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Follow-up to and implementation of the Vienna Declaration and Programme of Action

Albania,* Armenia, Australia,* Austria,* Belgium,* Bosnia and Herzegovina,* Bulgaria,* Chile,* Costa Rica,* Croatia,* Cyprus,* Czechia, Denmark,* Ecuador,* Estonia,* Fiji,* Finland, Georgia,* Germany, Greece,* Iceland,* Ireland,* Italy,* Latvia,* Liechtenstein,* Lithuania, Luxembourg, Malta,* Mexico, Montenegro, Nepal, Netherlands, North Macedonia,* Norway,* Paraguay, Peru,* Portugal,* Romania,* Slovakia,* Slovenia,* Spain,* Sweden,* Switzerland,* Ukraine and United Kingdom of Great Britain and Northern Ireland: draft resolution

51/... National human rights institutions

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, and recalling the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action and other relevant instruments,

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

Recalling all relevant resolutions of the Human Rights Council, the General Assembly and the Commission on Human Rights on national institutions for the promotion and protection of human rights, including most recently Council resolution 45/22 of 6 October 2020 and Assembly resolution 76/170 of 16 December 2021,

Recalling also General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, in which the Assembly adopted the outcome document of the United Nations summit for the adoption of the post-2015 development agenda and pledged that no one would be left behind,

Recalling further General Assembly resolution 69/313 of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is an integral part of the 2030 Agenda for Sustainable Development,

Recalling that the 2030 Agenda is guided by the purposes and principles of the Charter, grounded in the Universal Declaration of Human Rights, international human rights treaties, the United Nations Millennium Declaration and the 2005 World Summit Outcome, and informed by other instruments, such as the Declaration on the Right to Development, and recognizing, inter alia, the need to build peaceful, just and inclusive societies that provide

* State not a member of the Human Rights Council.



equal access to justice and are based on respect for all human rights, effective rule of law and good governance at all levels and transparent, effective and accountable institutions,

Reaffirming the United Nations Framework Convention on Climate Change and the Paris Agreement, and emphasizing that parties should, in all climate change-related actions, fully respect, promote and consider their respective obligations on human rights,

Reaffirming also the Vienna Declaration and Programme of Action, and reaffirming also its statement of 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, remedying and assisting victims to find remedies to human rights violations and abuses, in the dissemination of human rights information, and education in human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), welcoming the forthcoming thirtieth anniversary, in 2023, of the adoption of the Paris Principles, and recalling the establishment of the Global Alliance of National Human Rights Institutions,

Reaffirming the importance of, and welcoming the rapidly growing interest and progress throughout the world in, establishing and strengthening independent, pluralistic national human rights institutions in accordance with the Paris Principles,

Recalling that the existence of independent national human rights institutions in compliance with the Paris Principles is a global indicator of progress towards achieving Sustainable Development Goal 16, taking note of the report of the Secretary-General on progress towards the Sustainable Development Goals,¹ including this indicator, and calling upon all States to accelerate progress under this indicator,

Reaffirming the important role that such national human rights institutions play, and will continue to play, in promoting and protecting human rights and fundamental freedoms, including of human rights defenders, strengthening participation, in particular of civil society organizations, Indigenous Peoples, persons belonging to minorities, minority groups and persons in vulnerable situations, promoting the rule of law, developing and enhancing public awareness of those rights and fundamental freedoms, and contributing to the prevention of human rights violations and abuses,

Encouraging greater efforts to investigate and respond to increasing reports of acts of intimidation and cases of reprisal against national human rights institutions, their members and staff, and those who cooperate or seek to cooperate with them,

Recognizing the important role that national human rights institutions can play in preventing and addressing acts of intimidation and cases of reprisal as part of supporting the cooperation between States and the United Nations in the promotion of human rights, including by contributing, as appropriate, to follow-up actions and to recommendations made by international human rights mechanisms, and in this regard recalling the Marrakech Declaration adopted at the thirteenth International Conference of National Human Rights Institutions,

Welcoming the strengthening in all regions of regional and cross-regional cooperation among national human rights institutions, and between national human rights institutions and other regional human rights forums,

Commending the Global Alliance of National Human Rights Institutions, the Office of the United Nations High Commissioner for Human Rights and regional networks of national human rights institutions, including the Network of African National Human Rights Institutions, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia-Pacific Forum of National Human Rights Institutions and the European Network of National Human Rights Institutions, for their important work in support of the development and strengthening of independent and effective national human rights institutions compliant with the Paris Principles,

¹ E/2022/55.

