system and mechanisms”.³

F. Ensuring a strong and independent judiciary

40. In his most recent report on human rights in the administration of justice, the Secretary-General stated that equal and effective access to justice was an essential component of the right to an effective remedy and could be implemented only by an independent and impartial justice system (A/73/210, para. 4). The Secretary-General further noted that several human rights mechanisms had highlighted the importance of access to justice in the legal protection of human rights and had provided guidance on its implementation.

41. OHCHR contributes to the overall United Nations effort in the area of administration of justice, including by supporting constitutional or legislative reforms to ensure compliance with human rights law; protecting the human rights of persons deprived of their liberty; enhancing the human rights knowledge of members of the judiciary and law enforcement officers; and supporting transitional justice processes and mechanisms.

42. The role of an independent judiciary in ensuring effective access to justice has also increasingly been the subject of Human Rights Council resolutions and of recommendations addressed to Member States during the universal periodic review, also opening up space for discussion on such issues at the national level. OHCHR provides support to judges and lawyers worldwide, including in the implementation of human rights recommendations, at the request of Member States. For example, in 2018 OHCHR supported Jamaica, through its human rights adviser, on the implementation of recommendations from the universal periodic review focused on raising awareness of international human rights norms among judges, lawyers and prosecutors to ensure that they are taken into account before national courts. For that purpose, an online training course on international human rights law for the judiciary was developed. The training entails four modules (overview of international human rights law; rights of persons deprived of their liberty; right to a fair trial; rights of persons living with HIV; and rights of

² See “The global human rights implementation agenda: the role of national parliaments”, pp. 12 and 40.

³ *Ibid.*, p. 41.

persons with disabilities) and includes audiovisual materials and links to relevant bibliography and case law.

43. OHCHR participates in the Global Focal Point for Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations, led by the Department of Peacekeeping Operations and UNDP with the support of other United Nations partners. The Global Focal Point conducts joint assessments, formulating country-specific plans, providing expertise and focusing attention on rule of law priorities in those countries most in need of assistance, thus playing an important role in prevention of conflict efforts and in sustaining peace.

44. OHCHR welcomes the role of the International Bar Association and its Human Rights Institute and specifically commends the report of May 2018 on the role of the universal periodic review in advancing children's rights in juvenile justice. OHCHR encourages even greater engagement with the United Nations human rights mechanisms by the Institute and by bar associations worldwide.

G. Maintaining a safe and enabling environment for civil society

45. A dynamic, diverse and independent civil society, able to operate freely, is a key element in securing the protection and promotion of human rights at both the national and international levels. Civil society actors monitor the human rights situation at national level, mobilize public support for human rights issues and report on human rights violations. They make a crucial contribution to the effective functioning of the international human rights mechanisms. The important role of civil society and the need to maintain a safe and enabling environment in which it can freely operate, have been highlighted by several resolutions of the Human Rights Council, which remains attentive to any threat to human rights defenders or reprisal for any form of cooperation with the United Nations or its mechanisms.

46. Strengthening the role of civil society at national, regional and international level is a strategic priority for OHCHR. Over the past few years, it has elaborated a series of practical guides aimed at increasing the engagement of civil society actors with international human rights mechanisms and promoting follow-up to the recommendations formulated by such mechanisms. OHCHR advocates for the inclusion of civil society in national mechanisms for reporting and follow-up and their active participation in efforts to implement human rights recommendations, resulting in greater enjoyment of human rights by all, especially the most vulnerable. With respect to the universal periodic review, the partnership with and the engagement, among others, of Amnesty International, Civicus, Human Rights Watch, International Service for Human Rights, UPR Info and the Universal Rights Group is greatly valued.

IV. Key elements at the international and regional levels

A. Strengthening coordination at the United Nations

47. General Assembly resolution 72/279 on the repositioning of the United Nations development system, provides the mandate for the Secretary-General to ensure that the United Nations is fit for purpose in order to support the 2030 Agenda for Sustainable Development and the success of the Sustainable Development Goals. Addressing the high-level panel at the thirty-seventh session of the Human Rights Council, the Administrator of UNDP emphasized the complementarity between the 2030 Agenda for Sustainable Development and the universal periodic review and noted that all Member States have committed to both of them, presenting a unique opportunity for the international development community to support the full realization of human rights in the countries it serves. In her address to the Council on 7 March 2019, the Deputy Secretary-General emphasized that the repositioned Resident Coordinator system would provide national authorities with a coordinated interface with which to engage in coordinated, transparent,

responsive and accountable United Nations support for nationally led development and human rights action.

