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## Seventy-fourth session

Item 72 (b) of the provisional agenda\*

**Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

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

### **Report of the Secretary-General\*\***

#### *Summary*

The present report is submitted pursuant to General Assembly resolution [72/181](#), in which the Assembly requested the Secretary-General to report at its seventy-fourth session on the implementation of that resolution.

The report covers the period from September 2018 to July 2019. It contains information on the activities undertaken by the Office of the United Nations High Commissioner for Human Rights (OHCHR) to establish and strengthen national human rights institutions; on support provided by the United Nations Development Programme and other United Nations agencies, funds and programmes to national human rights institutions; on cooperation between such institutions and the international human rights system; and on support provided by OHCHR to the Global Alliance of National Human Rights Institutions and relevant regional networks.

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\* [A/74/150](#).

\*\* All references to Kosovo in the present report, whether to the territory, institutions or population, are to be construed in the context of Security Council resolution [1244 \(1999\)](#) and without prejudice to the status of Kosovo.



## **I. Introduction**

1. The present report is submitted pursuant to paragraph 30 of General Assembly resolution [72/181](#), in which the Assembly requested the Secretary-General to report at its seventy-fourth session on the implementation of that resolution. The report outlines activities implemented during the period between September 2018 and July 2019.
2. Resolution [72/181](#) refers to the Vienna Declaration and Programme of Action, which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations, in disseminating information on human rights, and in education in human rights.
3. The General Assembly, in its resolution [72/181](#), recognized the important role of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in assisting the development of independent and effective national human rights institutions, guided by the Paris Principles. It also recognized the potential for strengthened and complementary cooperation between the United Nations, the Global Alliance of National Human Rights Institutions and national institutions.
4. The General Assembly, in its resolution [72/181](#), also stressed that national human rights institutions and their members and staff should not face any form of reprisal or intimidation, including political pressure, physical intimidation, harassment or unjustifiable budgetary limitations, as a result of activities undertaken in accordance with their mandates, including when taking up individual cases or reporting on serious or systematic violations. The Assembly also called upon States to promptly and thoroughly investigate cases of alleged reprisal or intimidation against members or staff of national human rights institutions or against individuals who cooperate or seek to cooperate with them.

## **II. Support of the Office of the United Nations High Commissioner for Human Rights to national human rights institutions**

### **A. Advisory services**

5. The National Institutions and Regional Mechanisms Section is the focal point within OHCHR for the coordination of the activities to establish and/or strengthen national human rights institutions. Together with the field presences of OHCHR and other United Nations entities, including the United Nations Development Programme (UNDP), OHCHR assists Governments in establishing national human rights institutions and/or contributes to building the capacity of such institutions. In that context, OHCHR works closely with regional intergovernmental organizations, academic institutions, civil society organizations and other stakeholders.
6. OHCHR provides technical and legal assistance to national human rights institutions and other stakeholders, in particular regarding constitutional and legislative frameworks relating to the establishment, nature, functions, powers and responsibilities of institutions. It also conducts and supports comparative analysis, technical cooperation projects, needs assessments and evaluation missions to establish national human rights institutions or strengthen their capacity to discharge their mandate effectively.
7. During the period under review, OHCHR provided advice and/or assistance aimed at the establishment and/or the strengthening of human rights institutions in

Angola, Bangladesh, Barbados, Benin, Bolivia (Plurinational State of), Botswana, Burkina Faso, Cabo Verde, Chad, Colombia, Djibouti, Egypt, Fiji, Guatemala, Guinea-Bissau, Haiti, India, Kyrgyzstan, Lebanon, Liberia, Madagascar, Malaysia, Mongolia, Morocco, Myanmar, Nigeria, the Philippines, Qatar, the Russian Federation, Samoa, Sierra Leone, Switzerland, Tajikistan, Thailand, Timor-Leste, Tunisia, Turkmenistan, Uganda, the United Arab Emirates, Uzbekistan and the State of Palestine. In some cases, the assistance was provided jointly with United Nations agencies, funds and programmes and other partners.

## 1. Africa

8. During the period under review, the OHCHR regional offices for Central, East, Southern and West Africa, the OHCHR country offices in Burundi,<sup>1</sup> Chad, Guinea, Liberia, Mauritania and Uganda, the human rights advisers to the United Nations country teams in Kenya, Madagascar, Malawi, the Niger, Nigeria, Rwanda, Sierra Leone and Zimbabwe, and the human rights components of the United Nations peace missions in the Central African Republic, the Democratic Republic of the Congo, Guinea-Bissau, Mali, Somalia, South Sudan and the Sudan (in Darfur) continued, in consultation with OHCHR, to provide advice on and assistance in the establishment and/or strengthening of national human rights institutions.

9. During the period under review, OHCHR provided advice on legislation relating to national human rights institution to Angola, Cabo Verde and Guinea-Bissau.

10. In September 2018, OHCHR, the International Organization of la Francophonie and UNDP organized a capacity-building workshop for the commissioners of the National Human Rights Commission of Djibouti.

11. During the reporting period, OHCHR and the Uganda Human Rights Commission continued to carry out joint activities, including joint monitoring missions and joint advocacy for the effective implementation of the Prohibition and Prevention of Torture Act. OHCHR and the Commission also updated a booklet compiling by theme universal periodic review recommendations and highlighting linkages with the Sustainable Development Goals. In October 2018, OHCHR, the Ministry of Foreign Affairs and the Commission organized training on business and human rights for the Inter-Ministerial Committee on Human Rights and other relevant institutions.

12. In November 2018, OHCHR provided technical support to a national conference in Botswana on the establishment of a national human rights institution compliant with the Paris Principles.

13. Also in November 2018, OHCHR conducted an induction training for the commissioners of the National Human Rights Commission of Burkina Faso.

14. That same month, in Guinea-Bissau, OHCHR and the United Nations Integrated Peacebuilding Office in Guinea-Bissau launched a compendium on the Paris Principles and the general observations of the Global Alliance of National Human Rights institutions.

