

# REPORT

## 2021 Annual Conference of the Geneva Human Rights Platform

### THE CONNECTIVITY BETWEEN NATIONAL HUMAN RIGHTS ACTORS AND GENEVA-BASED INTERNATIONAL MECHANISMS

12 October 2021

## Overview

Completing the trilogy of conferences dedicated to the concept of connectivity between UN, regional and national human rights mechanisms and actors, the 2021 Annual Conference of the [Geneva Human Rights Platform](#) (GHRP) addressed the crucial link between national human rights actors and Geneva-based international mechanisms.

The conference in numbers:

- 25 partners, including OHCHR; UNEP, UN-Habitat, UNDP, EU Fundamental Rights Agency (FRA), renown academic institutions and major international NGOs and fellow Geneva-based platforms
- Over 500 registered participants
- 46 panelists and moderators
- Sessions with up to 80 people in the room, and 130 online (the persisting COVID situation still restricted travel in some parts of the globe, so the hybrid setting remained obligatory)
- One panel screened in parallel within the program of the FRA Fundamental Rights Forum, one session as a GCH Urban Debate

“The broadening of partnerships and cooperation of thus many actors proved the pertinence of the topic. National implementation is a key focus also of the international human rights community. The GHRP could unite many of the key actors, national and international, in the unique setting of its Annual Conference,” says Felix Kirchmeier, Executive Director of the GHRP.

In plenary panels and specific thematic sessions, the conference brought together representatives from both international and national human rights systems to discuss their mutual engagement and to devise strategies to increase the effectiveness of this cooperation. The list of panelists covered a wide range of actors in this relationship between International Geneva and capital: Permanent Representatives and diplomats, Treaty Body members, OHCHR and UNDP secretariat staff, UN Resident Coordinators, representatives from National Mechanisms for Implementation, Reporting and Follow-up and National Human Rights Institutions, Parliamentarians, Mayors and representatives of city networks, as well as a range of national civil society organizations and networks.

This one-day event focused on the capacity of such different domestic actors to mutually engage with each other and liaise with Geneva-based international human rights bodies in the context of implementation, monitoring and follow-up to UN human rights recommendations.

To have such a variety of different international and national human rights actors discussing issues of common interest and cooperation initiatives was an opportunity to reflect on the unity of each of their intended mandates. The conference was also an opportunity to focus on inter-institutional cooperation within specific issue areas, such as in [the role of new technologies in human rights monitoring and implementation](#), [the fight against systemic racism](#), [environment and human rights](#), [cities as critical actors](#) and [the disproportionate impact of COVID-19 on persons with disabilities](#).

## Opening and Welcome Remarks

Relating in her opening remarks to the hybrid setting, Marie Laure Salles, Director of the Graduate Institute remarks in welcoming participants on the room that “Technology is useful, but we are definitely losing something when our social life and intellectual life gets reduced to virtual interactions.”

Turning to the substance of the conference, she further points out that “When inequalities progress human rights regress I guess we're getting as close to a mathematical equation here as possible in social science. [...] we know by now the generous face of digital technology and amazing connectivity, on the one hand, but on the other hand they are revealing themselves as powerful tools of fragmentation hatred and even paradoxically mechanisms to limit and to muzzle our freedom of expression, action and movement to the surveillance potential that they represent.”

“Human rights are moving targets they are spiritual goals more important than ever and more in risk than ever. To strengthen and reinforce them, we need to create deeper connections across regimes and between layers from the global to the most local. This is where the expertise of the Geneva Human Rights platform is particularly key and this meeting will focus precisely on the connectivity challenges between national human rights actors and an international system of human rights,” Professor Salles concludes.

Discussing the value of connectivity between the local level and international Geneva, Ambassador Felix Baumann points out “In order to ensure that this connectivity is a positive one, there are also two key challenges: the first one is maintaining space for civil society to be able to do their work at home, and this is a critical feature of our own support abroad. If there is no safe and enabling environment at home, then the participation of national human rights actors with Geneva based mechanisms will be difficult, maybe even dangerous.”

“The second challenge is access. We recognize the civil society actors are key stakeholders in the work of the Human Rights Council, as enshrined in the institutional building package. We welcome their active participation in the plenary, but also in negotiations of on draft resolutions since we view civil society actors as key partners, we support them throughout the work of the Council and its mechanisms, as well as with the Treaty Bodies.” Concluding, he states “It is important that we work together, first of all to ensure that [civil society’s] access to Geneva-based mechanisms is maintained and second, to ensure that their participation remains meaningful and, third, to ensure that they remain safe and free from acts of intimidation and reprisals.”

