

[Strengthening the Human Rights Council's focus and impact on implementation and accountability](#)

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By Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights

Enhancing the role and participation of civil society and national human rights institutions at the Human Rights Council could contribute to strengthening State implementation of obligations and accountability for violations, writes High Commissioner Zeid.

To act as the world's most authoritative human rights forum is a far-reaching ambition. In its first ten years of existence, the Human Rights Council has set up unprecedented processes for scrutiny of human rights issues, initiated vital investigations into new crises and chronic violations, and formulated crucial recommendations.

The Council enters its second decade in a world of turmoil, with sharpening signals of faltering commitment by States to fundamental human rights norms. There is no room for complacency in this context of deepening crises. To continue its work of upholding the rights, equality and dignity of people across the world, the Council will need to focus much more intensively on implementation.

National follow-up is the key to achieving real improvement in human rights. For the Council's standing - and, more importantly, for the rights of millions of people across the world - it is crucial that its three annual sessions not drift into becoming elaborate performances of ritualised, high-level theatre. At the 31st session in March, I expressed alarm at the widespread practice of what could be termed 'human rights window-dressing'. The ratification of treaties, adoption of resolutions and graceful acceptance of UPR recommendations are important steps - but what matters is implementation, and real change.

The Universal Periodic Review is in many ways the Council's signature process. Reviews examine in detail, and at regular intervals, the human rights record of every State, with no exceptions. To watch a live webcast of a

high-level delegation responding to precise and comprehensive queries regarding the gender impact of social protection systems, conditions in prisons, treatment of migrants, access to justice and far more is to understand that the world has changed.

Before the onset of its third cycle of UPR reviews, which will begin in April/May 2017, the Council needs to sharpen focus on how it can best assess real progress towards implementation of the 175 recommendations that each country, on average, receives. It cannot be content to roll over recommendations from one session to another, allowing the UPR to become an empty routine. Similarly, during the review process, Member States cannot allow themselves to be fobbed off by bland assurances of full implementation without details of actual measures taken by States, and assessment of real impact. States under review should be accountable for whether and how implementation has taken place, and they should report concretely on the impact of implementation and actual changes on the ground. If this is not achieved, there is a risk that the UPR will become obsolete or overly ritualised by the end of the coming cycle.

Towards these objectives, the role of civil society, including NHRIs, could be strengthened, providing a degree of independent verification for the Council's use with submissions that assess actual implementation of recommendations. There is no doubt that civil society has a key role in making States accountable at the national level for their UPR commitments; at the same time, civil society engagement with state institutions responsible for implementation can support and give greater thrust to actions that have a real impact on the enjoyment of human rights on the ground. There should also be stronger links between the UPR and the Treaty Bodies and Special Procedures, to enable more direct expert assessment of the implementation of relevant recommendations. States' reporting needs to focus more on implementation, and to demonstrate their political will to implement with structures and detailed plans that can help identify capacity gaps. Overall, the Third Cycle reviews will need to shift away from the numbers game that ticks over how many recommendations have been received and supported, and move into real assessment of implementation, with accountability for the State concerned.

The Council's landmark achievements include the commendable work of many of its Special Procedures, Commissions of Inquiry and fact-finding missions, which like the Council itself are supported by my Office. The ground-breaking report on the Democratic People's Republic of Korea, the multi-year investigation of the COI on Syria, and the report on Sri Lanka - these and many others have informed decision-makers at the highest level of the UN and beyond. They have been instrumental in efforts to achieve accountability and to shape mechanisms for transitional justice. Often the investigators must function in extremely difficult conditions. All of us in the human rights community owe them a debt of gratitude, and in coming years the international community would do well to reflect on ways such reports can be put to better and more decisive use.

Similarly, the 77 Special Procedures mandate holders are remarkably effective in providing all of us with important and timely recommendations for prevention and the protection and promotion of human rights. The exceptional clarity of many of their reports cries out for better compliance. Much more should be done to pressure States into implementing their recommendations, and to act on information received.

No forum within the UN system has embraced civil society as thoroughly as the Human Rights Council. Non-governmental organisations and human rights defenders have a strong participatory role in plenary discussions, the UPR and many panels, and this mobilisation of expertise, awareness-raising and reporting contributes to the Council's efficacy, relevance and credibility. NGO organisation of side-events and participation in general debates or interactive dialogues are of core importance. It is absolutely vital that victims, defenders, activists and other civil society groups be empowered to cooperate with and contribute to the Council's work without obstruction and fear of reprisals. And just as the Council encourages Member States and the international community to enable the exercise of public freedoms, the Council can use the occasion of its 10th anniversary to review how it can further boost the participation of civil society in its work.

In recent years the Council has grown increasingly flexible and alert to crises, signalling alarm ahead of potential crises or fast-deteriorating situations. Its discussions have repeatedly triggered debates and action at the General Assembly and Security Council, adding to the Council's growing stature and authority. This has helped to replace human rights at the core of the UN's work, bridging the often-decried gap between New York and Geneva. We need to continue working to ensure that work done by the Human Rights Council is properly echoed and implemented by other bodies throughout the UN.

But most important of all is the need to place real people front and centre. The ballet of diplomacy can be useful, but only as a tool. Every human rights actor - my Office included - needs to intensify our focus on what matters: improving respect for the freedoms, rights and dignity of all people.

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