15. In February 2019, OHCHR and the International Organization of la Francophonie organized an induction event for the newly appointed commissioners of the Benin Human Rights Commission.

16. In February 2019, OHCHR and the Independent National Commission on Human Rights of Liberia conducted a joint fact-finding and monitoring mission to

<sup>1</sup> The OHCHR country office in Burundi was closed early in 2019.

assess the human rights situation in the country. A comprehensive report sharing the findings will be issued and inform the state of human rights in Liberia.

17. Also in February 2019, OHCHR provided technical support to the National Human Rights Commission of Nigeria to develop its strategic plan for the period 2019–2022. In April 2019, OHCHR trained the staff of the Commission on a human rights-based approach to its overall humanitarian response in north-east Nigeria. OHCHR and the Commission also co-organized a workshop on a human rights-based approach to humanitarian aid in the Middle Belt for representatives of the Government, civil society and the media.

18. In March 2019, at the request of the Government of Chad, OHCHR provided advice based on the Paris Principles to a selection committee on the appointment process of the commissioners for the Human Rights Commission.

19. During the reporting period, OHCHR provided financial and technical support to the Independent National Commission on Human Rights of Madagascar for a broad range of activities, including missions to raise awareness of its mandate, investigations into human rights violations, a human rights forum at the University of Antananarivo, a workshop to contribute to the drafting of a law on the protection of human rights defenders, a round table on conditions of detention and a video on the rights of persons with disabilities. OHCHR also assisted the Commission in drafting and submitting its input to the universal periodic review stakeholders' report. In March and April 2019, OHCHR conducted three capacity-building activities for the staff of the Commission, on business and human rights, forced evictions and the rights of vulnerable groups.

20. In March 2019, OHCHR conducted, in cooperation with UNDP and the Human Rights Commission of Sierra Leone, a series of training workshops for law enforcement officials on the integration of human rights into the prevention of and responses to conflict and violence.

## **2. Americas and the Caribbean**

21. During the period under review, the OHCHR regional offices for South and Central America, the OHCHR country offices in Colombia, Guatemala, Honduras and Mexico, the human rights advisers to the United Nations country teams in Argentina, Barbados, Bolivia (Plurinational State of), Brazil, the Dominican Republic, Ecuador, Jamaica, Paraguay and Uruguay, and the human rights component of the then United Nations Stabilization Mission in Haiti continued to provide advice on and assistance in strengthening national human rights institutions, in consultation with the OHCHR National Institutions and Regional Mechanisms Section.

22. In September 2018, in Bolivia (Plurinational State of), OHCHR, the Ministry of Justice, the Ministry of Foreign Affairs and the Office of the State Attorney-General co-organized a training on treaty body reporting and on national mechanisms on reporting and follow-up for representatives of public institutions, including the Ombudsman. In March 2019, OHCHR organized a training workshop on international human rights protection mechanisms for the staff of the Office of the Ombudsman, with a focus on alternative reports to the treaty bodies and the universal periodic review.

23. In February 2019, OHCHR provided legal advice to Barbados for the establishment of a national human rights institution in line with the Paris Principles.

24. During the period under review, OHCHR and the Office of the Ombudsman of Colombia carried out joint contextualized analyses in some parts of the country. OHCHR also accompanied the Ministry of Interior and the Ombudsman to risk areas in the roll-out of the “timely action plan” to boost early warning and protection

mechanisms. OHCHR and the Office of the Ombudsman continued to provide technical advice and support to indigenous peoples, persons of African descent and peasant communities.

25. During the period under review, OHCHR conducted a total of 20 workshops to build the capacity of the Office of the Counsel for Human Rights of Guatemala on human rights issues. OHCHR and the Office of the Counsel also carried out 17 joint monitoring missions to identify the main human rights violations. They also prepared joint reports, including a report on the situation of human rights defenders in Guatemala, released in May 2019. OHCHR continued to strengthen the capacity of the Office of the Counsel to interact with the international human rights system.

26. From May 2018 to March 2019, in Haiti, OHCHR, the Office of the Ombudsman and *Terre des hommes* implemented a project on community violence reduction aimed at preventing marginalized communities from falling into delinquency. In October 2018, OHCHR conducted two workshops to strengthen the capacity of the Office of the Ombudsman to monitor and document human rights violations. OHCHR also financially supported the establishment of two regional offices of the Ombudsman in Jérémie and St-Marc and conducted capacity-building activities for the regional staff on monitoring and investigating human rights violations. In March 2019, OHCHR and the Ombudsman conducted the first session of a series of four to train civil servants on fostering the principle of non-discrimination in the implementation of their mandate. In April and May 2019, OHCHR provided technical advice and began to fund two consultants to formulate internal rules and regulations and a national strategy for the Office of the Ombudsman.

### 3. Asia and the Pacific

27. During the period under review, the OHCHR regional offices for South-East Asia and for the Pacific, the OHCHR country offices in Cambodia and in Seoul for the Democratic People's Republic of Korea, the human rights advisers to the United Nations country teams in Bangladesh, Papua New Guinea, the Philippines, Sri Lanka and Timor-Leste, and the human rights component of the United Nations Assistance Mission in Afghanistan continued to provide advice on and assistance in the establishment or strengthening of national human rights institutions, in consultation with the National Institutions and Regional Mechanisms Section.

28. During the reporting period, OHCHR provided technical support to the Fiji Human Rights and Anti-Discrimination Commission to submit reports to treaty bodies and the universal periodic review.

29. In September 2018, OHCHR organized a training on human rights documentation, monitoring and advocacy for representatives of the National Human Rights Commission of Thailand. During the reporting period, OHCHR continued to advocate with the Government and the national legislative assembly for the appointment process of new commissioners to be in compliance with the Paris Principles.

30. In November 2018, OHCHR, UNDP and the Asia-Pacific Forum of National Human Rights Institutions conducted a capacity assessment of the National Human Rights Commission of India.

31. In November 2018, OHCHR and the Human Rights Commission of Malaysia conducted a workshop on human rights standards for law enforcement officers.