B. Role of regional organizations

48. International cooperation at the regional level affords additional support for the promotion and protection of human rights. Reports and findings of regional human rights bodies need to be taken into account when Member States are undergoing examination by international human rights mechanisms. References to the jurisprudence and other documentation of regional human rights mechanisms can support their findings.

49. The United Nations system could also benefit from greater engagement with regional mechanisms in terms of adopting good practices that have emerged at the regional level. In its resolutions 6/20, 12/15, 18/14, 24/19, 30/3 and 34/17 the Human Rights Council recognized the important role played by regional, subregional and interregional arrangements for the promotion and protection of human rights and requested OHCHR to put forward concrete proposals on ways of strengthening cooperation between the United Nations and regional human rights mechanisms.

50. A memorandum of understanding between the African Court on Human and Peoples' Rights and OHCHR was signed on 9 February 2019. It provides a framework for collaboration between the two entities in areas of common interest, such as international and regional human rights norms and standards, international and regional human rights jurisprudence, the administration of justice and the practices of international and regional courts and tribunals. It covers exchanges of views and practices, fostering cooperation with United Nations human rights mechanisms and training for judges and judicial officers.

51. The 2014 joint declaration between OHCHR and the general secretariat of the Organization of American States (OAS) through the Executive Secretariat of the Inter-American Commission on Human Rights outlines a general framework for enhancing cooperation in the promotion and protection of human rights. It envisages the holding of joint annual meetings and ad hoc consultations, and enabling the participation of representatives of the counterpart organization in meetings of their respective bodies. The agreement facilitates the exchange of information on the work of the international and regional human rights mechanisms and promotes measures to ensure that the human rights commitments and recommendations of the international mechanisms and those of the Inter-American Commission on Human Rights are taken into account in each other's work, reports and action plans. It further seeks to establish a cooperation mechanism on the implementation of recommendations issued by the human rights treaty bodies, the special procedures and under the universal periodic review, as well as cooperation in assisting Governments of OAS member States with implementation. The agreement also aims to facilitate cooperation for joint advocacy action and on priority thematic issues.

52. The 2013 joint declaration on the reinforcement of cooperation between the Council of Europe and OHCHR sets out an agreement on pursuing appropriate measures to ensure that the respective legal instruments, recommendations and findings of treaty bodies and monitoring bodies are taken into account in each other's work. In addition, it states that the parties will cooperate in assisting Governments of Council of Europe member States in the implementation of recommendations by relevant international human rights mechanisms of the Council of Europe and the United Nations, including the universal periodic review. A similar arrangement has been agreed with the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe.

53. The increasing cooperation with regional human rights mechanisms creates important links between the national and international levels, serving both to reinforce the protection of human rights at the national level and feed regional collective experiences and efforts into the functioning of international human rights mechanisms for enhanced efficiency, relevance and impact.

C. Technical cooperation and development aid

54. In order to ensure that human rights are better promoted and protected, in the mid-1950s the General Assembly established a technical cooperation programme in the field of human rights aimed at helping States, at their request, to build or strengthen national infrastructures that have a direct impact on the promotion and protection of human rights. The programme focuses on the incorporation of international human rights standards into national laws and policies; on the building or strengthening of national institutions; on the formulation of national plans of action for the promotion and protection of human rights; on human rights education and training; and on promoting a human rights culture.

55. As the requests for assistance grew and thus the need to supplement the programme became evident, the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights was established. Programmes implemented by OHCHR through the fund benefit from the advice of a Board of Trustees, consisting of five members appointed by the Secretary-General. The Chair of the Board, which is also the Board of the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review, reports regularly to the spring session of the Human Rights Council, under agenda item 10, most recently on 21 March 2019.

56. The Voluntary Fund for Technical Cooperation aims to provide financial support for technical cooperation with a view to strengthening national and regional institutions and legal frameworks and infrastructure that will have a positive long-term impact on the implementation of international human rights standards. In 2018, programmes were implemented in 40 regions, countries and territories in close cooperation with Member States and other partners, complementing other funding tools available to OHCHR (A/HRC/40/78, para. 63).

57. The Voluntary Trust Fund for Participation in the Universal Periodic Review, aimed at facilitating the participation of developing countries, particularly the least developed countries and landlocked developing countries, in the universal periodic review, and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review are also a source of financial and technical assistance that facilitates participation in the universal periodic review or the implementation of recommendations arising from it (see A/HRC/38/26 and 27).

