



# General Assembly

Distr.: General  
29 July 2021

Original: English

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## Seventy-sixth session

Item 75 (b) of the provisional agenda\*

**Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**

## **National institutions for the promotion and protection of human rights**

### **Report of the Secretary-General**

#### *Summary*

The present report is submitted pursuant to General Assembly resolution [74/156](#), in which the Assembly requested the Secretary-General to report at its seventy-sixth session on the implementation of that resolution, including on best practices among national human rights institutions.

The report covers the period from August 2020 to July 2021. It contains information on the activities undertaken by the Office of the United Nations High Commissioner for Human Rights (OHCHR) to establish and strengthen national human rights institutions; support provided by the United Nations Development Programme and other United Nations agencies, funds and programmes to national human rights institutions; cooperation between such institutions and the international human rights system; and support provided by OHCHR to the Global Alliance of National Human Rights Institutions and relevant regional networks.

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\* [A/76/150](#).



## **I. Introduction**

1. The present report is submitted pursuant to paragraph 28 of General Assembly resolution [74/156](#), in which the Assembly requested the Secretary-General to report at its seventy-sixth session on the implementation of that resolution, including on best practices among national human rights institutions. The report outlines activities undertaken during the period from August 2020 to July 2021.
2. The General Assembly, in the preamble to its resolution [74/156](#), referred to the Vienna Declaration and Programme of Action, which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations, in disseminating information on human rights and in education in human rights.
3. In the same resolution, the General Assembly recognized the important role of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in assisting the development of independent and effective national human rights institutions, guided by the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It also recognized in this regard the potential for strengthened and complementary cooperation among the United Nations, the Global Alliance of National Human Rights Institutions and its regional coordinating networks and national institutions.
4. In paragraph 8 of the same resolution, the General Assembly encouraged all Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of all human rights and fundamental freedoms for all, and welcomed the growing number of States establishing national human rights institutions in line with the Paris Principles, including as one of the means for accelerating and guaranteeing progress for the implementation of the 2030 Agenda for Sustainable Development.

## **II. Support of the Office of the United Nations High Commissioner for Human Rights to national human rights institutions**

### **A. Advisory services**

5. The National Institutions, Regional Mechanisms and Civil Society Section is the focal point within OHCHR for the coordination of the activities to establish and/or strengthen national human rights institutions. Together with the OHCHR field presences and other United Nations entities, in particular the United Nations Development Programme (UNDP), and regional networks of national human rights institutions, OHCHR assists Governments in establishing national human rights institutions and/or contributes to building the capacity of such institutions. In that context, OHCHR works closely with regional intergovernmental organizations, academic institutions, civil society organizations and other stakeholders.
6. OHCHR provides technical and legal assistance to national human rights institutions, in particular regarding constitutional and legislative frameworks relating to the establishment, nature, functions, powers and responsibilities of such institutions. It also conducts and supports comparative analysis, technical cooperation projects, needs assessments and evaluation missions to establish national human rights institutions or strengthen their capacity to discharge their mandate effectively.

7. During the period under review, OHCHR provided advice on and/or assistance in the establishment and/or the strengthening of national human rights institutions in Afghanistan, Algeria, Benin, Bosnia and Herzegovina, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, the Central African Republic, Chad, Colombia, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, El Salvador, Ethiopia, Gabon, the Gambia, Guatemala, Haiti, Honduras, Iceland, Indonesia, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Liberia, Mali, Mauritania, Mongolia, Mozambique, Nepal, the Niger, Nigeria, Panama, Peru, the Philippines, Poland, the Republic of Moldova, the Russian Federation, Senegal, Serbia, Seychelles, Somalia, Sri Lanka, the Sudan, Sweden, Tajikistan, Togo, Turkmenistan, Uganda, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Zambia and the State of Palestine. In some cases, assistance was provided jointly with other United Nations agencies, funds and programmes and other partners.

## 1. Africa

8. Through the OHCHR regional offices for Central, East, Southern and West Africa, the OHCHR country offices in Chad, Guinea, Liberia, Mauritania, the Niger, the Sudan and Uganda, the human rights advisers to the United Nations country teams in Burkina Faso, Burundi, Guinea-Bissau, Kenya, Lesotho, Madagascar, Malawi, the Niger, Nigeria, Rwanda and Zimbabwe, and the human rights components of the United Nations peace missions in the Central African Republic, the Democratic Republic of the Congo, Mali, Somalia, South Sudan and the Sudan (in Darfur), OHCHR provided advice on and assistance in the establishment and/or strengthening of national human rights institutions.

9. For the establishment of national human rights institutions in line with the Paris Principles, OHCHR provided legislative advice to the authorities in the Central African Republic, Gabon, Lesotho and the Sudan.

10. OHCHR provided financial and technical support to the Independent National Commission on Human Rights of Liberia for a broad range of activities, including the conduct of regional training sessions for the Commission staff on drafting a report on sexual orientation and gender identity rights in Liberia. OHCHR also supported the independent committee of experts to nominate candidates for the positions of Chairperson and commissioner in the Commission. Moreover, OHCHR provided financial and technical support for the monitoring of human rights in the context of the election and referendum of 8 December 2020.