32. In November 2018, OHCHR, UNDP and the Asia-Pacific Forum of National Human Rights Institutions carried out a capacity assessment of the Myanmar National Human Rights Commission.

33. In March and April 2019, OHCHR conducted a needs assessment of the Commission on Human Rights of the Philippines with a view to drafting project document in the framework of a technical cooperation programme between OHCHR and the Commission.

34. During the reporting period, OHCHR assisted the Office of the Ombudsman of Samoa to engage with the Committee on the Elimination of Discrimination against Women.

35. During the reporting period, OHCHR continued to provide technical and financial support to the Office of the Ombudsman of Timor-Leste to conduct human rights training for police officers and the army. OHCHR, the Ombudsman and the Ministry of Defence conducted four five-day training sessions for army officers on human rights during peace and in emergencies.

#### **4. Europe and Central Asia**

36. During the period under review, the OHCHR regional offices for Europe and for Central Asia, the United Nations human rights monitoring mission in Ukraine, the human rights advisers for the South Caucasus, in Belarus, in North Macedonia and in Serbia, the human rights officer working with the United Nations country team in the Republic of Moldova, the joint OHCHR-Russian Federation project and the Human Rights Office in the United Nations Mission in Kosovo continued to provide advice on and assistance in the establishment and/or strengthening of human rights institutions, in consultation with the OHCHR National Institutions and Regional Mechanisms Section.

37. During the period under review, OHCHR provided legislative advice to Switzerland on the establishment of a national human rights institution in compliance with the Paris Principles.

38. In September 2018, OHCHR and the Commissioner for Human Rights of the Russian Federation co-organized a conference on the realization of the rights of persons with disabilities. In November 2018, they co-organized a conference for offices of the ombudsman in Europe and Asia to share experiences and best practices on how to overcome challenges in protecting human rights in the region. In December 2018, OHCHR and the Commissioner organized a series of events to mark Human Rights Day and the seventieth anniversary of the Universal Declaration of Human Rights, including a discussion among students on the right to education of persons with disabilities and on business and human rights.

39. In September and October 2018, OHCHR, UNDP and the Asia-Pacific Forum of National Human Rights Institutions conducted the capacity assessment of the Ombudsman of Uzbekistan. In October 2018, OHCHR provided advice on the draft amendments to the law on the Ombudsman recommending vesting the institution with powers to conduct visits to detention premises. In March 2019, OHCHR provided financial support to the Office of the Ombudsman to participate in the annual meeting of the Global Alliance of National Human Rights Institutions.

40. In December 2018, OHCHR and UNDP provided technical and financial support to a round table organized by the Ombudsman of Turkmenistan to celebrate the seventieth anniversary of the Universal Declaration of Human Rights.

41. In April 2019, OHCHR, the Ombudsman of Kyrgyzstan, the national preventive mechanism of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and civil society organizations facilitated seven consultations to prepare the third cycle of the universal periodic review.

42. In May 2019, OHCHR and UNDP co-organized a workshop on the margins of the international conference hosted by the Office of the Ombudsman of Tajikistan to mark its tenth anniversary. OHCHR briefed the Ombudsmen of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan on the Paris Principles and on the accreditation by the Global Alliance of National Human Rights Institutions.

## **5. Middle East and North Africa**

43. During the period under review, the OHCHR regional office for the Middle East and for North Africa, the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, the OHCHR offices in Tunisia, Yemen and the State of Palestine, the human rights adviser to the United Nations country teams in Jordan, the human rights components of the United Nations Assistance Mission for Iraq and the United Nations Support Mission in Libya continued to provide advice on and assistance in the establishment and/or strengthening of national human rights institutions, in consultation with the OHCHR National Institutions and Regional Mechanisms Section.

44. During the period under review, OHCHR provided legislative advice to the United Arab Emirates for the establishment of a national human rights institution in compliance with the Paris Principles.

45. In September 2018, in the framework of its technical cooperation programme with the National Council for Human Rights of Egypt, OHCHR organized a workshop on treaty body reporting. In December 2018, OHCHR organized, in cooperation with the National Council, a workshop for 42 judges on the international human rights law.

46. In December 2018, OHCHR and the Independent Commission for Human Rights of the State of Palestine co-organized an event to mark International Human Rights Defenders Day. In February and April 2019, OHCHR conducted a workshop for the staff of the Commission on the Sustainable Development Goals and human rights indicators. In April 2019, OHCHR developed a training programme to build the capacity of the staff of the Commission to monitor the implementation of the human rights treaties. OHCHR also provided technical support to the Commission to draft its written submissions to the Committee on the Rights of the Child and to the Committee on the Elimination of Racial Discrimination. In May 2019, OHCHR and the Commission held a round-table discussion to celebrate World Press Freedom Day.

47. During the period under review, OHCHR provided technical support to the national human rights institution of Lebanon to develop its internal bylaws. It also conducted a session on the Paris Principles for the Lebanese commissioners during a study tour in Geneva.

48. In April 2019, OHCHR, the National Human Rights Committee of Qatar, the European Parliament and the Global Alliance of National Human Rights Institutions organized a conference on the role of national, regional and international mechanisms to combat impunity and ensure accountability under international law.

49. During the period under review, in Tunisia, OHCHR provided advice on draft legislation to establish a national human rights institution compliant with the Paris Principles, while continuing to engage with the High Committee on Human Rights and Fundamental Freedoms. In September 2018, OHCHR and the High Committee co-organized a caravan on the role of journalists in promoting and protecting public debate on human rights. In April 2019, OHCHR held a workshop for the High Committee on reporting to the United Nations human rights mechanisms and following-up on their recommendations.

50. In July 2019, OHCHR and the National Human Rights Council of Morocco organized a seminar on the law against violence against women.

## **B. Support for regional and subregional initiatives by national human rights institutions**

### **1. Asia Pacific**

51. In March 2019, OHCHR, the Danish Institute for Human Rights, the National Human Rights Institution of Indonesia and the Indigenous Peoples' Major Group for Sustainable Development co-organized a side event during the Asia-Pacific Forum on Sustainable Development in Bangkok.

