

# OSCE Parliamentary Assembly 3-5 October 2014

**New Security Challenges: The Role of Parliaments**

*The Role of the United Nations in Protecting Human Rights*

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UNITED NATIONS  
**HUMAN RIGHTS**  
OFFICE OF THE HIGH COMMISSIONER

# The focus of the work of the UN in the field of human rights has changed over time

- First it was standard setting – from UDHR in 1948 on...
- Then, following ratification of HR treaties, the setting up of international human rights machinery of implementation
  - human rights treaty monitoring bodies (currently 10)
  - Special Procedures of the Human Rights Council (currently 37 thematic mandates and 14 country mandates)
- Finally from 1993, with the creation of the HCHR, the realization of human rights
- 3 pillars of the UN Charter : peace and security, development, and human rights - interlinked and mutually reinforcing.



# OHCHR mandate

- "All human rights for all everywhere"
- Pursuant to General Assembly Resolution 48/141, the High Commissioner's responsibilities include :
  - "To play an active role in removing the current obstacles and in meeting the challenges to the full realization of all human rights and in preventing the continuation of human rights violations throughout the world, as reflected in the Vienna Declaration and Programme of Action;"
  - "To coordinate the human rights promotion and protection activities throughout the United Nations system".





# Realization of human rights

- Country engagement
- Field presences
- Monitoring and reporting
- Technical cooperation programmes
- Advisory services
- Advocacy and awareness raising
- Building partnerships
- Support to national human rights institutions
- Regional human rights organizations

# OHCHR presences (April 2014, Annual report)

http://www2.ohchr.org/english/OHCHRreport2014\_2017/OMP UN Human ... OHCHR Ma... ohchr.org ohchr.org

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## OHCHR around the world

**Legend:**

- Blue house icon: Headquarters
- Green house icon: Regional Offices/Centres
- Red house icon: Country/Stand-alone Offices
- Blue house with flag icon: Human rights components of peace missions
- Green house with flag icon: Human rights advisers in United Nations Country or Regional Teams

**Footnote 1:** \* Reference to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.

**Footnote 2:** \*\* Reference to Palestine should be understood in compliance with United Nations General Assembly resolution 67/19.

**Footnote 3:** \*\*\* Human rights adviser deployed through the United Nations Development Group - Human Rights Mainstreaming Mechanism (UNDG-HRM). In 2014, human rights advisers deployment through the UNDG-HRM is agreed for UNCTs in Bangladesh, Dominican Republic, Jamaica, Malawi, Maldives, Nigeria, Sierra Leone, Tanzania, Timor-Leste, Zambia and for UNDG regional teams in Bangkok and Panama.

**Footnote 4:** \*\*\*\* The North Africa Regional Office is temporarily located in Beirut.

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# Types of OHCHR field presences

1. **Country/Stand alone Offices**
2. **Regional Offices**
3. **Human Rights Advisers to UN Country Teams**
4. **Human Rights Components of UN Missions**

**Globally: 68 presences**

**In OSCE region:**

- Stand-alone Office in Kosovo (Serbia) (in line with UNSC resolution 1244)
- Regional Office for Central Asia (based in Kyrgyzstan)
- Regional Office for Europe (based in Belgium)
- Human Rights Advisers : Southern Caucasus, FYRoM, Moldova, Serbia, Tajikistan, Ukraine



# OHCHR FIELD PRESENCES (September 2014): Total 68

## AFRICA (26)

**CO (3)** - Uganda; Togo and Guinea  
**HR Components (10)** – Sudan;  
South Sudan; Burundi; DRC; Cote  
D'Ivoire; Liberia; CAR; Guinea  
Bissau; Somalia and Mali  
**RO- (4)** Addis Ababa; Pretoria,  
Yaounde and Dakar  
**HRA – (9)** Chad; Kenya;  
Madagascar; Rwanda; Sierra  
Leone\*\*; Tanzania\*\*; Zambia\*\*;  
Malawi\*\* and Nigeria\*\*

## ASIA PACIFIC (11)

**CO (1)** – Cambodia  
**HR Components (1)** – Afghanistan  
**RO- (2)** Bangkok and Fiji  
**HRA – (7)** SRL; PNG; Maldives\*\*;  
Timor Leste\*\*; Bangladesh\*\*;  
UNDG Asia Pacific, Bangkok\*\* and  
the Philippines\*\*

## MENA (8)

**CO (4)** – OPT; Mauritania; Tunisia  
and Yemen  
**HR Components (2)** – Iraq and  
Libya  
**RO- (2)** Beirut and DOHA

## ECA (10)

**CO (1)** – Kosovo (Stand-alone Off)  
**RO- (2)** Bishkek and Brussels  
**HRA – (7)** Southern Caucasus;  
Russia, FYR Macedonia; Moldova;  
Serbia; Tajikistan and Ukraine

## AMERICAS (13)

**CO (4)** – Colombia; Mexico;  
Guatemala and Bolivia  
**HR Components (1)** – Haiti  
**RO- (2)** Panama and Santiago  
**HRA – (6)** Ecuador; Honduras;  
Paraguay; Jamaica\*\*; Dominican  
Republic\*\*, and UNDG LAC  
Panama\*\*.