Welcoming efforts to strengthen United Nations system-wide coordination in support of national human rights institutions and their networks, including the tripartite partnership between the United Nations Development Programme, the Office of the High Commissioner and the Global Alliance of National Human Rights Institutions,² and encouraging further cooperation in this regard between United Nations mechanisms and processes and with national human rights institutions, the Global Alliance of National Human Rights Institutions and its regional networks,

Welcoming also the valuable participation and contribution of national human rights institutions and their networks, including their contribution to national mechanisms for reporting and follow-up, and with regard to follow-up to recommendations and relevant United Nations mechanisms and processes, in accordance with their respective mandates, including the Human Rights Council and its universal periodic review mechanism and the special procedures, the treaty bodies, the Expert Mechanism on the Rights of Indigenous Peoples, the United Nations Permanent Forum on Indigenous Issues, the Commission on the Status of Women, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities and the Open-ended Working Group on Ageing, and their continuing efforts in support of the 2030 Agenda, and encouraging further efforts in this regard,

Emphasizing the importance of human rights in shaping the response to the coronavirus disease (COVID-19) pandemic, for both the public health emergency and the broader impact on people's lives and livelihoods,

Recognizing the important role of national human rights institutions in highlighting the human rights implications of the COVID-19 pandemic, including offering guidance to States in ensuring a human rights-compliant response to the pandemic, examining and monitoring the situation, raising public awareness, including the provision of accurate and timely information, working to protect groups and persons in vulnerable situations and cooperating with civil society, rights holders and other stakeholders, and encouraging States to cooperate with their national human rights institution and to ensure that they can effectively discharge their mandate and functions, including by ensuring the allocation of adequate resources,

Conscious that change in the Earth's climate, and the ensuing adverse effects, have led to economic, social, cultural and environmental consequences and have negative implications, both direct and indirect, for the enjoyment of human rights and the achievement of the Sustainable Development Goals,

Recognizing that climate change and its impact are among the greatest challenges of the day, directly and indirectly affecting the full enjoyment of human rights, that States should, when taking action to address climate change, respect, promote and consider their respective obligations with regard to human rights to ensure more sustainable and effective climate action, and that the impact of climate change affects individuals and communities around the world, especially in developing countries, in particular small island developing States, least developed countries and landlocked developing countries, and in different ways owing to factors such as geography, economic condition, poverty, gender, age, indigenous or minority status where applicable, national or social origin, birth or other status, and disability,

Recognizing also that Indigenous Peoples are in particularly vulnerable situations and are already suffering the impact of climate change owing to their close relationship with natural ecosystems, and encouraging contributions of their traditional knowledge and their full and effective participation in decision-making processes that affect them, including the principle of free, prior and informed consent before adoption and implementation of legislative or administrative measures that may affect them,

Recalling the United Nations Framework Convention on Climate Change and the Paris Agreement with regard to the importance of technical assistance, capacity-building, international cooperation and financial resources in support of national efforts, actions and measures to address the adverse impact of climate change on the enjoyment of human rights,

² General Assembly resolution 70/163, para. 19.

Recalling also resolution 48/13 of 8 October 2021, in which the Human Rights Council encouraged States to enhance cooperation with other States, the Office of the High Commissioner, the rest of the United Nations system and other relevant international and regional organizations, agencies, convention secretariats and programmes, and relevant non-State stakeholders, including civil society, national human rights institutions and business, in accordance with their respective mandates,

Recognizing the important role of national human rights institutions in monitoring, reporting to and advising government bodies and other stakeholders in relation to climate mitigation and adaption, in accordance with their respective mandates and in line with human rights obligations and the principles of non-discrimination, participation, access to justice and accountability,

Welcoming the role of the Global Alliance of National Human Rights Institutions and its regional networks in supporting national human rights institutions to fulfil their mandate with respect to COVID-19 and the support provided by the Office of the High Commissioner, the United Nations Development Programme and the United Nations Environment Programme,

Acknowledging the contribution that many national human rights institutions have made and continue to make in promoting human rights-based climate action, and noting the Global Alliance of National Human Rights Institutions Caucus on Human Rights and Climate Change, which brings together national human rights institutions from all regions to work together on human rights and climate change,

Reaffirming that, as recognized in the 2030 Agenda, eradicating poverty in all its forms and dimensions, combating inequality within and among countries, preserving the planet, creating sustained, inclusive and sustainable economic growth and fostering social inclusion are linked to each other and interdependent,