52. In April 2019, OHCHR and the Asia-Pacific Forum of National Human Rights Institutions convened a workshop for 11 national human rights institutions in South and South-East Asia to exchange experiences and lessons learned on protecting human rights in humanitarian settings.

### **2. Europe and Central Asia**

53. In October 2018, during the fifteenth meeting of the European Network of National Human Rights Institutions Working Group on the Convention on the Rights of Persons with Disabilities, OHCHR presented updates and developments on the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine of the Council of Europe aimed at regulating the involuntary placement and treatment of persons with psychosocial disabilities.

54. In December 2018, in the framework of the Central Asia support initiative for national human rights institutions, OHCHR and UNDP co-organized a workshop on human rights education and social research methods for the national human rights institutions of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. In June 2019, OHCHR and UNDP co-organized the annual meeting of Central Asian national human rights institutions in Tashkent, during which the institutions adopted a draft road map, developed jointly by OHCHR and UNDP, identifying joint activities and capacity-building exercises for the period 2019–2020.

55. During the period under review, OHCHR provided advisory services to the working group of the European Commission for Democracy through Law that drafted the principles on the protection and promotion of the ombudsman institution (the Venice Principles), which were adopted at the 118th plenary session of the Commission, in March 2019.

## **C. Contributions to international initiatives supporting national human rights institutions**

### **1. Global Alliance of National Human Rights Institutions**

56. The Statute of the Global Alliance of National Human Rights Institutions provides that its general and Bureau meetings, the meetings of the Subcommittee on Accreditation and international conferences of the Global Alliance shall be held under the auspices of and in cooperation with OHCHR. OHCHR therefore provided financial and substantive support, as well as secretariat services, to the annual meeting of the Global Alliance, held in March 2019, its two Bureau meetings, convened in October 2018 and March 2019, the two sessions of the Subcommittee (see para. 58 below) and the thirteenth international conference of national human rights institutions, held in October 2018.

57. On 7 March 2019, OHCHR convened, in close coordination with the Global Alliance of National Human Rights Institutions, an intersessional consultation for

national human rights institutions to exchange experiences and practices in support of the establishment and maintenance of inclusive societies and the implementation of the 2030 Agenda for Sustainable Development.<sup>2</sup> OHCHR submitted a summary report of the consultation to the forty-first session of the Human Rights Council (A/HRC/41/30).

## **2. Subcommittee on Accreditation**

58. OHCHR continued to provide substantive support, including technical advice and secretariat services, to the Subcommittee on Accreditation. During the period under review, the Subcommittee met twice, in October 2018 and March 2019, and reviewed 20 institutions.

## **3. Fellowship programme for staff of “A” status national human rights institutions**

59. Since 2008, OHCHR maintains a fellowship programme for the staff of “A” status national human rights institutions. This programme is designed to provide fellows with information on and working experience with the international human rights system and to familiarize them with the work of OHCHR in promoting and protecting human rights. The programme is therefore part of an ongoing technical cooperation with “A” status national human rights institutions to strengthen the capacity of their staff in discharging their mandate, in line with international standards. This programme has been identified by participating fellows and their institutions as very important to building their capacity. During the period under review, staff from the national human rights institutions of Egypt, Ghana, Liberia, Malaysia, Mexico and the Philippines participated in this programme.

# **III. Support from the United Nations Development Programme and other United Nations agencies, funds and programmes to national human rights institutions**

60. In 2011, OHCHR, UNDP and the Global Alliance of National Human Rights Institutions entered into a strategic tripartite partnership to support national human rights institutions at the global, regional and national levels. In line with their mandate, each partner brings specific expertise to the partnership in support of national human rights institutions around the world. In February 2017, the leadership of the three partners signed a letter of intent formalizing their commitment to enhancing their cooperation. During the first meeting of the tripartite partnership management committee, in September 2018, the partners adopted their joint indicative workplan for the period 2018–2019. Based on that plan, the first donor contribution from Norway was received in the second half of 2018 to support national human rights institutions in Africa. In June 2019, during the ninth tripartite partnership review meeting, the partners continued to discuss areas of strategic priority and engagement, including capacity assessments of national human rights institutions and cases of reprisals.

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<sup>2</sup> The half-day consultation was carried out pursuant to Human Rights Council resolution 39/17.

## **IV. Cooperation between United Nations human rights mechanisms and national human rights institutions**

61. In May 2019, OHCHR, the Global Alliance of National Human Rights Institutions, the United Nations Institute for Training and Research and the Friedrich-Ebert-Stiftung organized a one-week training course for 13 staff members of national human rights institutions from all regions in order to better engage them with the international human rights system.

### **A. Human Rights Council**

62. In coordination with the Global Alliance of National Human Rights Institutions, OHCHR continued to support the engagement of national human rights institutions with the Human Rights Council and its mechanisms.

63. In accordance with the rules of procedure of the Human Rights Council, which enable the participation of national human rights institutions compliant with the Paris Principles in its sessions, 43 national human rights institutions delivered statements (11 in writing and 74 orally, including 23 by video), submitted documentation, participated in general debates, organized parallel events or interacted with special procedure mandate holders (see annex I).

#### **1. Universal periodic review**

64. In accordance with Human Rights Council resolution 16/21 and General Assembly resolution [65/281](#), the stakeholders' reports under the universal periodic review include a section dedicated to contributions from national human rights institutions.

65. In November 2018, during the thirty-first meeting of the Working Group on the Universal Periodic Review, three "A" status national human rights institutions submitted information. In January 2019, at the thirty-second session of the Working Group, four "A" status and one "B" status national human rights institutions submitted their input. During the thirty-third session of the Working Group, in May 2019, four "A" status institution and one "B" status institution submitted information for the stakeholders' report (see annex II).

66. Given the role that national human rights institutions can play in the follow-up to the universal periodic review and in developing tools to monitor and assess progress in the implementation of the recommendations, OHCHR continued to support and encourage their participation in the process.

