

# BRIEFING:

## UN HUMAN RIGHTS BODIES

The UN human rights system is made up of a variety of mechanisms and institutions which seek to uphold international human rights law and monitor its implementation. They encompass a variety of procedures, committees and offices which ensure that states fulfil their commitments to protect human rights. They can also be used to identify areas of concern, suggest means of achieving improvement and provide a method for victims of human rights violations to seek justice.

With this briefing, the United Nations Association – UK (UNA-UK) aims to provide information on the various international human rights bodies and how they protect human rights across the globe. We also seek to support greater understanding of how the UK can interact with these mechanisms to enhance the protection of human rights in this country.

### What are they?

#### Human Rights Council (HRC)

The HRC is an intergovernmental body within the UN system which has primary responsibility for strengthening the protection of global human rights.

The Council is made up of 47 UN member states are elected for three-year terms by the General Assembly. No state is eligible for immediate re-election following two consecutive terms.

The HRC meets at least three times a year, for a total of no less than ten weeks, with the option to arrange additional emergency sessions throughout the year. At its meetings, the Council has the ability to discuss any thematic or country-specific human rights issue that requires its attention.

Various subsidiary bodies also contribute to the work of the HRC, these include the Advisory and Complaints Procedures, and forums such as the Social Forum and the Forum on Minority Issues. It also oversees Special Procedures and the Universal Periodic Review (see page 2).

⇒ NGOs with consultative status from the UN's Economic and Social Council (ECOSOC) can address the Council during almost all interactive discussions and debates.

#### Treaty Bodies

There are currently nine core international human rights treaties, each of which is serviced by a committee or 'Treaty Body'.

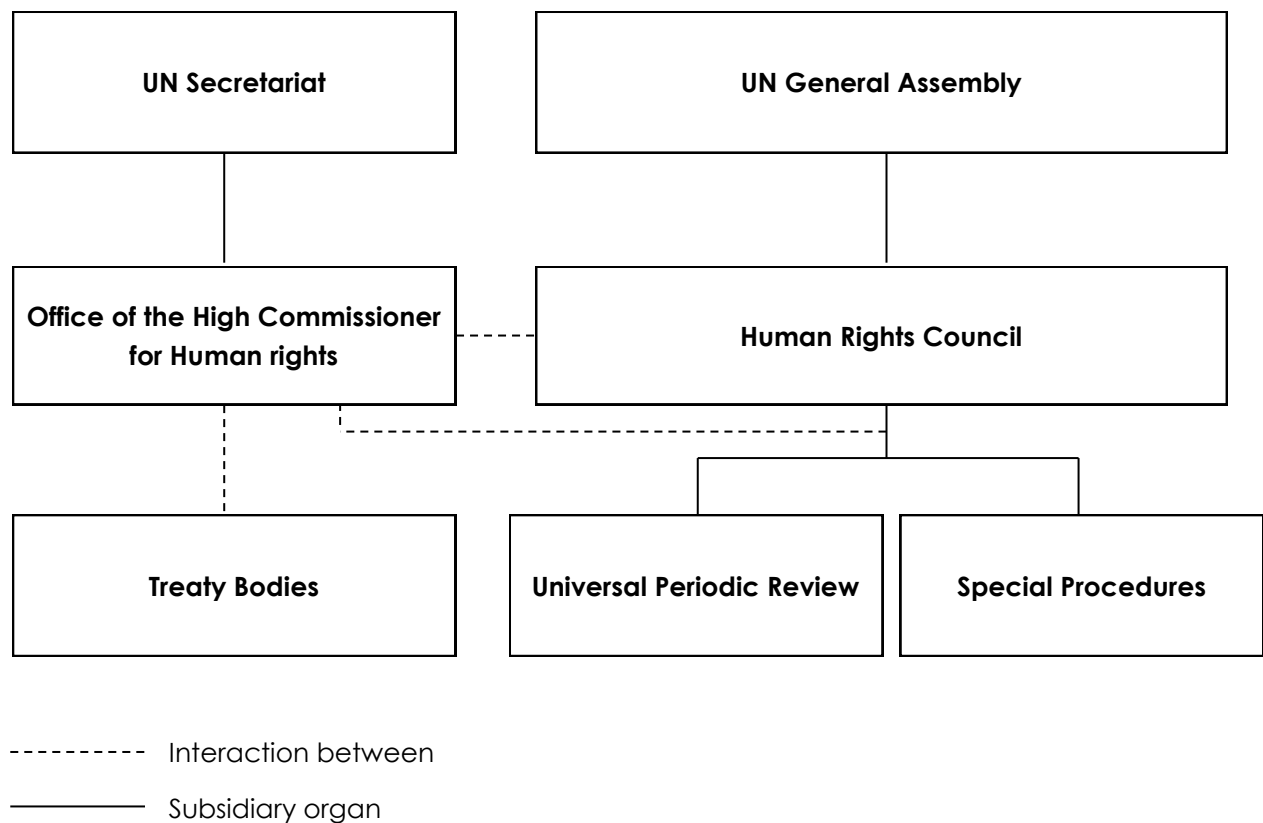
Treaty Bodies are made up of independent experts which monitor compliance with their associated treaty by all states which have ratified it. State parties are under an obligation to submit periodic reports to its Treaty Body detailing how the treaty's rights are being effectively implemented.