## Building partnerships

- OHCHR works in close partnership with numerous stakeholders at the global, regional, national and local levels, both within and outside the United Nations system.
- Partners include Member States, parliaments, national human rights institutions, civil society organizations at the international, national and local levels, the private sector, foundations, regional and international organizations, Secretariat departments and UN agencies, funds and programmes.
- Through the 'Human Rights Up Front' Plan of Action, OHCHR will be a leader in promoting a global consensus among international actors to improve early warning and UN responsiveness to emerging situations involving violations of human rights.
- In addition, OHCHR actively cooperates with the international human rights machinery



# Building partnerships – cooperation with OSCE

- HRC resolutions 6/20, 12/15 and 18/14 reaffirm that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments;
- International community and regional organizations should speak with one voice when advancing the protection and promotion of human rights and OSCE commitments at the national level.
- OHCHR has long-standing cooperation with OSCE. Since 1993, regular Tripartite Meetings are held between the UN, OSCE and the Council of Europe aiming to provide a forum for informal consultations among the three organizations on issues of common concern.
- OHCHR has signed Joint Declarations to enhance cooperation with OSCE ODIHR (June 2014) and the Council of Europe (September 2013), aimed at strengthening consultation and participation in joint meetings, proactive exchange of information, and joint activities, including monitoring, training, and joint advocacy, when appropriate.
- Excellent cooperation takes place between OHCHR field presences and OSCE mission and offices in Europe and Central Asia, as illustrated by numerous examples from Kosovo, FYROM, Serbia, Bosnia and Herzegovina, Moldova, South Caucasus and Central Asia, where good practices demonstrate that strengthened and concerted cooperation among international and regional mechanisms increase effectiveness and leverage.



# OHCHR's role and cooperation in Ukraine

- Dec 2011 : Human Rights Advisor deployed to the UN Country Team
- 14 March 2014 : deployment of the UN Human Rights Monitoring Mission in Ukraine (HRMMU) to monitor, report and recommend follow-up action and support the UNCT in Ukraine
- HRMMU works closely and collaboratively with OSCE Special Monitoring Mission in Ukraine, the Council of Europe and EU
- On 8 September 2014, Mr. Ivan Šimonović, ASG for Human Rights, participated at the special session of the OSCE Permanent Council on Ukraine. The ASG reiterated the importance of strong UN–OSCE partnership, adding that so far there has been excellent cooperation between the UNHRMMU and the OSCE Special Monitoring Mission in Ukraine
- HC report covering 21 Nov 2013 – 5 Sept 2014 (A/HRC/27/75), with 5 previous monthly reports (issued since 15 April) as annex
- Long term : address structural issues, including governance, rule of law, and corruption / national hr action plan / senior national coordinating mechanism
- Need for strong linkage between EU accession efforts and UN requirements pertaining to good governance, rule of law and human rights
- Role of parliament in this regard is crucial



# The role of Parliaments in Protecting Human Rights

- Parliaments are one of the State's fundamental institutions of democratic governance, and are at the forefront in upholding human rights.
- Parliaments are key to establishing and ensuring a well-functioning national human rights protection system and better promotion and respect for human rights at the national level.
- Parliaments play a critical role in exercising oversight over the Executive power, adopting enabling legislation, conducting legislative reforms to ensure that existing laws are aligned with human rights standards, ratifying human rights treaties, withdrawing reservations to such treaties, adopting the budget, adopting national human rights action plans, creating and collaborating with national human rights institutions, ensuring human rights education in primary and secondary schools, etc.
- Parliaments also play a critical role in upholding and strengthening the rule of law and its institutions, including the judiciary.
- Parliaments can and do frequently investigate alleged human rights violations through parliamentary inquiries, and can hold public audiences on human rights related issues.
- A fundamental element of a vibrant democratic society is the relationship between civil society and parliament.



# The role of Parliaments in Protecting Human Rights

Parliamentarians could also:

- Ensure a human rights committee is in place in parliament that considers human rights internally and externally;
- Ensure parliament is better aware of human rights legal obligations and political commitments made through the UPR, especially when Government has an action plan and a coordination mechanism of implementation;
- Ensure parliament better carries out its function of oversight over the primary responsibility of the Government on human rights, including follow up action
- Ensure parliament cooperates closely with, and is supported in these efforts by, the NHRI and NGOs;
- Improve human rights promotion and protection through furthering their engagement with UN human rights mechanisms, including the Human Rights Council, the Treaty Bodies and the Universal Periodic Review.



# Holistic follow-up at the national level

OHCHR emphasizes:

- the importance for the Government at the highest level to ensure follow up to and implementation of all recommendations received from the international HR system
- the development of a national human rights action plan based on such recommendations, with specific timelines and benchmarks for implementation, and the close cooperation between the Government, parliament, the UN system and the international community for its implementation
- the importance of setting up a senior coordination mechanisms for reporting, follow up and implementation, open to civil society





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