#### **2. Special procedures**

67. In accordance with Human Rights Council resolution 16/21 and General Assembly resolution [65/281](#), during interactive dialogues between the Council and the special procedures mandate holders, "A" status national human rights institutions are able to intervene immediately after the State concerned following the presentation of a country mission report by a special procedure mechanism. In addition, "A" status institutions may nominate candidates for special procedure mandates.

68. During country visits, national human rights institutions usually share independent analysis and information on issues and on the situation of the persons and groups concerned, facilitate contacts and convene meetings with civil society, as well as, in some cases, host the press conference of the mandate holder(s) at the end of the visit. When preparing reports, special procedures mandate holders usually

request input from national human rights institutions, which usually generates a very high response rate.

69. Thematic and country reports by special procedures mandate holders regularly highlight the key role that national human rights institutions play in protecting and promoting human rights at the national level.<sup>3</sup>

70. National human rights institutions also play an important role in special procedures communications. From 1 September 2018 to 17 May 2019, 43 of the 488 communications issued by mandate holders related to national human rights institutions. In addition, in several cases, national human rights institutions provided information to mandate holders, enabling them to issue communications on human rights issues of concern.<sup>4</sup>

### **3. Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights**

71. In October 2018, five national human rights institutions participated in the fourth session of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, including through oral contributions and written submissions.

## **B. United Nations treaty bodies**

72. OHCHR continued to support the engagement of national human rights institutions with United Nations treaty bodies. As the secretariat of the treaty bodies, OHCHR and the representative of the Global Alliance of National Human Rights Institutions in Geneva liaised with national human rights institutions of States that will be reviewed to encourage them to provide written or oral information and/or to attend the sessions of treaty bodies. The OHCHR National Institutions and Regional Mechanisms Section disseminated relevant recommendations and concluding observations of treaty bodies to the national institutions. It also continued to prepare briefing notes on national human rights institutions for the attention of treaty bodies.

73. During the reporting period, the treaty bodies reviewed 99 States parties that have national human rights institutions. A total of 59 of those institutions submitted information and 38 provided briefings to the treaty bodies (see annex III).

74. Compared with the previous reporting period, there was an increase of 3.5 per cent in the submission by national human rights institutions of information to treaty bodies and a decrease of 11.6 per cent in the number of briefings.

75. Treaty bodies continued to provide national human rights institutions with information notes, advice and tools to facilitate their effective engagement and invited representatives of those institutions to their meetings.

76. In October 2018, the Chair of the newly established working group on cooperation with national human rights institutions of the Committee on the Elimination of Discrimination against Women briefed 25 national human rights

<sup>3</sup> In particular, the Special Rapporteur on the human rights of internally displaced persons dedicated her report to the forty-first session of the Human Rights Council to the role of national human rights institutions in promoting and protecting the human rights of internally displaced persons (A/HRC/41/40).

<sup>4</sup> For example, KEN 1/2019 (March 2019) referred to the findings of the investigations of the Kenya National Commission on Human Rights into sexual and gender-based violence committed during the 2017 general election.

institutions on the objectives of the working group and sought their views on ways to strengthen the engagement of the Committee with national human rights institutions.

### **C. Other United Nations mechanisms and processes**

77. In December 2018, representatives of the Global Alliance of National Human Rights Institutions task force on migration participated in the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration. The Global Alliance, the Network of African National Human Rights Institutions and the National Human Rights Council of Morocco co-organized a side event on the role of national human rights institutions in the implementation of and follow-up to the Global Compact.

78. In March 2019, nine national human rights institutions, a special envoy of the Global Alliance of National Human Rights Institutions and the Asia-Pacific Forum of National Human Rights Institutions participated in the sixty-third session of the Commission on the Status of Women.

79. In April 2019, 14 national human rights institutions participated in the tenth session of the Open-ended Working Group on Ageing.

### **V. Cases of reprisal or intimidation against “A” status national human rights institutions**

80. The Human Rights Council and the General Assembly both recognized the important role of national human rights institutions fully compliant with the Paris Principles as key partners of the United Nations and encouraged all relevant United Nations mechanisms and processes to further enhance the participation and contribution of institutions with “A” status.

81. Being more visible, institutions with “A” status may face reprisals and other acts of intimidation, including in relation to their cooperation with United Nations mechanisms and processes.

82. The General Assembly, in its resolution [72/181](#), and the Human Rights Council, in its resolution 39/17, both stressed that national human rights institutions should not face any form of reprisal or intimidation as a result of activities undertaken in accordance with their mandate.

83. In 2016, OHCHR, UNDP and the Global Alliance of National Human Rights Institutions developed joint guidelines to effectively respond to situations of reprisals and other acts of intimidation against national human rights institutions, their members and staff.<sup>5</sup>

84. In their Marrakech Declaration, adopted in October 2018, national human rights institutions noted recent and increasing reports from all regions on reprisals, threats, attacks and other acts of intimidation against national human rights institutions, their members and staff.

85. In the first quarter of 2019, two cases involving “A” status national human rights institutions were brought to the attention of OHCHR. In February 2019, a public broadcaster filed a civil action against the Polish Commissioner for Human Rights for statements made in his professional capacity on the media coverage of the murder

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<sup>5</sup> According to these guidelines, reprisals may take a wide range of forms, including but not limited to intimidation, harassment, threats, sanctions, travel bans, severe budgetary cuts, arbitrary detention, arbitrary criminal prosecution, torture and killings.

of the former mayor of Gdansk, Poland. In May 2019, the National Human Rights Committee of Qatar reported that it had been accused by the Government of the United Arab Emirates before the International Court of Justice to have falsified reports, fabricated evidence, conducted fraudulent activity and spread propaganda for the Government of Qatar regarding the publication of its reports on the effects of the blockade on the human rights of citizens and residents of Qatar.

86. The 2019 report of the Secretary-General on the cooperation with the United Nations, its representatives and mechanisms in the field of human rights<sup>6</sup> refers to four cases of reprisals involving national human rights institutions (i.e., the national human rights institutions of Guatemala, Poland, the Philippines and Thailand).