Stressing that the ability of all individuals to participate fully, equally and meaningfully in national, political, cultural, religious, economic and social processes in their societies is crucial to their full and equal enjoyment of all human rights,

Bearing in mind that the promotion and upholding of tolerance, respect, pluralism and diversity are essential for the promotion and protection of human rights in multicultural contexts and, in particular, for combating racism, racial discrimination, xenophobia and related intolerance,

Acknowledging that the promotion and protection of human rights and the implementation of the 2030 Agenda are interrelated and mutually reinforcing, and recognizing that the 2030 Agenda contains a pledge to leave no one behind and envisages a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination,

Recognizing the importance of the independent voice of national human rights institutions in promoting and protecting all human rights, including, in accordance with their mandates, economic, social, cultural, civil and political rights, particularly in the context of the implementation of the 2030 Agenda, whose aim is to realize the human rights of all,

Welcoming the Mérida Declaration on the Role of National Human Rights Institutions in Implementing the 2030 Agenda for Sustainable Development, noting that the implementation of the 2030 Agenda is a priority under the current Strategic Plan of the Global Alliance of National Human Rights Institutions, and acknowledging the efforts that national human rights institutions are making to connect their work, in accordance with their respective mandates, to the implementation of the 2030 Agenda,

Recalling the Belgrade principles on the relationship between national human rights institutions and parliaments,³

³ A/HRC/20/9, annex.

1. *Welcomes* the most recent reports of the Secretary-General submitted to the Human Rights Council on national human rights institutions⁴ and on the activities of the Global Alliance of National Human Rights Institutions in accrediting national institutions in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);⁵

2. *Encourages* Member States to establish effective, independent and pluralistic national human rights institutions or, where they already exist, to strengthen them to enable the effective fulfilment of their mandate to promote and protect human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action, and to do so in accordance with the Paris Principles;

3. *Stresses* the importance of the financial and administrative independence and the stability of national human rights institutions for the promotion and protection of human rights, notes with satisfaction the efforts of those Member States that have provided their national human rights institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

4. *Also stresses* that national human rights institutions and their respective members and staff should not face any form of reprisal or intimidation, including political pressure, physical intimidation, harassment or unjustifiable budgetary limitations, as a result of activities undertaken in accordance with their respective mandates, including when taking up individual cases or when reporting on serious or systematic violations, and calls 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 and to bring perpetrators to justice;

5. *Encourages* all relevant United Nations mechanisms and processes, in accordance with their respective mandates, including the Economic and Social Council, including the Commission on the Status of Women, and the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, the Open-ended Working Group on Ageing and the 2030 Agenda for Sustainable Development, including the high-level political forum on sustainable development and related global and regional processes, as well as the Sustainable Development Goals Summit, to further enhance the participation of national human rights institutions compliant with the Paris Principles and to allow for their contribution to these United Nations mechanisms and processes, bearing in mind the relevant provisions dealing with their participation contained in General Assembly resolution 60/251 of 15 March 2006, Human Rights Council resolutions 5/1, 5/2 and 16/21 and Commission on Human Rights resolution 2005/74;

6. *Welcomes* the important role of the Global Alliance of National Human Rights Institutions, in close cooperation with the Office of the United Nations High Commissioner for Human Rights, in assessing conformity with the Paris Principles and in assisting States and national institutions, when requested, to strengthen national human rights institutions in accordance with such principles, also welcomes the continuing number of national institutions seeking accreditation status through the Global Alliance, and encourages relevant national institutions, including ombudsman institutions, to seek accreditation status;

7. *Encourages* the Secretary-General and all United Nations human rights mechanisms and relevant United Nations agencies, funds and programmes, working within their respective mandates, to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions, to work with Member States and national human rights institutions in the protection and promotion of human rights, and to strengthen United Nations system-wide coordination in support of national human rights institutions;

8. *Recognizes* the contribution that national human rights institutions have made to the promotion and protection, and prevention of violations, of human rights by exercising

⁴ A/HRC/51/51.