11. From July to December 2020, OHCHR supported the Independent National Human Rights Commission of Burundi in organizing its monthly multi-stakeholder meetings to discuss and address cases of human rights violations and abuses. In September and October 2020, OHCHR also provided financial and technical support to the Commission for the holding of seven mobile courts in the jurisdictions of Ngozi, Muyinga, Ruyigi, Rumonge and Bururi.

12. In September 2020, in collaboration with the National Human Rights Commission of Nigeria, OHCHR carried out a project to establish peace amidst the crisis between farmers and herders in Benue state. The project addressed thematic issues, including human rights violations in conflict settings, the protection of children and women, access to justice and the protection of internally displaced persons.

13. In October 2020, OHCHR, the International Organization of la Francophonie and the Network of African National Human Rights Institutions organized two capacity-building sessions for the 11 commissioners and staff members of the National Human Rights Commission of Chad.

14. In October 2020, OHCHR conducted training sessions for the National Human Rights Commission of the Democratic Republic of the Congo on the implementation of recommendations received from international human rights mechanisms.
15. In November 2020, OHCHR held high-level consultations with the Parliament of Gabon regarding the consideration and adoption of a draft law on the establishment of a commission in line with the Paris Principles.
16. OHCHR provided technical support and advisory services to the not yet accredited Human Rights Commission of Seychelles in order to strengthen its capacity to discharge its mandate to promote and protect human rights in line with international standards. In December 2020, OHCHR conducted a five-day virtual induction workshop for the members of the Commission.
17. OHCHR supported and assisted the not yet accredited National Human Rights Commission of Burkina Faso as part of that country's efforts to ensure that its national human rights institution would be in line with the Paris Principles. In December 2020, OHCHR provided financial support to the Commission to mark Human Rights Day, including through a discussion on the respect for human rights in areas of conflict and humanitarian emergency.
18. In January 2021, OHCHR supported the Uganda Human Rights Commission in the organization of a workshop for its staff on human rights monitoring in the context of the presidential, parliamentary and local government elections of January and February 2021. The workshop was focused on the legal framework related to the elections and the civil society perspective of electoral observation. In March and April 2021, OHCHR provided technical assistance to the Commission for the organization of three capacity-building activities for senior officers of the Uganda Police Force on human rights standards applicable to security operations carried out by law enforcement officers. OHCHR distributed induction materials on human rights, including on the core international human rights instruments.
19. OHCHR provided legislative advice on the first draft law of the National Human Rights Commission of the Sudan through a series of working sessions with the ministerial drafting committee. In February 2021, OHCHR supported the first public consultation on the text of the draft law.
20. In March 2021, OHCHR collaborated with the South African Human Rights Commission in the organization of a conference on a human rights-based approach to anti-corruption. The aim of the conference was to bring together several stakeholders to discuss the impact of corruption on human rights in South Africa and how best to address and respond to it. OHCHR delivered a presentation on the incorporation of human rights into national strategies and on policies to fight corruption.
21. OHCHR provided support to strengthen the capacity and expertise of the newly established National Human Rights Commission of Chad. In October 2020, OHCHR organized two training workshops for 15 members and staff of the Commission, with a focus on human rights monitoring and reporting. In March 2021, OHCHR also supported the drafting and adoption of the Commission's main strategic and administrative documents.
22. In March and April 2021, OHCHR, in partnership with the International Organization of la Francophonie, conducted capacity-building sessions for 15 members and staff of the Benin Human Rights Commission on monitoring human rights violations in the context of elections.
23. In September 2020, OHCHR conducted a training session for the members and staff of the National Human Rights Commission of Mali on the preparation of the Commission's application for the reaccreditation process. In April 2021, OHCHR also

supported the Commission in establishing a human rights database to facilitate the processing of cases of individual and collective human rights violations.

24. In May 2021, OHCHR organized an induction workshop for the 15 commissioners and staff of the Cameroon Human Rights Commission. This activity was preceded by the legal reform of the former National Commission on Human Rights and Freedoms, following the adoption of Act No. 2019/014 of 19 July 2019 relating to the establishment, organization and functioning of the Commission. The Act includes a mandate for the national preventive mechanism in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

## **2. Americas and the Caribbean**

25. Through the OHCHR regional offices for South America and for Central America, the OHCHR country offices in Colombia, Guatemala, Honduras and Mexico, the human rights advisers to the United Nations country teams in Argentina, Barbados, Belize, Bolivia (Plurinational State of), Brazil, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guyana, Jamaica, Paraguay, Peru, Trinidad and Tobago and Uruguay, and the United Nations Mission for Justice Support in Haiti, OHCHR provided advice on and assistance in strengthening national human rights institutions.