## **VI. Recommendations**

### **A. Recommendations to Member States**

**87. Member States are encouraged to establish national human rights institutions compliant with the Paris Principles and to strengthen the structures and independence of existing institutions to enable the effective fulfilment of their mandate, taking into account the recommendations of the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions and the advice of OHCHR.**

**88. Member States should continue to provide financial contributions to OHCHR for it to sustain high-quality support for the establishment and strengthening of national human rights institutions and to provide secretariat support to the Global Alliance of National Human Rights Institutions and its Subcommittee on Accreditation. Funding needs to be also ensured for the continuation of the fellowship for staff of “A” status national human rights institutions.**

**89. Members and staff of national human rights institutions should enjoy immunity from civil and criminal proceedings for action taken in an official capacity. Member States are encouraged to take the measures necessary to protect them against threats and harassment. Any cases of alleged reprisal or intimidation against members and staff of institutions, or against individuals who cooperate or seek to cooperate with them, should be promptly and thoroughly investigated and the perpetrators brought to justice.**

### **B. Recommendations to national human rights institutions**

**90. National human rights institutions should seek regular and constructive cooperation with relevant State bodies to promote the inclusion of human rights issues in legislation, policies and programmes.**

**91. National human rights institutions should develop, formalize and maintain cooperation with civil society organizations and strengthen their capacity to participate meaningfully in the promotion and protection of human rights.**

**92. National human rights institutions should continue to engage with international and regional human rights mechanisms and to promote the implementation of their recommendations.**

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<sup>6</sup> To be presented at the forty-second session of the Human Rights Council pursuant to Human Rights Council resolutions 12/2, 24/24 and 36/21.

## Annex I

**Submissions from national human rights institutions to the Human Rights Council (submitted between September 2018 and July 2019)**

<i>Country/Institution</i>	<i>Segment</i>	<i>Date</i>
Equality and Human Rights Commission of Great Britain, Northern Ireland Human Rights Commission and Scottish Human Rights Commission	Agenda item 9 Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (video statement)	July 2019
National Human Rights Council of Morocco	Agenda item 9 Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance	July 2019
Global Alliance of National Human Rights Institutions	Agenda item 8 General debate	July 2019
Independent Commission for Human Rights of the State of Palestine	Agenda item 7 General debate	July 2019
Afghanistan Independent Human Rights Commission	Agenda item 6 Universal periodic review outcome of Afghanistan (video statement)	July 2019
Human Rights Commission of New Zealand	Agenda item 6 Universal periodic review outcome of New Zealand (video statement)	July 2019
Global Alliance of National Human Rights Institutions	Agenda item 3 General debate	July 2019
Australian Human Rights Commission	Agenda item 3 Panel discussion on women's rights and climate change	June 2019
Global Alliance of National Human Rights Institutions	Agenda item 3 Special Rapporteur on the human rights of internally displaced persons	June 2019
Equality and Human Rights Commission of Great Britain, Northern Ireland Human Rights Commission and Scottish Human Rights Commission	Agenda item 3 Special Rapporteur on extreme poverty and human rights (video statement)	June 2019
Commission on Human Rights of the Philippines	Agenda item 3 Panel discussion on the rights of older women	June 2019

<i>Country/Institution</i>	<i>Segment</i>	<i>Date</i>
Office of the Ombudsman of Samoa	Agenda item 3 Special Rapporteur on violence against women, its causes and consequences (written statement)	June 2019
Australian Human Rights Commission	Agenda item 3 Special Rapporteur on violence against women, its causes and consequences	June 2019
Canadian Human Rights Commission	Agenda item 3 Special Rapporteur on violence against women, its causes and consequences (video statement)	June 2019
Australian Human Rights Commission	Agenda item 3 Working Group on the issue of discrimination against women in law and in practice	June 2019
Kenya National Commission on Human Rights	Agenda item 3 Working Group on the issue of human rights and transnational corporations and other business enterprises	June 2019
National Human Rights Committee of Qatar	Agenda item 3 Special Rapporteur on the right to education	June 2019
Office of the Ombudsman of Ecuador	Agenda item 3 Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (video statement)	June 2019
Global Alliance of National Human Rights Institutions	Agenda item 3 Special Rapporteur on the human rights of migrants	June 2019
Canadian Human Rights Commission	Agenda item 3 Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (video statement)	June 2019
Australian Human Rights Commission, National Human Rights Commission of India, Human Rights Commission of Malaysia, National Human Rights Commission of Mongolia, National Human Rights Commission of Nepal, Human Rights Commission of New Zealand, Commission on Human Rights of the Philippines, Office of the Ombudsman of Samoa and Office of the Ombudsman of Timor-Leste	Agenda item 3 Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (written statement)	June 2019

<i>Country/Institution</i>	<i>Segment</i>	<i>Date</i>
Office of the Ombudsman of Samoa	Agenda item 3 Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity	June 2019
Office of the Counsel for Human Rights of Guatemala	Agenda item 2 General debate (video statement)	March 2019
Human Rights Commission of Sri Lanka	Agenda item 2 Interactive dialogue on OHCHR report on Sri Lanka (video statement)	March 2019
Commission on Human Rights of the Philippines	Agenda item 8 General debate (video statement)	March 2019
Independent Commission for Human Rights of the State of Palestine	Agenda item 7 Reports of the High Commissioner and the Secretary-General	March 2019
National Council for Human Rights of Egypt	Agenda item 7 General debate (video statement)	March 2019
Independent Commission for Human Rights of the State of Palestine	Agenda item 7 General debate (written statement)	March 2019
Independent Commission for Human Rights of the State of Palestine	Agenda item 7 Commission of inquiry on the occupied Palestinian territory	March 2019
Independent Commission for Human Rights of the State of Palestine	Agenda item 7 Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967	March 2019
Human Rights Commission of Malaysia	Agenda item 6 Universal periodic review outcome of Malaysia	March 2019
National Human Rights Commission of Mexico	Agenda item 6 Universal periodic review outcome of Mexico	March 2019
National Centre for Human Rights of Jordan	Agenda item 6 Universal periodic review outcome of Jordan (video statement)	March 2019
Commission on Human Rights of the Philippines	Agenda item 3 General debate (written statement)	March 2019

