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## FOURTH ANNUAL SEMINAR SERIES ON NATIONAL HUMAN RIGHTS INSTITUTIONS

17<sup>th</sup> June, 9h00am – 12pm, Conference Room 6, UN Secretariat Building New York

### THE ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS IN CONFLICT AND FRAGILE CONTEXTS: A CONTRIBUTION TO PEACEFUL, JUST AND INCLUSIVE SOCIETIES

Hosted by the United Nations Development Programme, the Office of the United Nations High Commissioner for Human Rights and the Global Alliance of National Human Rights Institutions  
Sponsored by the Permanent Mission of the Federal Republic of Germany to the United Nations in New York

#### Objectives

1. To highlight the role that National Human Rights Institutions (NHRIs) play in conflict and fragile contexts to promote and protect human rights, contribute to prevention of conflict escalation and ultimately sustain peace. To share good practices as well as critical issues and challenges faced by NHRIs as they operate in these contexts
2. To build on the "[Kyiv Declaration on the role of NHRIs in conflict](#)" and to identify opportunities to strengthen the capacity of NHRIs to implement the Kyiv Declaration including in situations where NHRIs are at risk of threats and reprisals
3. Identify and advocate for ways and means through which NHRIs in conflict and fragile contexts can contribute toward the attainment of Sustainable Development Goal (SDG) 16 on the promotion of peaceful, just and inclusive societies

#### Background

Effective NHRIs are an important link between governments and civil society, as they help bridge the protection gap between the rights of individuals and the responsibilities of the state. NHRIs are a cornerstone of strong national human rights systems along with the judiciary, parliaments, civil society and the media. The [Principles Relating to the Status of National Institutions](#) (1993), that are today commonly referred to as the Paris Principles, define the potential mandates and institutional set-ups on NHRIs, and were adopted by the UN General Assembly ([resolution 48/134](#)) in December of 1993.

Through their mandate to advance human rights, NHRIs are instrumental in supporting democratic, responsive and inclusive governance and strengthening the rule of law, with a particular emphasis on the most marginalized and vulnerable groups. In light of their prominent role in promoting and protecting

human rights and strengthening the national systems of human rights in countries, supporting NHRIs to be more effective at both the national and global levels is vital.

This 4<sup>th</sup> annual NHRI seminar, sponsored by the Permanent Mission of the Republic of Germany and co-hosted by the United Nations Development Programme (UNDP), the Global Alliance of National Human Rights Institutions (GANHRI), and the Office of the United Nations High Commissioner for Human Rights (OHCHR) is intended to take stock of the recent policy developments that have highlighted the vital role that NHRIs have in efforts to prevent conflict and sustain peace while looking to the future to see how this position and added value can be strengthened through *inter alia* building on the 2015 [Kyiv Declaration on the role of NHRIs in conflict](#) to work towards promoting peaceful, just and inclusive societies.

### **NHRIs operating in conflict and fragile contexts to promote peaceful, just and inclusive societies**

In conflict and post-conflict or fragile contexts NHRIs can play a key role in preventing further conflict and human rights violations and monitoring respect for international human rights and humanitarian law. The neutrality of NHRIs can be instrumental in facilitating dialogue between conflicting parties.

Many NHRIs operating in conflict and post-conflict contexts are already implementing a wide array of actions, including monitoring and documenting violations which is contributing to early warning and prevention, alongside educating state (including security sector) and non-state actors on human rights, and providing justice and legal services to the population. Where other approaches fail, NHRIs can promote access to justice and contribute towards transitional justice processes. NHRIs are therefore expected to play an instrumental part in supporting Member States in achieving SDG 16 to promote peaceful, just and inclusive societies.

In 2015 NHRIs, in a conference organized by the Ukrainian National Institution for Human Rights with the support of UNDP, gathered and drafted the "[Kyiv Declaration on the role of NHRIs in conflict](#)". The declaration identifies clear areas of work, including monitoring the country situation and respect of international human rights and humanitarian law; taking measures for prevention of further violations; promoting dialogues between all parties to the conflict; systematically communicating and engaging with civil society organizations, state institutions and other parties; placing human rights at the center of peace negotiations; supporting measures to address consequences of conflict including tackling impunity and facilitating access to justice; promoting awareness raising and human rights education for security forces; and promoting implementation of Agenda 2030 and Goal 16 on just, peaceful and inclusive societies.