26. During the second half of 2020, OHCHR provided technical assistance to the Office of the Ombudsman of Panama on the drafting of a report on migrants and human rights, which was focused on the situation of migrants in the context of the coronavirus disease (COVID-19) pandemic and included concrete recommendations to the authorities. In May 2021, on the occasion of the International Day against Homophobia, Transphobia and Biphobia, OHCHR and the Ombudsman organized a webinar to address the impact of COVID-19 on the rights of the lesbian, gay, bisexual, transgender and intersex community, in order to foster inclusive policies.

27. In September 2020, OHCHR provided training sessions to the Office of the Human Rights Advocate of Guatemala to build its capacity with regard to the rights of indigenous peoples to consultation and reparation, on the basis of international human rights standards.

28. OHCHR provided technical and financial support to the Office for the Protection of Citizens of Haiti for the development of its 2020–2021 operational plan. In October 2020, OHCHR provided technical assistance for the organization of a training session for staff of the Office of the Ombudsman on the right to health.

29. OHCHR provided technical support to the Office of the Human Rights Advocate of El Salvador to enhance its investigative capacity. In December 2020, February 2021 and April 2021, OHCHR held three workshops in that regard to help the Office of the Human Rights Advocate to develop guidelines for the investigation and analysis of complex cases of alleged extrajudicial executions.

30. In January and February 2021, OHCHR conducted four virtual capacity-building sessions for members of the Office of the Ombudsperson of Venezuela on specific issues, including the human rights of migrants, refugees and indigenous people, and the rights of women and children.

31. In February 2021, OHCHR and the National Human Rights Institution and Office of the Ombudsman of Uruguay held a public dialogue on mental health in the context of COVID-19. The event was the first in a cycle of four debates on the respect for and protection of human rights during the COVID-19 pandemic. The dialogue brought together experts on the subject from various sectors, including the Government, academia and civil society organizations.

32. In April 2021, OHCHR provided advice to the Government of the Bahamas on the follow-up to the universal periodic review recommendations, in particular with regard to the establishment of a national human rights institution that would be in line with the Paris Principles.

### **3. Asia and the Pacific**

33. Through the OHCHR regional offices for South-East Asia and for the Pacific, the OHCHR country offices in Cambodia and in Seoul for the Democratic People's Republic of Korea, the human rights advisers to the United Nations country teams in Bangladesh, Malaysia, Maldives, Mongolia, Nepal, Papua New Guinea, the Philippines, Sri Lanka and Timor-Leste, and the human rights component of the United Nations Assistance Mission in Afghanistan, OHCHR provided advice on and assistance in the establishment and/or strengthening of national human rights institutions.

34. OHCHR provided legal advice to the National Human Rights Commission of Mongolia regarding the inclusion of a public hearing process for the appointment of its commissioners, in line with the Paris Principles.

35. OHCHR continued to advise the Afghanistan Independent Human Rights Commission on a number of issues related to the protection of human rights defenders, accountability for human rights violations, combating discrimination, the protection of civilians and children during armed conflicts, women's rights and the monitoring of detention premises. In October 2020, on the occasion of the seventy-fifth anniversary of the establishment of the United Nations, OHCHR collaborated with the Commission to launch two months of human rights training for human rights defenders.

36. In October 2020, OHCHR, jointly with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the International Court of Justice, organized an online dialogue between the National Commission on Human Rights of Indonesia and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, on issues related to transitional justice and gender.

37. OHCHR provided legislative advice to the Government of Cambodia on the establishment of a national human rights institution in line with the Paris Principles. In February 2021, OHCHR participated in a meeting between the Asia-Pacific Forum of National Human Rights Institutions and the Government of Cambodia to discuss the adoption of a draft law in that regard.

38. In April 2021, OHCHR and the Commission on Human Rights of the Philippines organized four virtual consultations with civil society organizations on the protection of human rights defenders. OHCHR also organized webinars for the Commission and the National Statistics Office to support their collaboration in collecting human rights indicators within the framework of the 2030 Agenda.

### **4. Europe and Central Asia**

39. Through the OHCHR regional offices for Europe and for Central Asia, the human rights monitoring mission in Ukraine, the human rights advisers for Belarus, Bosnia and Herzegovina, Montenegro, North Macedonia, the Republic of Moldova and Serbia, as well as for the South Caucasus, working with the United Nations country teams, the joint OHCHR-Russian Federation project and the human rights component of the United Nations Interim Administration Mission in Kosovo, OHCHR continued to provide advice on and assistance in the establishment and/or strengthening of human rights institutions.

40. OHCHR supported the Office of the People's Advocate of the Republic of Moldova in its establishment of a national recommendation tracking database, a tool used by the State to support the implementation of the recommendations formulated by the international human rights system.

41. In August 2020, OHCHR, jointly with the United Nations Children's Fund (UNICEF), organized a webinar for the not yet accredited Office of the Ombudsman of Turkmenistan on the alternative reporting process under the Convention on the Rights of the Child. Subsequently, the Office of the Ombudsman has included in its annual workplan for 2021 the drafting of its first alternative report to treaty bodies.

