Protection clusters and engagement with human rights mechanisms

Webinar, 18th March 2020
Engagement with human rights mechanisms provide an opportunity for protection clusters to:

- Use additional means and avenues to achieve protection outcomes - NOT ADDITIONAL WORK, REPORTING REQUIREMENT, BUT SOMETHING USEFUL for CLUSTERS
- Assess the realities from human rights angle - HCT protection strategies
- Apply HRBA (limitations of needs based approach)
- Advocate more strategically and strongly
- Engage in dialogue on sensitive issues
- Create and mobilize in-country networks
- Raise more awareness on HR of IDPs
- Empower IDPs
- Showcase the links between human rights recommendations and the broader themes such as 2030 Agenda, SG’s call to action on HR, links to development actors
Brief overview of the main HRM

General Assembly

Adopts

Human Rights Treaties

Treaty Bodies (Committees)

Creates

Human Rights Council

Universal Periodic Review

Special Procedures

Secretariat

OHCHR*

*OHCHR supports the work of the HRC and the mechanisms.
Human Rights Council

- Intergovernmental body
- Serviced by OHCHR
- Addresses human rights violations
- Works to prevent human rights abuses
- Responds to emergencies
- International forum for human rights dialogue
- Recommends developments in human rights law
- Periodically reviews country situations (UPR)
How we can engage with the HRC

• Provide oral statements
• Attend or participate in relevant side-events
• Host side-events
• Collaborate with other UN agencies, Permanent Missions and/or NGOs
• Contribute to the language of Resolutions adopted by the Council
• Raise cases of grave and systematic abuses to the Complaints Procedure
Universal Periodic Review (UPR)

- Inter-governmental peer review
- Each State reviewed in a 4 year cycle
- Reviews based on:
  - National reports from the States under review
  - Compilation report including information from UN experts and bodies
  - Compilation report including information from other stakeholders (NGOs, NHRIs,...)
- HRC issues a report with recommendations and commitments of the State concerned
How we can engage with the UPR

- Provide public country-specific submissions
- Support Governments and/or civil society in their preparation of reports
- Work with “friendly delegations” to promote the recommendations in UNHCR’s submissions and raise awareness
- Also an opportunity to share confidential or sensitive information with certain permanent missions (Summary of Key Issues)
- Collaborate with other UN agencies, Permanent Missions and/or NGOs
- Present statements during the adoption of UPR working group reports – highlighting issues and/or offering UNHCR’s technical support
- Engage with States and other stakeholders in follow-up procedures and mid-cycle reviews
Special Procedures Mandate Holders

https://www.youtube.com/watch?v=d7gD4mTRt8M

- Special Procedures
  - 44 thematic mandates
  - 10 mandates relating to countries or territories
- Appointed by the Human Rights Council
- Monitor human rights in different countries or specific issues
- Research issues of concern
- Country visits
- Receive and consider direct complaints
- Appeal to governments
- Respond to emergencies
- Report to the Human Rights Council
How we can engage with SPMH

- Support operations to contribute to country visits by relevant SPMH
  - Requesting visits
  - Providing confidential written information
  - Holding meetings in country / supporting visits with PoC or key stakeholders

- Thematic meetings with SPMH

- Contribute to the annual reports of SPMH
  - Meeting with relevant SPMH to determine topics of mutual interest
  - Providing written input to forthcoming reports

- Collaborate with SPMH for participation/contributions to events, side events, International Days etc.

- Raise cases of serious concern, and/or support persons of concern to submit complaints to SPMH – including requests for urgent appeals
Treaty bodies

- **Mandate:** to monitor the implementation of the relevant treaty by States parties

- Composed of **independent experts**, nominated and elected by States parties for fixed, renewable terms of four years

- **Membership:** 10-25 members depending the Committee

- **In total:** 10 treaty bodies

- Meet for 1-4 weeks session, held 2-3 times per year in Geneva
How we can engage with the Treaty Bodies

• Submit Confidential Comments for State reviews

• Provide oral briefings on States under review

• Provide thematic briefings/meetings for the Committees

• Participate in thematic discussions

• Engage Committee Members in cluster events

• Contribute to General Comments/General Recommendations

• Support persons of concern to submit complaints to the Treaty Bodies – including requests for interim measures where relevant
Next steps

- Creation of a Task Team on Human Rights Engagement under the GPC
- UNHCR learning programme on HR engagement in practice
- Community of practice on HRE
- Monthly thematic webinars
- Practical guidance
- Inputs to the HCT protection strategy
- SG’s Call to Action on HR: the Highest Aspiration – national action plans?