<i>Country/Institution</i>	<i>Segment</i>	<i>Date</i>
Global Alliance of National Human Rights Institutions	Agenda item 2 Reports of the High Commissioner and the Secretary-General	March 2019
Commissioner for Human Rights in the Russian Federation	Annual interactive debate on the rights of persons with disabilities	March 2019
Human Rights Commission of Indonesia	Annual interactive debate on the rights of persons with disabilities	March 2019
Kenya National Commission on Human Rights	Agenda item 3 Independent Expert on the enjoyment of human rights by persons with albinism	March 2019
Office of the Ombudsman of Haiti	Agenda item 3 Special Rapporteur on the rights of persons with disabilities	March 2019
National Consultative Commission on Human Rights of France	Agenda item 3 Special Rapporteur on the rights of persons with disabilities	March 2019
Irish Human Rights and Equality Commission	Agenda item 3 Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material	March 2019
Human Rights Commission of Malaysia	Agenda item 3 Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material	March 2019
National Human Rights Council of Morocco	Annual full-day meeting on the rights of the child	March 2019
Human Rights Commission of Indonesia	Annual full-day meeting on the rights of the child	March 2019
Australian Human Rights Commission	Annual full-day meeting on the rights of the child	March 2019
National Human Rights Commission of the Republic of Korea	Agenda item 3 Special Rapporteur on adequate housing as a component of the right to an adequate standard of living	March 2019

<i>Country/Institution</i>	<i>Segment</i>	<i>Date</i>
National Council for Human Rights of Egypt	Agenda item 3 Special Rapporteur on adequate housing as a component of the right to an adequate standard of living	March 2019
National Consultative Commission on Human Rights of France	Agenda item 3 Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism	March 2019
Human Rights Commission of Sri Lanka	Agenda item 3 Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (video statement)	March 2019
Human Rights Commission of Malaysia	Agenda item 3 Special Rapporteur in the field of cultural rights (video statement)	March 2019
Office of the People's Advocate of the Republic of Moldova	Agenda item 3 Special Rapporteur on the situation of human rights defenders (written statement)	February 2019
Global Alliance of National Human Rights Institutions	Agenda item 3 Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment	February 2019
Ukrainian Parliament Commissioner for Human Rights	Agenda item 3 Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment	February 2019
Ukrainian Parliament Commissioner for Human Rights	Agenda item 3 Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights	February 2019
Human Rights Commission of Sri Lanka	Agenda item 3 Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights (video statement)	February 2019
Office of the Ombudsman of Argentina	Agenda item 3 Special Rapporteur on the right to food (written statement)	February 2019

<i>Country/Institution</i>	<i>Segment</i>	<i>Date</i>
Human Rights Commission of Indonesia	Agenda item 3 Special Rapporteur on the right to food (video statement and written statement)	February 2019
Human Rights Commission of Malaysia (on behalf of the Global Alliance of National Human Rights Institutions)	General segment	February 2019
Commission on Human Rights of the Philippines	Agenda item 3 High-level panel on the death penalty (video statement)	February 2019
Global Alliance of National Human Rights Institutions (on behalf of the National Human Rights Commission of the Democratic Republic of the Congo)	Agenda item 10 Enhanced interactive dialogue on OHCHR report on the Democratic Republic of the Congo	September 2018
Office of the Ombudsman of Haiti	Annual discussion on the integration of a gender perspective	September 2018
Australian Human Rights Commission	Agenda item 8 General debate (video statement)	September 2018
Independent Commission for Human Rights of the State of Palestine	Agenda item 7 Interactive dialogue with the Commission of inquiry on the occupied Palestinian territory (written statement)	September 2018
Equality and Human Rights Commission of Great Britain, Northern Ireland Human Rights Commission and Scottish Human Rights Commission	Agenda item 6 General debate (written statement)	September 2018
National Commission on Human Rights and Freedoms of Cameroon	Agenda item 6 Universal periodic review outcome of Cameroon (video statement)	September 2018
Commissioner for Human Rights in the Russian Federation	Agenda item 6 Universal periodic review outcome of the Russian Federation	September 2018
Canadian Human Rights Commission	Agenda item 6 Universal periodic review outcome of Canada (video statement)	September 2018
German Institute for Human Rights	Agenda item 6 Universal periodic review outcome of Germany	September 2018

<i>Country/Institution</i>	<i>Segment</i>	<i>Date</i>
Office of the Ombudsman of Colombia	Agenda item 6 Universal periodic review outcome of Colombia (video statement)	September 2018
Global Alliance of National Human Rights Institutions (on behalf of the Equality and Human Rights Commission of Great Britain, the Northern Ireland Human Rights Commission and the Scottish Human Rights Commission)	Agenda item 6 General debate	September 2018
National Human Rights Commission of Mexico	Agenda items 3 and 5 Special Rapporteur on the rights of indigenous peoples and Expert Mechanism on the Rights of Indigenous Peoples (video statement)	September 2018
Office of the Counsel for Human Rights of Guatemala	Agenda items 3 and 5 Special Rapporteur on the rights of indigenous peoples and Expert Mechanism on the Rights of Indigenous Peoples (video statement)	September 2018
Global Alliance of National Human Rights Institutions	Agenda items 3 and 5 Special Rapporteur on the rights of indigenous peoples and Expert Mechanism on the Rights of Indigenous Peoples	September 2018
Office of the Counsel for Human Rights of El Salvador	Agenda items 3 and 5 Special Rapporteur on the rights of indigenous peoples and Expert Mechanism on the Rights of Indigenous Peoples	September 2018
Global Alliance of National Human Rights Institutions	Agenda item 5 Interactive dialogue with the Assistant Secretary-General on the report of the Secretary-General on reprisals	September 2018
Office of the Counsel for Human Rights of El Salvador	Agenda item 3 Annual panel discussion on the rights of indigenous peoples	September 2018
Office of the Counsel for Human Rights of Nicaragua	Agenda item 4 General debate	September 2018
National Human Rights Council of Morocco	Agenda item 3 Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence	September 2018
National Human Rights Council of Morocco	Agenda item 3 Working Group on Enforced or Involuntary Disappearances	September 2018