42. OHCHR provided technical assistance to the Office of the Ombudsman of Uzbekistan. In August 2020, the Ombudsman resumed preventive visits to places of detention after this had been interrupted owing to the COVID-19 pandemic. Three civil society experts, trained and supported by OHCHR, were included in the monitoring visits of the Office of the Ombudsman to COVID-19 quarantine facilities and places of detention.

43. OHCHR continued to cooperate with the Commissioner for Human Rights in the Russian Federation. In October 2020, OHCHR organized a workshop for regional commissioners on the international human rights system. In March 2021, to mark International Women's Day, in collaboration with the Commissioner, OHCHR organized a round-table discussion on women in leadership. Participants included the United Nations country team, the speaker and members of the Moscow city parliament, the Minister of Social Protection of the Moscow city government, members of the Federation Council and of the Ministry of Foreign Affairs, women human rights defenders, civil society activists, representatives of the business community and academics.

44. OHCHR assisted the Office of the Ombudsman of Tajikistan in ensuring that the institution was in line with the Paris Principles. In November 2020, within the framework of the technical cooperation programme between OHCHR and the Office of the Ombudsman, OHCHR held a three-day workshop on human rights indicators. The participants included staff from the offices of the Deputy Ombudsman and the Ombudsman, the Deputy Chief and several representatives of the statistics agency, as well as representatives of the presidential office and the Ministry of Foreign Affairs. At the end of the workshop, the Office of the Ombudsman and the statistics agency expressed readiness to further explore the signing of an agreement between the two entities. As an activity of the technical cooperation programme, OHCHR also conducted three days of training on reporting to the universal periodic review.

45. In March 2021, OHCHR provided the Human Rights Commissioner of Azerbaijan with a translation in the Azerbaijani language of the OHCHR practical guide on the role of national preventive mechanisms established under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The purpose was to provide the Commissioner with professional guidance on the four core functions of national preventive mechanisms: visiting, providing advice, enhancing cooperation and educating.

46. OHCHR continued to support the engagement of the Ombudsman Institution of North Macedonia with United Nations human rights mechanisms, in particular the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities. In April 2021, OHCHR, jointly with the Ombudsman Institution, hosted an online event to formally launch the national monitoring mechanism in North Macedonia under article 33 of the Convention on the Rights of Persons with Disabilities.

47. In May 2021, OHCHR participated in a meeting of the expert council under the auspices of the Commissioner for Human Rights of Kazakhstan, at which a draft law was presented by a member of the Senate. OHCHR stressed the need to incorporate several recommendations made by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions into the draft law.

## **5. Middle East and North Africa**

48. Through the OHCHR Regional Office for the Middle East and North Africa, the United Nations Human Rights Training and Documentation Centre for South-West Asia and the Arab Region, the OHCHR offices in the Syrian Arab Republic, Tunisia and Yemen, as well as in the State of Palestine, the human rights advisers to the United Nations country teams in Jordan and Saudi Arabia, and the human rights components of the United Nations Assistance Mission for Iraq and of the United Nations Support Mission in Libya, OHCHR continued to provide advice on and assistance in the establishment and/or strengthening of national human rights institutions.

49. OHCHR continued to provide technical support to the Iraqi High Commission for Human Rights on a wide range of human rights issues, including information-sharing on human rights violations in the context of demonstrations, the rights of women and minorities, enforced disappearance, as well as issues related to the freedom of assembly and expression and fair trial standards. In September 2020, OHCHR facilitated the engagement of the High Commission with the Committee on Enforced Disappearances.

50. In February 2021, as part of a technical cooperation project between OHCHR and the Saudi Human Rights Commission, which is not accredited, OHCHR conducted a workshop on national human rights institutions and the Paris Principles. The objective of the workshop was to raise awareness among national stakeholders of the added value of establishing a national human rights institution in line with the Paris Principles.

51. OHCHR conducted a series of workshops and capacity-building sessions for the Independent Commission for Human Rights of the State of Palestine on the procedures for handling individual complaints, on reporting to the international human rights system and on the implementation of the observations of the treaty bodies.

## **B. Support for regional and subregional initiatives by national human rights institutions**

### **1. Africa**

52. As a follow-up to recommendations emanating from a regional consultation workshop on the need to strengthen the capacity of the national human rights institutions of countries of the Group of Five for the Sahel, OHCHR and the executive secretariat of the Group of Five for the Sahel organized training sessions on human rights monitoring and reporting techniques for members of national human rights institutions from the countries of the Group, including Chad, Mali, Mauritania and the Niger. The workshops not only enabled national human rights institutions to fully discharge their functions in monitoring human rights concerns with regard to the activities and operational zones of the Joint Force of the Group of Five for the Sahel, but also provided an opportunity to strengthen working relationships between different stakeholders, and to establish a network for monitoring and protecting human rights.



53. In April 2021, OHCHR and the Network of African National Human Rights Institutions organized the second national human rights institution forum. The forum, attended by 69 representatives of African national human rights institutions, focused on the role of national human rights institutions in promoting the realization of the rights of indigenous women in Africa.