Gloria Gaggioli, Director of the Geneva Academy completed the opening panel, recalling the development of the GHRP and the series of Annual Conferences. On the 2021 conference, she states: “Integrating the perspective of national human rights actors in the universal discourse on human rights is key to be able to tackle the real issues, those that have an impact on the lives of hundreds, thousands of individuals. Connecting various national human rights actors between them and with universal mechanisms is also essential to ensure compliance with international human rights recommendations at all.” She recognized that connection in itself, even if a prerequisite, does not necessarily lead to positive change. It needs to be effective: Having a

multiplicity of universal human rights mechanisms is obviously great and provided the fact that they provide sound recommendations is certainly a significant achievement.

But if we want such recommendations to have an impact, and to change the lives of victims, wherever they are, the national implementation is key, and this requires effective collaboration between the domestic and international levels.

[Watch here the full opening session.](#)

### **Keynote Speech to the Conference by Sima Samar**

In her [keynote speech, Sima Samar](#), founder of the former Afghan Independent Human Rights Commission addressed functions history and purpose of this NHRI, which was an important and active national actor with a broad mandate until the Taliban recently took over the country and factually closed-down the institution. She pointed to the need of the international actors to engage in such extreme case of the collapse of a National Human Rights System. But she also emphasized the remaining national importance, with individuals who still remain committed, even in the most abhorrent circumstances.

### **The importance of coordinated National Human Rights Systems and the value of domestic stakeholder participation across Geneva-based human rights mechanisms**

It is the State which has a duty to take steps toward effective implementation of international human rights recommendations. In a well-functioning National Human Rights System (NHRS), both state and non-state actors play a central role in systematically engaging with international human rights mechanisms throughout each reporting process entered into. Just as important is the capacity of NHRSs to facilitate efficient coordination among governmental actors, relevant independent state actors as well as with CSOs. It is through this facilitating role that the state fulfills its duty to take steps, securing a pluralist and transparent approach to the duty.

Participation is thus a key procedural facet of a functioning NHRS. This principle entails that in all phases of monitoring and implementation of international human rights recommendations, from preparation to evaluation, participation as a multi-level multi-agent endeavor, should be active, free and meaningful.

“Throughout the conference, panelists focused on the capacity of NHRSs to foster and lead or provide a platform for consultations among national actors, with a view to strengthening the transparency, ownership and accountability of monitoring and implementation processes” Stated Domenico Zipoli, Research Fellow with the GHRP.

Regular consultations among different stakeholders may allow for open discussions on draft reports. This in turn can facilitate a more accurate provision of information on measures taken to address the issues identified by international human rights mechanisms. Coordination among different state and non-state actors in the implementation phase may increase the chances of meaningful legal and policy reforms and, in turn, reflect the real needs for structural and procedural change. Finally, effective engagement among all relevant domestic stakeholders may also address the necessary steps for adequate resource allocation towards the implementation of specific recommendations issued by the different international human rights mechanisms.

A solid NHRS also functions as a counterbalance to one of the main problems of the current international human rights system – the extent of overlapping recommendations coming from different monitoring bodies. States are often subject to similar obligations under multiple human rights treaties, and a solid NHRS, through its streamlining potential, can solve the often stated overburdening of the state apparatus vis-à-vis its international commitments.

The establishment of a systematic multi-institutional network, involving both state and non-state actors, responds to the current nature of the Geneva-based human rights monitoring framework as a regime complex. A siloed institutional response at the domestic level fails to focus on the fact that every human rights treaty is part of a highly interconnected web of treaties dealing with the same or similar subject matters. Through these overlapping treaty connections, the enforcement of one individual human rights treaty has the potential to impact, and be impacted by, the enforcement of other human rights treaties. As such, engagement and coordination at the national level are paramount for both an effective and efficient implementation of international human rights standards.

### Local Governance and Cities interaction with international human rights mechanisms

Zooming in even further within national structures, one panel focused on the role of sub-national entities, in particular “**Cities as critical actors of the national and international human rights system**”. The Geneva Cities Hub (GCH), UN Habitat, the Human Rights Cities Network and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law were partners to the event, which was also streamed in parallel as an “Urban Debate” of the GCH. The objective was to discuss the connectivity between cities, as national human rights actors, and Geneva-based international human rights mechanisms.

When talking about national human rights actors, cities or local or regional authorities do not come to mind frequently as domestic actors with human rights responsibilities. Yet, as the pandemic has clearly highlighted, they do address human rights concerns because of their key role in public service planning, delivery and monitoring and of their proximity to their residents. For that purpose, it gathered speakers from the cities of Geneva, Montevideo, York and Pittsburgh and other human rights experts.

As recalled by Leilani Farha, former UN Special Rapporteur on the right to adequate housing, “international human rights law obligations clearly extend to local and regional authorities. However, most often, these authorities are not aware about their obligations, they lack the capacity and resources to implement them and there is lack of clarity about who is responsible for what. Despite those challenges, cities have taken great initiatives to address human right concerns”.