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<i>Country/Institution</i>	<i>Segment</i>	<i>Date</i>
Global Alliance of National Human Rights Institutions	Agenda item 2 General debate on the oral update by the High Commissioner	September 2018
Global Alliance of National Human Rights Institutions (on behalf of the national human rights institutions of Bolivia (Plurinational State of), Croatia, El Salvador, Germany, Kenya, Nigeria, the Philippines and the Republic of Korea, as well as Northern Ireland)	Agenda item 3 Independent Expert on the enjoyment of all human rights by older persons	September 2018
Office of the Public Defender (Ombudsman) of Georgia	Agenda item 3 Independent Expert on the enjoyment of all human rights by older persons (written statement and oral statement)	September 2018
Office of the Counsel for Human Rights of Guatemala	Agenda item 2 Oral update by the High Commissioner (written statement)	September 2018

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## Annex II

### Engagement of national human rights institutions in the third cycle of the universal periodic review (2018–2019)

#### Thirty-third session of the Working Group on the Universal Periodic Review (2019)

<i>State (in order of review)</i>	<i>Written contribution for summary (as used)<sup>a</sup></i>	<i>Oral statement to the Human Rights Council during the adoption of the outcome of the universal periodic review of the country concerned ("A" status national human rights institutions only)<sup>b</sup></i>
Norway	Yes (A status)	..
Albania		..
Democratic Republic of the Congo	Yes (A status)	..
Côte d'Ivoire	Yes (B status)	No speaking rights
Portugal		..
Costa Rica	Yes (A status)	..
Ethiopia		No speaking rights
Qatar	Yes (A status)	..
Nicaragua		No speaking rights

#### Thirty-second session of the Working Group on the Universal Periodic Review (2019)

<i>State (in order of review)</i>	<i>Written contribution for summary (as used)<sup>a</sup></i>	<i>Oral statement to the Human Rights Council during the adoption of the outcome of the universal periodic review of the country concerned ("A" status national human rights institutions only)<sup>b</sup></i>
New Zealand	Yes (A status)	Agenda item 6 (forty-first session of the Human Rights Council) Universal periodic review of New Zealand
Afghanistan	Yes (A status)	Agenda item 6 (forty-first session of the Human Rights Council) Universal periodic review of Afghanistan
Chile	Yes (A status)	No statement made
Uruguay	Yes (A status)	No statement made
North Macedonia		No speaking rights
Slovakia	Yes (B status)	No speaking rights
Cyprus		No speaking rights

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**Thirty-first session of the Working Group on the Universal Periodic Review (2018)**


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<i>State (in order of review)</i>	<i>Written contribution for summary (as used)<sup>a</sup></i>	<i>Oral statement to the Human Rights Council during the adoption of the outcome of the universal periodic review of the country concerned ("A" status national human rights institutions only)</i>
Senegal		No speaking rights
Nigeria		No statement made
Mexico	Yes (A status)	Agenda item 6 (fortieth session of the Human Rights Council) Universal periodic review of Mexico
Mauritius		No statement made
Jordan	Yes (A status)	Agenda item 6 (fortieth session of the Human Rights Council) Universal periodic review of Jordan
Malaysia	Yes (A status)	Agenda item 6 (fortieth session of the Human Rights Council) Universal periodic review of Malaysia
Chad		No speaking rights
Congo		No speaking rights

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<sup>a</sup> "Yes" appears only where institutions made written contributions.

<sup>b</sup> To be considered at the forty-second session of the Human Rights Council, in September 2019.

## Annex III

### Engagement of national human rights institutions in the work of the treaty bodies (September 2018–July 2019)

<i>Committees</i>	<i>Number of States parties reviewed</i>	<i>Number of States parties with a national human rights institution</i>	<i>Submission of information</i>	<i>Briefing</i>
Committee against Torture <sup>a</sup>	12	11	7	7
Committee on the Elimination of Racial Discrimination	–	–	–	–
Committee on Economic, Social and Cultural Rights <sup>b</sup>	11	9	5	4
Human Rights Committee	–	–	–	–
Committee on the Elimination of Discrimination against Women <sup>c</sup>	33	23	9	4
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families <sup>d</sup>	6	5	1	0
Committee on the Rights of the Child <sup>e</sup>	38	21	13	6
Committee on the Rights of Persons with Disabilities <sup>f</sup>	41	27	22	15
Committee on Enforced Disappearances <sup>g</sup>	6	3	2	2
<b>Total</b>	<b>147</b>	<b>99</b>	<b>59</b>	<b>38</b>

<sup>a</sup> Sixty-fifth session (November–December 2018) and sixty-sixth session (April–May 2019).

<sup>b</sup> Sixty-fourth session (September–October 2018) and sixty-fifth session (February–March 2019).

<sup>c</sup> Seventy-first session (October–November 2018), seventy-third pre-sessional working group (November 2018), seventy-second session (February–March 2019) and seventy-fourth pre-sessional working group (March 2019).

<sup>d</sup> Twenty-ninth session (September 2018) and thirtieth session (April 2019).

<sup>e</sup> Seventy-ninth session (September 2018), eighty-first pre-sessional working group (August 2018), eightieth session (January 2019), eighty-second pre-sessional working group (February 2019), eighty-first session (May 2019) and eighty-third pre-sessional working group (June 2019).

<sup>f</sup> Twentieth session (August–September 2018), tenth pre-sessional working group (September 2018), twenty-first session (March–April 2019) and eleventh pre-sessional working group (April 2019).

<sup>g</sup> Fifteenth session (November 2018) and sixteenth session (April 2019).