## **2. Americas and the Caribbean**

54. In March 2021, OHCHR participated in a meeting of the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas and the Ibero-American Federation of Ombudsmen on increased migration restrictions imposed by Governments as a result of the COVID-19 pandemic. The aim of the meeting was to share best practices on the promotion and protection of migrants' rights.

55. In April 2021, OHCHR organized a webinar between the High Commissioner for Human Rights and the heads of national human rights institutions in the Americas in an effort to support the institutions' work in the context of the COVID-19 pandemic. OHCHR, the Ibero-American Federation of Ombudsmen, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Global Alliance of National Human Rights Institutions and 15 national human rights institutions exchanged views on pandemic-related challenges and opportunities. On 6 May 2021, following the webinar and at the request of the Global Alliance and the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the High Commissioner released a statement on the rising number of threats, attacks and attempts to undermine national human rights institutions in Latin America and the Caribbean.

## **3. Asia and the Pacific**

56. In November 2020, OHCHR and the Asia-Pacific Forum of National Human Rights Institutions organized a regional dialogue on displacement in the context of the adverse effects of climate change. It was aimed at enhancing regional understanding of the correlation between the adverse impacts of climate change on human rights and human mobility, and providing national human rights institutions with a platform for dialogue where they could share experiences and knowledge. The event was attended by 42 representatives from national human rights institutions, as well as representatives from civil society organizations.

57. In March 2021, OHCHR, as a member of the executive committee of the Regional United Nations Network on Migration for Asia and the Pacific, collaborated with the Economic and Social Commission for Asia and the Pacific to facilitate the first regional review meeting in the Asia-Pacific region for the Global Compact for Safe, Orderly and Regular Migration. National human rights institutions from across the region were involved in both the consultation phase leading up to the regional review and the intergovernmental regional review meeting itself.

## **4. Europe and Central Asia**

58. In March 2021, OHCHR, together with the European Network of National Human Rights Institutions, held a webinar on the impact of the COVID-19 pandemic on persons in institutionalized settings. Participants explored the application of the right to truth in the context of the institutionalization of persons with disabilities and the importance of telling the truth to ensure reform, reparations and guarantees of non-recurrence. Speakers included the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, and representatives of civil society and national human rights institutions.

59. In March 2021, OHCHR engaged with the working group on economic, social and cultural rights of the European Network of National Human Rights Institutions on its activities in the region and on how to reinforce a human rights-based approach to the socioeconomic recovery from the COVID-19 pandemic.

60. In April 2021, OHCHR attended a high-level meeting on the newly adopted Council of Europe recommendation on the development and strengthening of effective, pluralist and independent national human rights institutions. The key focus of the meeting was to ensure independence and adequate funding for national human rights institutions, while participants also identified best practices for the follow-up to the recommendation.

## **C. Contributions to international initiatives supporting national human rights institutions**

### **1. Global Alliance of National Human Rights Institutions**

61. In accordance with article 6 of the Statute of the Global Alliance of National Human Rights Institutions, general and Bureau meetings, meetings of the Subcommittee on Accreditation and international conferences of the Global Alliance are held under the auspices of, and in cooperation with, OHCHR. OHCHR has therefore continued to assume the function of the secretariat of the Global Alliance. In 2020, the Bureau meeting of the Global Alliance was held between 27 June and 15 July in the form of online consultations, the annual meeting was convened virtually from 30 November to 4 December, and the session of the Subcommittee was held online from 7 December to 17 December. In 2021, the Bureau meeting was held on 29 June, the annual meeting was held on 30 June and 1 July, and the Subcommittee session was held from 14 to 24 June. Owing to health restrictions, all meetings were conducted remotely.

### **2. Subcommittee on Accreditation**

62. OHCHR, in its capacity as secretariat of the Subcommittee on Accreditation, continued to provide substantive support, including technical advice and secretariat services. With its institutional knowledge and guiding role in developing the general observations and the rules of procedure of the Subcommittee, OHCHR continued to enhance the credibility of the accreditation process. The presence of OHCHR during the decision-making of the Subcommittee continued to ensure compliance with the established rules of procedure, and contributed to transparency, impartiality, fairness and rigour.

63. The Subcommittee on Accreditation session that had been scheduled for March 2020 and postponed because of the COVID-19 pandemic was held virtually in December 2020, at which the Subcommittee reviewed 15 institutions. At a virtual session of the Subcommittee in June 2021, it reviewed 13 institutions.

### **3. Fellowship programme for staff of “A” status national human rights institutions**

64. Since 2008, OHCHR has maintained a fellowship programme for the staff of “A” status national human rights institutions. The programme is designed to provide beneficiaries with a better understanding and appreciation of the international human rights system and to familiarize them with the work of OHCHR. The programme therefore allows “A” status national human rights institutions and their staff to strengthen their mandate in line with international norms and standards. Staff from the national human rights institutions of Afghanistan, Costa Rica, Georgia, Liberia,

Mexico, Nigeria, the Philippines and Zimbabwe participated in the fellowship programme.