After receiving information from a variety of other sources (see below), the relevant Treaty Body examines the report in the presence of a state party delegation. Based on this constructive dialogue exchange, the Committee publishes its concerns and recommendations, referred to as "concluding observations".

A tenth Treaty Body exists to monitor compliance with the Optional Protocol to the Convention against Torture, and is the only Treaty Body mandated to undertake country visits and inspections.

⇒ Treaty bodies may receive information from national human rights institutions, civil society organisations, UN entities and other intergovernmental organisations.

# UN human rights organogram



## Universal Periodic Review (UPR)

The UPR is a unique peer-review process which assesses the human rights record of every UN member state. The UPR provides each state with the opportunity to declare what actions they have taken to improve human rights in their countries and to hear recommendations for improvement.

Each session is conducted by a UPR Working Group drawn from the membership of the HRC. However, any UN member state can participate in any review through questions, comments and recommendations to the states under review.

The review is based on three channels of information: state reports, a compilation of information from the Office of the High Commissioner for Human Rights and submissions from civil society.

At subsequent UPR cycles, states are expected to provide information on what they have done to implement the recommendations made at previous reviews. If necessary, the HRC may address cases of non-cooperation.

⇒ NGOs, regardless of ECOSOC status, can contribute to the UPR process by providing written information about the state under review.

## Special Procedures

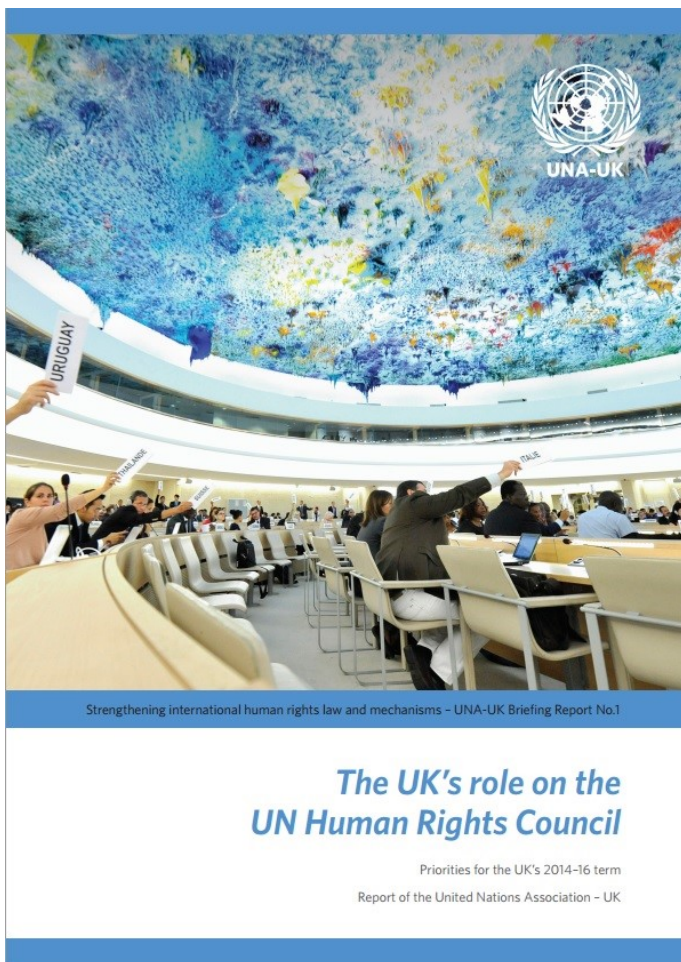
Special Procedures are independent experts mandated by the HRC to report and advise on various thematic or country-specific issues. Unlike Treaty Bodies, thematic Special Procedures have a universal remit, and can investigate their issue in countries that may not have ratified the relevant treaty.