In addition, both Sami Kanaan, Vice-Mayor of Geneva, and Silvana Pissano, Mayor of Montevideo - Municipio B, shared the human rights commitment of their respective cities and some of the projects to realize them at local level. Both mentioned the specific and additional support provided to the most vulnerable during the pandemic, including food distribution, social housing, access to toilets and showers. As affirmed by Sami Kanaan, “human rights can only become a reality if they are implemented at local level and have an impact on the daily lives of our inhabitants”.

Cities interested in becoming “human rights cities” can find a wealth of information and share experiences through the [Human Rights Cities Network](#) which was established in 2018. During her intervention, Barbara Oomen, Board member, Human Rights Network, mentioned the recent

launch of the [EU Fundamental Rights Agency framework for human rights cities](#) which will hopefully help to reinforce human rights locally.

“It is at local level that human rights are respected or not. Thus the importance to include local and regional governments in international human rights debates,” adds Anh Thu Duong, Co-Director at the Geneva Cities Hub.

### Connectivity around a specific issues: the examples of environment and systemic racism

Other thematic panels discussed the connectivity between national level and the UN system in specific issue areas. One of them being the field of **environment** and human rights, where the thematic session deepened the discussion started by the opening panel, which already had made reference to the role of small states and national stakeholders in pushing the intergovernmental processes at the Human Rights Council.

"The session on environment and human rights of the 2021 Annual Conference could not have been more topical and relevant, as the UN Human Rights Council just adopted two landmark resolutions for environmental justice. The role of national actors in achieving these developments has been of paramount importance, including through the extraordinary mobilization of local civil society groups. In turn, it is expected that these international developments under the auspices of Geneva-based UN bodies will strengthen the respect for and protection of the work of local and national actors, including environmental human rights defenders." States Sandra Epal-Ratjen, International Advocacy Director & Deputy Executive Director of Franciscans International, one of the co-organizers of the session.

The thematic session on **systemic racism** on avenues for cooperation among different UN and national human rights actors in the fight against systemic racism. A timely panel, as UN human rights mechanisms have introduced a number of important instruments in order to tackle the issue of systemic racism and racial profiling, also in response to recent highly charged incidents of police brutality and racial discrimination against people of African descent.

In November 2020, the Committee on the Elimination of Racial Discrimination published its *General Recommendation No. 36 on Preventing and Combating Racial Profiling by Law Enforcement Officials*. In June 2021, the UN High Commissioner for Human Rights Michelle Bachelet released her groundbreaking report *on the promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers*, pursuant to Human Rights Council resolution 43/1. Both instruments were introduced and discussed by Mehrdad Payandeh, Member of the Committee on the Elimination of Racial Discrimination and Sara Hamood, Coordinator of the Racial Justice Team, OHCHR respectively. Both General Recommendation No. 36 and the OHCHR Report were set within a broader discussion on the manner in which different national human rights actors can make use of such instruments in their daily work in-country.

To support this, representatives from two specific national actors - the French National Consultative Commission on Human Rights and the Irish Network Against Racism - shared their rich experience on local and national initiatives to work towards racial justice, as part of broad and sustained actions that place discriminated minorities at the center of policy planning and implementation.

## Implemented connectivity – a joint panel within the FRA Fundamental Rights Forum on Building Back Better and Disability

This thematic panel discussed how different national human rights actors coordinate their activities of monitoring and safeguarding the right to health and other rights of persons with disabilities during the COVID-19 pandemic, in particular the right to live independently and be included in the community.

The discussion was introduced by Amalia Gamio, member of the Committee on the Rights of Persons with Disabilities, who discussed the crucial role that the Committee has played in this regard, especially in light of the drafting of the OHCHR Guidelines on COVID-19 and the rights of persons with disabilities, which was triggered by the pandemic, and the work of the Working Group on deinstitutionalization.

The panel was enriched by representatives of two organizations of persons with disabilities (OPDs) – the International Disability Alliance Secretariat and the European Blind Union. As two leading OPDs mandated to monitor experiences of people with disabilities, both interventions shared their experience when advising and holding duty-bearers to account for maintaining disabled peoples' rights throughout emergency measures. The panel discussion focused on a number of key actions that national actors can and should be taking during this trying moment in history, including the facilitation of meaningful involvement of persons with disabilities throughout the cycle of response, recovery and advance planning as well as ensuring that all response and recovery efforts take an intersectional approach inclusive of the diverse needs of all persons with disabilities. The panel also stressed the crucial aspects of ensuring State investments to stimulate recovery through affirmative actions favouring persons with disabilities and measures to increase inclusiveness, responsiveness and accessibility of mainstream and disability specific services and infrastructure

This thematic session on how national human rights actors should address the disproportionate impact of COVID-19 on persons with disabilities also formed part the European Union Agency for Fundamental Rights' 2021 Fundamental Rights Forum and its Geneva Hub.