65. The fellowship programme has been recognized by participants as being very important and useful for strengthening both their professional knowledge and the institutional capacity. They have expressed the need for the further progressive development of the programme, including through systematic peer-to-peer learning, exchanges of experiences, best practices and lessons learned at the country level, and direct interaction with colleagues in other “A” status institutions. It would therefore be highly beneficial for the scope of the fellowship programme to be expanded to include study tours at the country and local level. The much-needed expansion of the fellowship programme cannot be achieved without additional resources, which are currently unavailable.

### **III. Best practices among national human rights institutions**

66. The General Assembly, in paragraph 28 of its resolution [74/156](#), requested the Secretary-General to report on the implementation of the resolution, including on best practices among national human rights institutions.

67. Subsequently, on 5 May 2021, OHCHR requested national human rights institutions to provide input on their best practices by 26 May 2021. Contributions were received from the Office of the Ombudsman of Ecuador, the National Commission for Human Rights of Greece, the National Commission on Human Rights of Kenya, the Commission on Human Rights of the Philippines, the Commissioner for Human Rights in the Russian Federation and, from the United Kingdom of Great Britain and Northern Ireland, the Equality and Human Rights Commission of Great Britain and the Scottish Human Rights Commission, as well as the not yet accredited Human Rights Commission of Seychelles.

68. The National Commission on Human Rights of Kenya embarked on a process of monitoring and advising the Government on its human rights obligations in the context of the COVID-19 pandemic. In that respect, the Commission established an internal multi-departmental committee on COVID-19 to coordinate the monitoring and reporting of human rights violations. The Commission has also set up an online portal on COVID-19 to which the work of the Commission on COVID-19, including its advice, is uploaded.

69. The Commission on Human Rights of the Philippines established a case referral system and created a team specifically to monitor cases involving migrant workers. Subsequently, the Commission launched an online reporting portal for migrants and members of their families, aimed at offering immediate legal assistance to actual or potential victims of human rights violations, and to ensure the immediate referral of cases to appropriate government agencies for proper action. For the period from March 2020 to February 2021, the Commission received a total of 48 complaints.

70. The Scottish Human Rights Commission conducted monitoring research related to the impact of the COVID-19 pandemic on people’s rights in the context of care at home and support in the community. Evidence from the research, assessed against relevant human rights standards, showed that COVID-19 had a profound impact on the way in which social care support was delivered in Scotland, leading to significant gaps in the realization of the rights of people who rely on such support, including unpaid carers. According to the research, there is an opportunity to invest in a human rights-based social care system for delivering outcomes, as enshrined in the Convention on the Rights of Persons with Disabilities.

71. The Greek National Commission for Human Rights highlighted the development of a user-friendly web page on European Court of Human Rights case law to facilitate supervision of the execution of the Court's judgments. In this context, the Commission presented, in a series of webinars, its experience of the role of human rights institutions in monitoring the execution of the Court's judgments. The webinars were organized in October 2020 by the Council of Europe, the European Network of National Human Rights Institutions and the European Implementation Network.

72. In December 2020, the Equality and Human Rights Commission (England, Scotland and Wales) upgraded its online tracker to enable users to check the governmental progress in meeting international human rights obligations since 2016.

73. The Office of the Ombudsman of Ecuador provided information on various issues regarding the human rights situation in that country in response to 15 questionnaires from various United Nations bodies and mechanisms. The questionnaires were on subjects such as indigenous peoples' rights, women's rights, the rights of persons with disabilities, children's rights, the rights of human rights defenders, business and human rights, the Sustainable Development Goals, and the human rights situation in the context of COVID-19.

#### **IV. Support provided by the United Nations Development Programme and other United Nations agencies, funds and programmes to national human rights institutions**

74. In March 2021, the tripartite partnership between OHCHR, UNDP and the Global Alliance of National Human Rights Institutions<sup>1</sup> issued a research study on the role of national human rights institutions in response to COVID-19. The objective of the study was to provide an overview of good practices, experiences and lessons learned in the role of national human rights institutions in the context of COVID-19.

75. In Africa, OHCHR and UNDP supported the Network of African National Human Rights Institutions in developing and strengthening protection mechanisms for human rights defenders on the basis of the Marrakesh Declaration.<sup>2</sup> In January 2021, the national human rights institutions of Côte d'Ivoire, the Democratic Republic of the Congo, Kenya, Liberia, Madagascar, Morocco, the Niger, the United Republic of Tanzania and Zimbabwe received a two-day training session on the tools developed to support the implementation of the Marrakech Declaration.

76. In the Asia-Pacific region, UNDP supported the following national human rights institutions:

(a) National Human Rights Commission of Nepal, in developing its action plan on gender equality and social inclusion and its strategic plan;

(b) Human Rights Commission of Maldives, in launching a quantitative human rights survey;

<sup>1</sup> In 2011, OHCHR, UNDP and the Global Alliance of National Human Rights Institutions entered into a tripartite partnership to support national human rights institutions. In February 2017, the leaders of the three partners signed a letter of intent formalizing their commitment to enhance their cooperation in strengthening support to national human rights institutions at the global, regional and national levels.