58. During the high-level panel at the thirty-seventh session of the Human Rights Council, the Chair of the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD), which provided \$145 billion in ODA in 2016, stated that according to data produced by the International Aid Transparency Initiative, there were around 2,300 active projects around the world with human rights as the primary focus and the total spend on bilateral projects labelled as human rights projects had been around \$700 million in 2016. She further stated that it was obvious that development cooperation and many such projects were directly linked to the implementation of recommendations arising from the universal periodic review. That link could be stronger and was the responsibility of both the country under review and the donor country. Apart from specific human rights projects, many donors also mainstreamed human rights in all their activities. While the universal periodic review was not used or discussed in the Development Assistance Committee, the Chair of the Committee emphasized that for members of the Committee it was an important tool in coordinating their bilateral development cooperation in specific countries. She noted that when there was a will to address human rights issues, development partners and donors should support and be ready to tailor their support to the recommendations put forward during the universal periodic review.

59. While most development cooperation entities recognized the strong link between development and human rights, the Development Assistance Committee, which provided guidance to those national entities through its own peer reviews, could be encouraged to consider systematically in those reviews whether and how supported recommendations arising from the universal periodic review were actually implemented in countries that were recipients of ODA. Currently, such reviews focused on poverty, gender, the environment

and humanitarian issues. In addition, the international donor community could better leverage the universal periodic review as an important tool in coordinating bilateral development cooperation in a specific country context, especially when countries that were recipients of their assistance were ready to implement supported recommendations arising from it. The two-prong approach could certainly contribute to enhancing the effectiveness of aid and national ownership.

D. Emerging good practices

60. OIF has supported its member States and Governments since 2006 in implementing the mandates of the Human Rights Council and its mechanisms. In particular, it has set up a programme for Governments of French-speaking States to help prepare for the universal periodic review. Since 2008, OHCHR and OIF, in cooperation with host States, have organized five francophone seminars as forums for exchange, reflection and consultation between States and other partners for the effective implementation of the universal periodic review. Those events took place in Morocco in 2008 and 2010, in Tunisia in 2011, in the Republic of Moldova in 2014 and in Senegal in 2018.

61. During the general debate under agenda item 6 at the thirty-ninth session of the Human Rights Council, Canada, on behalf of members and observers of OIF, pointed out that the regional workshops had enabled fruitful exchanges between delegations, which had resulted in a number of concrete proposals for enhancing the implementation of recommendations resulting from the third cycle of the universal periodic review. Those proposals were aimed at reinforcing the efficiency and effectiveness of the mechanism at country level.

62. Members and observers of OIF emphasized the emerging consensus on the following proposals, and considered them to be good practices:

- (a) Setting up a national coordination mechanism with the means required for its functioning;
- (b) Use of databases in order to follow up on the implementation of action plans linked with the Sustainable Development Goals by each ministry;
- (c) Preparation of a midterm report prior to the next review;
- (d) Use of matrices (recommendations arising from the universal periodic review) prepared by OIF and OHCHR;
- (e) Delivering training on the universal periodic review, including on the contribution of the Sustainable Development Goals to the implementation of its recommendations;
- (f) Sharing of good practices within the context of the general debate under agenda item 6 of the Human Rights Council.

63. With respect to the role of parliaments, national human rights institutions and non-governmental organizations (NGOs), the OIF statement referred to:

- (a) The inclusion of NGOs, parliaments and national human rights institutions in national mechanisms for reporting and follow-up, and their involvement in all phases of the process;
- (b) The creation of a database in order to share action plans with the other stakeholders;
- (c) Strengthening the capacities of parliaments so as to enhance their role;
- (d) Inclusion in the national budget of the link between the Sustainable Development Goals and human rights.

64. The Community of Portuguese Language Countries was a main partner with OHCHR in a regional seminar on the universal periodic review and technical consultation

on Sustainable Development Goal 16+ on inclusion and human rights, held in Praia in November 2018. In their conclusions, participants stressed the need to:

(a) Support national bodies and institutions in the implementation of recommendations on human rights, taking particular note of those accepted by States in the context of the universal periodic review;

(b) Create tools in Portuguese, such as a translation of the Universal Index of Human Rights and the National Recommendations Tracking Database, and support exchanges between Portuguese-speaking countries on the Sustainable Development Goals and human rights through the raising of funds from national, regional and international organizations;

(c) Better direct existing funds within the United Nations system, as well as ODA and commitments from the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, to the implementation of the recommendations mentioned above;

(d) Raise people's awareness of the Sustainable Development Goals, human rights and inclusion, by engaging society in achieving the Sustainable Development Goals and Goal 16 in particular;

(e) Support national actors in utilizing human rights commitments and recommendations to prioritize national planning and budgeting processes relating to the Sustainable Development Goals, including the identification of priority population groups in line with the principle of "leaving no one behind";

(f) Promote an integrated approach to Human Rights and the Sustainable Development Goals, for example by encouraging direct collaboration of the national coordination bodies for reporting to the human rights mechanisms and voluntary national reviews on implementation of the Sustainable Development Goals;

(g) Facilitate the exchange of good practices between countries with different contexts and institutional capacities (showcase progress and commitment in reporting, monitoring and implementing) and promote lessons learned between countries with similar languages, including organizing more similar seminars.