## Expanding discussion on the digital shift

The plenary panel on the **role of new technologies** provided a dynamic exchange among experts in the field of digital tools designed for comprehensive human rights monitoring and implementation. Can the current international human rights system benefit from more effective measures of data collection and digital tracking? The discussion addressed this question in light of available information management tools developed by different stakeholders. It represented a unique opportunity for such exchange. In fact, whilst the digital trend is expanding, what is missing is coordination among these different tools.

“In recent years, the International human rights system has been successful in normative standard setting and creating national level obligations but this has not been matched by progress in effective methods of implementation and reporting. And the human rights sector is far behind where it should be in terms of developing digital tools that facilitate effective implementation and reporting at the national level, and engagement with the international human rights system” states Ashley Bowe, Chief of Party, PROJECT Governance, Human Rights and Social Development Division, Pacific Community (SPC), Founding Trustee of the Impact OSS Trust and moderator for this panel.

As such, increased resources and focus are required to bridge this gap. The potential of technologies towards comprehensive monitoring and implementation at the national level, particularly for NMIRFs and NHRIs includes:

- Transforming ad hoc reporting approaches into systematic and coordinated and comprehensive implementation, tracking and reporting;
- Increased transparency and accountability;
- Increased trust between state and non-state actors;
- Elimination of duplication and creation of implementation and reporting efficiencies;
- Increased data quality through standardisation and quality controls;
- Retention of institutional knowledge;
- Fostering national level ownership of implementation.

This panel finally considered a number of important aspects that the digital shift in the human rights sector should attain to:

- Adhere to the do no harm principle;
- Consider the ecosystem in which it operates holistically and avoid creating duplicate tools across inter-connected systems where it may be undermining to do so. It is crucial to create systems that are structured around the interoperability of the human rights mechanisms and SDGs;
- Use open source software, where possible, to create communities of users, leverage resources and create economies of scale;
- Learn from other sectors who are further into the digital shift in terms of what works, what doesn't, but also to utilise existing technologies, such as blockchain;
- Strike the right balance between being tailored to specific needs and drawing on existing technology;
- Be user-led in terms of design, development and deployment;
- Be conscious of the limitations of technology and not remove the humanity from our human rights work. Whilst there is enormous untapped digital potential the tools are only as good as the people using them and the data that is entered and sometimes there is no substitution for face-to-face interactions.

“This panel encouraged us at the Geneva Human Rights Platform to further contribute to this evolving field. Throughout the following months, we intend to partner with relevant institutions and explore possible convergences, complementarities, and best practices concerning available human rights tracking databases. At this point in history it is crucial that we assess the value of digitalization for a more systemic approach to human rights monitoring and implementation that is also well positioned to contribute to sustainable development.” comments Felix Kirchmeier announcing the topic of “Digital Connectivity” for the GHRPs next annual conference in 2022.

### **Small States in Big Roles: The importance of Small Island Developing States' engagement within the United Nations Mechanisms**

Opened by a message by H.E. Shahid, foreign minister of the Maldives and President of the 76th session of the United Nations General Assembly (UNGA), the concluding plenary panel, showcased a specific group of nations as actors combining the national and international scenes: Small Island Developing States' (SIDS) currently serve in most important roles in intergovernmental debates. Currently, the Permanent Representative of Fiji presides the Human

Rights Council, the Foreign Minister of the Maldives leads the General Assembly and the Permanent Representative of Saint Vincent and the Grenadines serves at the Security Council, (The Smallest State to Ever Lead the UN Security Council) having held it's presidency just in November 2020.

Watch the Speech by the PGA and the full concluding panel [here](#).

A credit to multilateralism, these achievements offer an important opportunity for each of these states to share the unique perspectives, as well as the specific challenges faced by SIDS to the attention of the principal organs of the UN system. On the international level, assuming those roles confirms the UN paradigm of "one country, one vote." But the panelists also discussed what assuming those roles means for the reflection and knowledge about the UN at national level, in most cases an enhancement of the valuing of multilateralism.

According to Miloon Kothari, Advisory Board Member of the GHRP, "This year's annual conference was exceptional, in the diversity of panelists, the choice of thematic issues, the content of the discussions and the impressive spread of organizations co-hosting the event. We can now see the growth of GHRP as an essential network in Geneva that brings together a range of voices across NGO's and independent Institutions at a time when collective work is essential to continue to promote human rights, the relevance of UN mechanisms and the inevitable task of connecting international and national work on human rights."