<sup>2</sup> In 2018, at the thirteenth annual conference of the Global Alliance of National Human Rights Institutions in Morocco, national human rights institutions adopted the Marrakech Declaration entitled "Expanding the civic space and promoting and protecting human rights defenders, with a specific focus on women: the role of National Human Rights Institutions".

(c) Commission on Human Rights of the Philippines, in producing videos on the impact of the COVID-19 pandemic and of the lockdown measures implemented by the Government;

(d) National Human Rights Commission of Bangladesh, in the development of an integrated management system, which includes digital complaints handling and a database on human rights violations;

(e) National Commission for Human Rights of Pakistan, which has not been accredited yet, in developing a four-year workplan to guide efforts by United Nations agencies to strengthen the Commission, and to provide it with adequate resources and the necessary independence.

77. In Europe and Central Asia, UNDP and OHCHR organized an online meeting in July 2021, bringing together the national human rights institutions of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, as well as the not yet accredited national human rights institution of Turkmenistan, to share recent experience and support needs during the pandemic, as well as to reflect on possible joint actions for the protection of the rights of labour migrants stranded abroad.

78. In the Middle East and North Africa, UNDP supported the Office of the Puntland Human Rights Defender of Somalia, which is not accredited, in conducting a training session for civil society organizations on monitoring human rights issues at police stations.

## **V. Cooperation between United Nations human rights mechanisms and national human rights institutions**

79. From 26 April to 13 May 2021, OHCHR, the Global Alliance of National Human Rights Institutions, the Friedrich-Ebert-Stiftung and the United Nations Institute for Training and Research held their annual training session on the international human rights system virtually. The 15 participants were staff members of national human rights institutions.

### **A. Human Rights Council**

80. In coordination with the Global Alliance of National Human Rights Institutions, OHCHR continued to support the engagement of national human rights institutions with the Human Rights Council and its mechanisms.

81. During the forty-fifth, forty-sixth and forty-seventh sessions of the Human Rights Council, and in accordance with the rules of procedure of the Council, which enable the participation of national human rights institutions that are fully compliant with the Paris Principles, 30 national human rights institutions delivered 86 statements (25 in writing and 61 by video), submitted documentation, participated in general debates, organized parallel events and/or interacted with special procedure mandate holders.<sup>3</sup>

#### **1. Universal periodic review**

82. In accordance with the provisions of Human Rights Council resolution 16/21 and General Assembly resolution 65/281, the stakeholders' reports under the universal periodic review include a section dedicated to contributions from "A" status national human rights institutions.

<sup>3</sup> See <https://www.ohchr.org/Documents/Countries/NHRI/A-76-2445-Annex1.pdf>.

83. In November 2020, six “A” status and two “B” status national human rights institutions submitted reports for the stakeholders’ report to the thirty-sixth session of the Working Group on the Universal Periodic Review. In February 2021, at the thirty-seventh session, five “A” status and three “B” status national human rights institutions submitted their input for the stakeholders’ report. In May 2021, five “A” status and one “B” status national human rights institutions submitted their input for the stakeholders’ report to the thirty-eighth session of the Working Group.<sup>4</sup>

84. OHCHR continued to encourage the participation of national human rights institutions in the universal periodic review process, given the important role that they can play in the follow-up and the development of tools to monitor and assess the implementation of universal periodic review recommendations.

## **2. Special procedures**

85. In accordance with the provisions of Human Rights Council resolution 16/21 and General Assembly resolution 65/281, during interactive dialogues between the Council and the special procedure mandate holders, “A” status national human rights institutions can intervene immediately after the State concerned following the presentation of a country mission report by a special procedure mechanism. In addition, “A” status institutions may nominate candidates for special procedure mandates.

86. During country visits carried out during the reporting period under review, national human rights institutions supported special procedure mandate holders by sharing independent analysis and information on issues and on the situation of the persons and groups concerned. These institutions also facilitated contacts and convened meetings with civil society. In some cases, they hosted the press conference of the mandate holder(s) at the end of the visit. When preparing reports, special procedure mandate holders requested input from national human rights institutions.

87. Thematic and country reports by special procedure mandate holders regularly highlighted the key role that national human rights institutions played in promoting and protecting human rights.

## **3. Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights**

88. In October 2020, four national human rights institutions participated through oral interventions in the sixth session of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights.

## **B. United Nations treaty bodies**

89. OHCHR continued to support the engagement of national human rights institutions with United Nations treaty bodies. As the secretariat of the treaty bodies, OHCHR and the Global Alliance of National Human Rights Institutions in Geneva liaised with national human rights institutions of States under review to encourage them to provide written or oral information and/or to attend the sessions of the treaty bodies. Moreover, the National Institutions, Regional Mechanisms and Civil Society Section of OHCHR transmitted the relevant recommendations and concluding observations of the treaty bodies to national institutions. It also continued to draft

<sup>4</sup> See <https://www.ohchr.org/Documents/Countries/NHRI/A-76-2445-Annex2.pdf>.

briefing notes on the activities of national human rights institutions for the attention of the members of treaty bodies.