Further areas of consideration include the role of NHRIs in prevention of further violent conflicts, including early warning on situations of concern. The success of prevention is pegged to the availability of credible, timely and joined-up information of relevance to human rights analysis on potential or ongoing serious violations that can enable early action by all relevant actors, including the UN. The Secretary-Generals' Human Rights-up Front initiative has highlighted the importance of gathering reliable human rights information and NHRIs with their unique mandates and efforts on the ground are key institutions for prevention.

The degree to which NHRIs can be engaged in advancing the objectives of promotion, prevention and protection is highly context specific. But it is certain that national institutions can provide a neutral institutional space at the national level to respond to the risks or triggers of serious human rights violations, before they occur, and contribute to strategies that can address serious violations that may have already occurred. Many NHRIs hold investigative and quasi-judicial powers and NHRIs are well-

placed to ensure better understanding of the local context, to provide warning and respond to situations that pose a risk for serious human rights violations.

Given the role of NHRIs in monitoring in often highly fragile and polarized contexts, especially in conflict contexts, the [Report of the Secretary-General on National institutions for the promotion and protection of human rights](#), (A/70/347) August 2015 specifically recognizes the challenges NHRIs are faced with, including threats and reprisals, and that in each case the “High Commissioner called upon States to respect the independence of the institution while conducting its functions and to investigate reprisals.” The Report of the [Special Rapporteur on the situation of human rights defenders](#), Margaret Sekaggya, (A/HRC/22/47) January 2013 has recognized the dual role of NHRIs as both protectors of human rights defenders and human rights defenders themselves requiring protection. It will therefore be valuable to identify means of building resilience of NHRIs to continue the implementation of their mandates in challenging contexts.

In October 2015, participants from NHRIs across all regions, representatives of international and regional organizations, non-governmental organizations as well as State representatives gathered in Merida, Mexico and adopted the [Merida Declaration on the role of NHRIs in implementing the 2030 Agenda for Sustainable Development](#) which encourages all NHRIs, in line with their mandates to collaborate in mutual capacity building and sharing of experiences to contribute to a human rights-based approach to implementation of the 2030 Agenda for Sustainable Development.

Through their analytical and field work and human rights expertise, NHRIs can play a role in guiding governments on achievement of the SDGs and specifically Goal 16 on peaceful, just and inclusive societies by *inter alia* highlighting gaps and groups to ensure no one is left behind and to build the capacity of governments on human rights-based approaches. As mentioned in the UN Secretary General’s Report, January 2016 on “[Critical milestones towards coherent, efficient and inclusive follow-up and review at the global level](#)” and in the [General Assembly resolution 70/163 on NHRIs](#), institutions such as NHRIs can play an important role in providing information and data from the national level to the High-Level Political Forum on Sustainable Development, as well as mobilizing partnerships for implementation, thereby proving valuable to the global accountability framework of the 2030 Agenda.

The seminar will explore challenges and opportunities for NHRIs at global, regional and national levels in operating in conflict and fragile contexts in promoting peaceful, just and inclusive societies. Discussions are also expected to add to the emerging debate of the contribution of NHRIs to the Secretary-General’s Human Rights Up Front (HRuF) initiative with a focus on early warning and analysis from the frontlines; the contribution of NHRIs to guide and monitor implementation of the 2030 Agenda and the progress toward attainment of SDG 16 in conflict and fragile contexts.

### **Participants and format**

Participants will comprise Member States, UN agencies, funds and programmes, GANHRI, NHRI regional networks, NHRIs operating in conflict and post-conflict contexts, civil society and academics amongst others.

Following an introduction and keynote address by the Deputy Secretary-General, two technical and thematic panels will be convened with speakers from NHRIs, Civil Society, Member States and UN entities followed by interactive discussion. The event will be streamed on UNweb TV.