65. Participants also pointed out that:

(a) Aligning national development plans with the Sustainable Development Goals and human rights was not enough to ensure action, Governments needed to develop action plans with clear identification of those responsible, proper budget allocations and key benchmarks and timelines;

(b) Lack of resources to address key issues around peace, justice and inclusion was a significant barrier in the implementation of Sustainable Development Goal 16.

66. On behalf of the Community of Portuguese Language Countries, Cabo Verde made a declaration on 7 March 2019 in the Human Rights Council under agenda item 2, stressing that having the promotion of human rights in its statute and the issue of development at the centre of its activities, the Community, fully associated itself with the call for an integrated approach to the implementation of the 2030 Agenda and the realization of all human rights for all, without leaving anyone behind. In line with the conclusions of the Praia workshop, the Community encouraged United Nations bodies, Member States and all actors to redouble their efforts to build synergies between human rights and the Sustainable Development Goals at all levels. It also saw the need for a general engagement in the mobilization and proper use of the resources needed to implement the 2030 Agenda in the perspective of human rights and also in an integrated approach to the different global agendas, including, inter alia, the Addis Ababa Action Agenda.

V. Conclusions

67. As stated in a recent report of the Secretary-General, the 2030 Agenda for Sustainable Development represents a major shift towards a more balanced development model with human rights at its core. With the third cycle of the universal periodic review, the relevance, precision and impact of its recommendations would be strengthened, including through stronger tie-ins with United Nations country teams, and existing OHCHR databases would link all findings and recommendations with the Sustainable Development Goals, making it easier to integrate those benchmarks into planning at country level. OHCHR indicators would help the United Nations to better support Member States monitor their progress towards fulfilment of the Sustainable Development Goals and the 2030 Agenda for Sustainable Development (A/72/351, para. 81).

68. In his report, the Secretary-General specifically pointed out that the success of States in their efforts to promote and protect human rights, including developing comprehensive human rights action plans and plans for the implementation of recommendations of human rights mechanisms, with the support of the United Nations, would undoubtedly depend on national mechanisms for reporting and follow-up being in place to deal with the task of implementing recommendations and reporting on those efforts and the impact achieved, in close cooperation and consultation with national stakeholders (*ibid.*, para. 83).

69. With respect to international cooperation, including through human rights mechanisms and their recommendations, the Secretary-General emphasized that it provided an important basis for States to achieve greater results in both the implementation of the Sustainable Development Goals and the protection of human rights at country level. The Secretary-General concluded that international and national efforts and action in the field of human rights should therefore be geared towards assisting States in effectively achieving the Sustainable Development Goals and in implementing the recommendations of the international human rights mechanisms (*ibid.*, para. 85).

70. The regional level provides a useful interface for ensuring that international human rights standards translate into national contexts and for ensuring the relevance and impact of international machinery and reporting. United Nations and regional mechanisms should endeavour to implement agreements for sharing experiences and best practices and mutual capacity-building.

71. OHCHR experience points to evolving good practice that draws new contours of triangular North-South and South-South cooperation, promising greater national ownership, coordination and sustainability. The sharing of good practices of implementation of the recommendations of human rights mechanisms at regional, subregional and national levels has proved to be a valuable tool for linking up the executive with the other branches of government and enhancing the oversight role of parliaments, national human rights institutions and civil society organizations.

72. Greater transparency in identifying human rights needs will mobilize the United Nations system and the international community to provide greater assistance and support through ODA and existing trust funds. Peer reviews carried out by the OECD Development Assistance Committee could take into account human rights recommendations, notably from the universal periodic review, especially when countries that are recipients of ODA are ready to undertake reforms in follow-up to recommendations they have supported. Recommending States could ensure that their development cooperation entity is actively involved in such implementation efforts in States that are recipients of ODA.

73. The resulting compact between Governments, the United Nations system and the international community on achieving the Sustainable Development Goals, with human rights at their core, is crucial to the success of the prevention agenda of the Secretary-General and of the Sustainable Development Goals. The enhancement of international cooperation in the field of human rights through the implementation of

recommendations made by human rights mechanisms and their integration into the Sustainable Development Goals will no doubt contribute to addressing the root causes of human rights violations, while immediately reinforcing the three pillars of the Charter of the United Nations.