90. The treaty bodies reviewed 41 States parties that have national human rights institutions. In total, 24 institutions submitted written information and 8 provided briefings to the treaty bodies.<sup>5</sup>

91. In comparison with the previous reporting period, most likely owing to the implications of the COVID-19 pandemic, there was a decrease of 58.6 per cent in the submission of information by national human rights institutions to treaty bodies and an increase of 33.3 per cent in the number of briefings.

92. Treaty bodies continued to provide national human rights institutions with information notes, advice and tools to facilitate their effective involvement in the implementation of the recommendations of the treaty bodies and invited representatives of those institutions to their meetings.

### **C. Other United Nations mechanisms and processes**

93. In November 2020, the Working Group on business and human rights held its annual forum virtually. The forum included a session on national human rights institutions as preventive watchdogs, that allowed participants to discuss the ways in which national human rights institutions have been working to engage with Governments, business enterprises and civil society organizations to prevent business-related human rights abuses.

94. In March 2021, nine national human rights institutions participated in the eleventh session of the Open-ended Working Group on Ageing.

## **VI. Cases of reprisal or intimidation against “A” status national human rights institutions**

95. The General Assembly, in its resolution 74/156, and the Human Rights Council, in its resolution 39/17, recognized the important role that national human rights institutions played in preventing and addressing cases of reprisals, and encouraged all relevant United Nations mechanisms and processes to consider national human rights institutions that are fully compliant with the Paris Principles as key partners of the United Nations.

96. Since “A” status national human rights institutions are more visible in the international human rights system, they are at a higher risk of reprisals and other acts of intimidation by their respective national stakeholders, including in relation to their cooperation with United Nations mechanisms and processes.

97. The Human Rights Council, in its resolution 39/17, and the General Assembly, in its resolution 74/156, also stressed that national human rights institutions and their respective members and staff should not face any form of reprisal or intimidation, including political pressure, physical intimidation, harassment or unjustifiable budgetary limitations, as a result of activities undertaken in accordance with their respective mandates, including when taking up individual cases or when reporting on serious or systematic violations in their countries, and called upon States to promptly and thoroughly investigate cases of alleged reprisal or intimidation against members or staff of national human rights institutions or against individuals who cooperate or seek to cooperate with them and to bring perpetrators to justice.

<sup>5</sup> See <https://www.ohchr.org/Documents/Countries/NHRI/A-76-2445-Annex3.pdf>.

98. Following a statement made during the forty-fifth session of the Human Rights Council by a commissioner of the Commission on Human Rights of the Philippines regarding Human Rights Council resolution 45/33 on technical cooperation and capacity-building for the promotion and protection of human rights in the Philippines, on 12 October 2020, the commissioner, as well as the Commission itself, its chairperson and its executive director, were “red-tagged” (labelled as “communists/terrorists”).

## **VII. Recommendations**

### **A. Recommendations to Member States**

99. In line with indicator 16.a.1. of Goal 16, which requires the existence of independent national human rights institutions in compliance with the Paris Principles, Member States are encouraged to establish national human rights institutions with a broad mandate to promote and protect all human rights, functioning in compliance with the Paris Principles. In this regard, Member States are invited to seek technical support and advice from OHCHR in the process of drafting the founding legislation for national human rights institutions, as well as building and strengthening the capacity of these institutions.

100. Member States should continue to provide financial contributions to OHCHR to ensure the continuation of high-quality support for the establishment and strengthening of national human rights institutions. Additional resources are needed, inter alia, for the continuation and expansion of the fellowship programme currently offered by OHCHR to staff of “A” status national human rights institutions to include further activities, including study tours aimed at the peer-to-peer exchange of knowledge and experience with “A” status national human rights institutions at the country level.

101. Members and staff of national human rights institutions should enjoy immunity from civil and criminal proceedings for action taken in an official capacity and in good faith. Member States are encouraged to take the measures necessary to protect them, and individuals who cooperate or seek to cooperate with them, against threats and harassment. Any cases of alleged reprisals or intimidation should be promptly and thoroughly investigated, and the perpetrators brought to justice.

### **B. Recommendations to national human rights institutions**

102. National human rights institutions should discharge their mandate to promote and protect all human rights in full compliance with the Paris Principles.

103. National human rights institutions are encouraged to seek advisory services and technical cooperation from OHCHR to enhance their capacity, with a view to performing in line with international standards, namely, the Paris Principles and the general observations of the Subcommittee on Accreditation.

104. National human rights institutions should continue to engage with the international and regional human rights mechanisms and encourage their respective Governments to ratify international and regional human rights instruments, as well as to implement the recommendations emanating from these mechanisms.