⁵ A/HRC/51/52.

their mandates and functions consistent with the Paris Principles, and encourages them to continue to do so, including by:

- (a) Independently assisting, advising and engaging with the State, and other stakeholders, in the prevention of violations and abuses of human rights;
- (b) Encouraging the ratification, and ensuring the implementation, of international human rights treaties;
- (c) Promoting legal, policy and procedural reforms, including to promote and ensure the harmonization of national laws and practices with the international human rights instruments to which a State is a party, and their effective implementation;
- (d) Cooperating with the United Nations system, including by contributing, as appropriate, to follow-up actions to the recommendations made by international human rights mechanisms;
- (e) Conducting and promoting at all levels practical and relevant human rights training and education, and raising public awareness and advocacy about the promotion and protection of human rights and efforts to combat all forms of discrimination;
- (f) Working with non-governmental organizations devoted to promoting and protecting human rights and economic and social development, combating racism and protecting groups subject to particular vulnerabilities, marginalization or intersecting forms of discrimination, or specialized areas;
- (g) Preparing and publicizing reports on the national situation with regard to human rights, drawing the attention of the Government to situations in any part of the country in which human rights are violated, making proposals to put an end to such situations and, where necessary, expressing an opinion on the positions and reactions of the Government;
- (h) Supporting transparent and meaningful engagement by States in regional and international human rights forums by making contributions, in accordance with their independent mandates, to the reports that States are required to submit to United Nations bodies and committees and to regional institutions pursuant to their treaty obligations;
- (i) Enhancing their work in the context of climate change by studying and identifying how the adverse effects of climate change, including sudden and slow-onset disasters, directly and indirectly affect the full and effective enjoyment of human rights, and considering challenges to addressing and preventing these adverse effects when making recommendations to strengthen the integration of human rights concerns into policymaking, legislation and plans addressing climate change;
- (j) Continuing to monitor, report to and advise government bodies and other stakeholders on the implementation of human rights, including in the context of the design and implementation of mitigation and adaptation policies, practices, investments and other projects on climate change;

9. *Acknowledges* that, in the performance of their key functions, in accordance with their mandates and with the Paris Principles, national human rights institutions are supporting the establishment and maintenance of inclusive societies, and in doing so are contributing to the implementation of the 2030 Agenda, including by:

- (a) Assisting States to adopt effective frameworks to promote and protect human rights, which are applied equally to protect the rights of all individuals without discrimination on any grounds, including race, colour, gender, age, disability, language, religion, political or other opinion, national or social origin, property, birth or other status;
- (b) Contributing to building the capacity of States to prevent and reduce discrimination and violence through effective national-level legislation, regulation, policies and programmes, including those that guarantee equal access, rights and opportunities for all, including equal access to justice and participatory decision-making;
- (c) Contributing to the progressive realization of economic, social and cultural rights for all;

(d) Contributing to the elimination of all forms of discrimination against women and girls and of sexual and gender-based violence;

(e) Contributing to the fight against racism, racial discrimination, xenophobia and other related intolerance, all forms of hate speech, and religious intolerance and its manifestations, including hate crimes and incitement to hatred, and fostering cohesive societies that respect and celebrate diversity and multiculturalism;

(f) Contributing to addressing multiple and intersecting forms of discrimination that can increase the vulnerability to violence and discrimination of persons with disabilities, Indigenous Peoples, refugees and migrants, persons who are socioeconomically disadvantaged, persons belonging to national or ethnic, religious and linguistic minorities, and other individuals in vulnerable situations or belonging to marginalized groups;

(g) Working with businesses to fulfil their commitment to respect human rights in accordance with human rights law, and to support initiatives aimed at protecting victims of human rights abuses, including through the dissemination and implementation of the Guiding Principles on Business and Human Rights;

10. *Encourages* all States and national human rights institutions to continue to take appropriate steps to maintain a legislative or policy framework compliant with the Paris Principles, and to promote cooperation, the exchange of information, the sharing of experience and the dissemination of best practices concerning the establishment and effective operation of national human rights institutions, including their contribution to the establishment and maintenance of inclusive societies and the implementation of the 2030 Agenda;

11. *Invites* national human rights institutions to include in their cooperation the exchange of best practices on strengthening their liaison role between their Governments and civil society, Indigenous Peoples, persons belonging to minorities, minority groups and persons in vulnerable situations;

12. *Requests* the Office of the High Commissioner to continue and to strengthen its work with national human rights institutions, including through technical cooperation, capacity-building activities and advice, urges the High Commissioner to ensure that appropriate arrangements are made and budgetary resources are provided to continue and further extend activities in support of national human rights institutions, including through increased support for the work of the Global Alliance of National Human Rights Institutions and its regional networks, and invites Governments to contribute additional voluntary funds to that end;

13. *Requests* the Secretary-General to submit to the Human Rights Council, at its fifty-seventh session, a report on the implementation of the present resolution that includes examples of best practices among national human rights institutions, prepared in consultation with States, national human rights institutions and other relevant stakeholders, and a report on the activities of the Global Alliance of National Human Rights Institutions in accrediting national institutions in compliance with the Paris Principles.