Special Procedures can be either individuals, often referred to as Special Rapporteurs, or a group composed of a member from each UN region.

Although Special Procedures are appointed by the HRC, they serve independently in their personal capacities and are not employed or paid by the UN. Terms for thematic mandate-holders are for three years, but just one year if country-specific, with both renewable up to a maximum of six years.

Special Procedures visit states; prepare reports; develop guidelines; and participate in consultations. At the end of their visits, mandate-holders present their findings to the HRC and will then seek to engage in a dialogue with the state on their recommendations.

⇒ NGOs can submit individual cases to Special Procedures, provide information and support and even nominate candidates as mandate-holders.



Cover of UNA-UK's report on the UK's role on the HRC.

## Office of the High Commissioner for Human Rights

The Office of the High Commissioner for Human Rights (OHCHR) supports human rights work across the entire UN system, and is the Secretariat for all of the mechanisms listed in this briefing.

OHCHR is led by the High Commissioner, the most senior UN human rights official, who speaks out against gross violations of human rights, directs the Office's global objectives and seeks the universal ratification of the core human rights treaties.

As states have the primary responsibility for implementing human rights, OHCHR works with governments and relevant bodies to further the protection and promotion of human rights around the world.

OHCHR also provides training, support and guidance to civil society groups to empower them to hold states to account for their human rights obligations.

- ⇒ OHCHR offers fellowship and training programmes to increase the role and participation of civil society in human rights mechanisms.
- ⇒ OHCHR administers several funds which directly benefit NGOs, regardless of ECOSOC status, such as The "Assisting Communities Together" (ACT) project and the United Nations Democracy Fund.

## Global impact

### Ethnic minorities

Following a visit to Vietnam in July 2010, the UN's Independent Expert on minority issues made recommendations on ensuring equitable growth and inclusive societies in Vietnam. In particular, her engagement on the issue of bilingual education for children of ethnic minorities provided UNICEF with a useful advocacy tool to draw attention to this area. Bilingual education has since been recognised by Vietnam's Ministry of Education as one of the solutions to reducing disparities in access to education.

### Harmful practices

Tanzania's UPR provided an inclusive and participatory forum to discuss a range of complex and sensitive issues, including around sexual and reproduction health and rights. The UN Population Fund has utilised the recommendations of the UPR for its advocacy efforts to prevent harmful traditional practices prevalent in Tanzania that discriminate against women, such as forced genital mutilation.

### Anti-discrimination

In Moldova, OHCHR has trained public authorities and civil society on anti-discrimination standards, including by providing training sessions for lawyers and members of a newly established Equality Council. Following these capacity-building sessions, courts were able to successfully adjudicate in cases related to gender equality, disability, domestic violence and sexual orientation.

