

# IAOHRA Training Conference 2025

## Why International Human Rights Should Matter...

### ...and how LRGs can interact with the UN human rights mechanisms.

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# The UN Human Rights Protection System

## Two Types of UN Human Rights Mechanisms

- Charter-based Bodies :
  - Human Rights Council (HRC)
  - Special Procedures
  - Universal Periodic Review (UPR)
- Treaty-based Bodies : that monitor the implementation of core international human rights treaties
  - CCPR
  - CAT
  - CERD



# The UN Human Rights Protection System

## Complementarity and coherence between charter-based and treaty-based bodies – the ‘all-mechanisms approach’

### Treaty Bodies

- 9 Core Conventions, 10 Treaty Bodies
- Oversee the implementation of the HR treaties states have signed up to
- Issue recommendations and views on cases
- Ratifications from 196 (CRC) to 59 (CMW)

### OHCHR

Triple role:

- Secretariat to Treaty Bodies
- Secretariat to Charter-based bodies,
- Independent HR mechanism

### Human Rights Council

- The Human Rights Council is an intergovernmental body within the United Nations system made up of 47 States responsible for the promotion and protection of all human rights around the globe, created in 2006 by the GA via Res 60/251
- Develops new Norms
- Creates and is informed by **special procedures**
- Holds the universal periodic review as peer review of all UN member States
- Some follow-up to the TBs' recommendations
- Recurrent UPR recommendation: ratification of Treaties

# The UN Human Rights Treaty Bodies – Main functions

## Consideration of Reports / Constructive Dialog

- Timing according to Convention (around 4-5 year)
- Based on Report by the State + “shadow” reports
- Reporting compliance currently around 15%
- Different methods: LOIPR, Common Core Document
- Result: Concluding Observations (COBs)

## Inquiry Procedure

- 6 TBs: CAT, CEDAW, CRPD, CED, CESCRC, CRC
- Confidential and cooperative
- May include a visit with consent of the state
- No harmonized approach

## General Comments

Interpretation of Conventions

- Builds on established practice / TB “jurisprudence”
- Informs the formulation of questions and COBs
- Important tool for CSO advocacy

## Individual Communications

- 8 TBs: CCPR, CERD, CAT, CEDAW, CRPD, CED, CESCRC, CRC may receive and consider individual complaints or communications
- Very uneven distribution

# The UN Human Rights Treaty Body System

## – engagement options for Cities, local and regional government

### Reporting

- Informally submit information «alternative report»
- Contribute to the national report

### Dialog

- As part of the national delegation
- As observer
- Via informal meetings with the Committees

### National level engagement in reporting / tracking of implementation

- National Mechanisms for Implementation, Reporting and Follow-up (NMIRFs)  
([https://www.ohchr.org/sites/default/files/Documents/HRBodies/UPR/NMRFs\\_and\\_UN\\_support\\_implementation.pdf](https://www.ohchr.org/sites/default/files/Documents/HRBodies/UPR/NMRFs_and_UN_support_implementation.pdf) )

# Expert-Level Human Rights Mechanisms: Special Procedures of the UN Human Rights Council



## Mandate

- A/60/251: - **promote** universal **respect** for the **protection** of **all** human rights and fundamental freedoms for **all**
- address **situations** of violations of human rights, including gross and systematic violations, and make recommendations thereon.
  - promote the effective **coordination** and the **mainstreaming** of human rights within the United Nations system

# The UN Human Rights Protection System

## The Universal Periodic Review (UPR) of the UN Human Rights Council

- A unique mechanism of the Human Rights Council that calls for each UN Member State to undergo a peer review of its human rights records every 4.5 years.
- Basis: 1) “national report” based on a “broad consultation process”; 2) information contained in the reports of independent human rights experts and groups, known as the Special Procedures, human rights treaty bodies, and other UN entities; 3) **information from other stakeholders**
- Other States ask questions and make recommendations
- State under Review notes or accepts recommendations

# The UN Human Rights Protection System

## Entry points for LRGs to the UPR

### Contribute to the National Report

The UPR Resolution requires states to undertake inclusive consultations to write its report

### Use the UPR Outcome

Many recommendations of the UPR relate to action to be taken on the regional / local level

- housing; health; education, penitentiary system and police...
- UPR Recommendations which endorsed by the national government can be used to create political pressure

### Submit information to other states

Other states ask questions and issue recommendations to the State under Review. They can be informed...

### Report on the realization of rights

VLR → UPR

e.g. in informal events, UPR Mid-term reporting etc

# The Special Procedures of the UN Human Rights Council

- The ***crown-jewels***, the ***eyes and ears***, the ***experts ... but also the feet on the ground***
- Special Procedures,
- Typically 1 person (pro bono, part time), supported by 1.5 staff at OHCHR
- 1-2 Thematic reports per year (HRC + GA)
- 2 Country visits – resulting country specific reports to the HRC
- Interaction with LRGs

# The Special Procedures of the UN Human Rights Council

- Examples
- <https://www.greatermanchester-ca.gov.uk/news/un-special-rapporteur-visits-greater-manchester-to-see-how-city-region-is-tackling-gender-based-violence/>
- <https://humanrightscities.net/two-years-anniversary-discussion-with-cities-and-the-un-special-rapporteur-on-extreme-poverty-and-human-rights-olivier-de-schutter/900/>
- <https://docs.un.org/en/A/HRC/34/51/Add.1> (SR housing 2017 to India including a recommendation that local government collect and treat data...)
- SR FoAA 2021 to USA  
<https://spinternet.ohchr.org/Download.aspx?SymbolNo=A%2fHRC%2f35%2f28%2fAdd.2&Lang=en> The Special Rapporteur visited Washington, D.C., New York (New York), Baltimore (Maryland), Ferguson (Missouri), Cleveland (Ohio), Phoenix (Arizona), Baton Rouge and New Orleans (Louisiana), Jackson (Mississippi) and Philadelphia (Pennsylvania).

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