### Transitional justice

In Tunisia, OHCHR assumed a leading role within the wider United Nations Country Team (UNCT). OHCHR and the UNCT advocated for the integration of human rights in the draft constitution and the development of a comprehensive and participatory approach to transitional justice. This culminated in the adoption in December 2013 of the Law on Transitional Justice and the establishment of an Independent Commission on Truth and Dignity.

### Women's rights

Recommendations from the UN's Committee on the Elimination of Discrimination Against Women were accepted by the Government of Bolivia in 2013. The acceptance of these recommendations resulted in a number of new measures, including the adoption of the Comprehensive Law Guaranteeing Women a Life Free from Violence.

# UK engagement

## Human Rights Council

The UK is a current member of the HRC and has declared that it will stand for re-election at the end of its term in 2016. When seeking election to the Council, candidates are assessed on their contribution to the promotion and protection of human rights, and it is customary for prospective Council members to make voluntary pledges. The UK's pledges in 2013 included increasing its focus on protecting children's rights and working to prevent violence against women. In addition, all members are expected to uphold the highest standards of human rights protections.

## Universal Periodic Review

At its second UPR review in 2012, the UK affirmed the Government's commitment to the process, praising it as a "unique and crucial mechanism for sharing best practice on human rights around the world, and for promoting continual improvement of human rights on the ground". The UK accepted in full or in part 92 of the 132 recommendations received, and has since published a voluntary mid-term progress report. The UK also recognised that a number of issues raised by NGOs through UPR submissions were not reflected in the interactive dialogue, but noted that the Government intended to address those issues separately as part of an "ongoing engagement with civil society on the UPR".

## Treaty Bodies

The UK has ratified seven of the nine core international human rights treaties. It is yet to ratify the Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, and the Convention for the Protection of all Persons from Enforced Disappearances. In preparation for its most recent Treaty Body reviews, the UK consulted with civil society for six out of the seven sessions, submitted timely state reports for just three of its reviews and only one delegation was led by a Government Minister.

## Special Procedures

Since 1995, 15 Special Procedures have visited the UK, and since 2001 the Government has maintained a standing invitation open to all such experts. In 2013, the Special Rapporteur on adequate housing commended the UK on its history of ensuring access to housing, but expressed her concern that austerity measures were contributing to an increased vulnerability. In 2014, the Special Rapporteur on violence against women praised a number of Government initiatives around protecting women, but noted the scale of the problem that remains in tackling violence against women in the UK. She also expressed disappointment that, despite repeated requests, she was not given access to Yarl's Wood detention centre.

## Office of the High Commissioner for Human Rights

In a 2011 statement by the Department for International Development (DFID) under its Multilateral Aid Review, the UK Government asserted that OHCHR plays a critical role in meeting international and UK development objectives, and provides global leadership on human rights within the UN system. The statement also made clear that DFID's annual voluntary core funding to OHCHR should remain at £2.5 million per year for a period of two years. In 2013, the UK was the ninth largest voluntary contributor to OHCHR in absolute terms, but ranked just 19th in terms of per capita funding.

## WHAT CAN CIVIL SOCIETY DO?

**Contact UNA-UK:** get in touch with Hayley Richardson, Policy & Advocacy Manager, at [richardson@una.org.uk](mailto:richardson@una.org.uk), to find out how you can get more involved with UNA-UK's human rights work.

**Submit information to a UN human rights body:** civil society groups can submit information directly to the HRC, the UPR and the Treaty Bodies. More information on how to do this can be found at [www.ohchr.org/Documents/AboutUs/CivilSociety/CS\\_space\\_UNHRSysm\\_Guide.pdf](http://www.ohchr.org/Documents/AboutUs/CivilSociety/CS_space_UNHRSysm_Guide.pdf)

**Apply for OHCHR funds and grants:** UN funding is available to support activities of NGOs regardless of ECOSOC status, and in some cases individuals may also apply for funding. For more information, go to [www.ohchr.org/EN/AboutUs/Pages/FundsAndGrants.aspx](http://www.ohchr.org/EN/AboutUs/Pages/FundsAndGrants.aspx)

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