



The United Nations Human Rights System

How To Make It Work For You



UNITED NATIONS



The United Nations Human Rights System: How To Make It Work For You



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Preface

This publication, produced in conjunction with the 60th anniversary of the Universal Declaration of Human Rights, gives an introduction to the United Nations system's work to promote the respect of all fundamental Human Rights and how you, as an individual or as an organization, can get involved in this work. It was produced in close collaboration with the Office of the High Commissioner for Human Rights.

Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These civil, political, economic, social and cultural rights are all interrelated, interdependent and indivisible.

Universal human rights are often expressed and guaranteed by law, in the forms of treaties, customary international law, general principles and other sources of international law. International human rights law lays down obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups.

In the following pages, you will find clear and succinct information on these international human rights principles, laws and treaties and how civil society can contribute to the work of the Human Rights bodies.

The publication is divided into three parts. Part I covers international human rights instruments, including the Universal Declaration of Human Rights, the nine core international human rights treaties and other international human rights instruments. Part II looks at how human rights are promoted and protected, and describes briefly the functionings of the Human Rights Council and the Third Committee of the General Assembly, mechanisms derived from specific treaties, and other international human rights mechanisms. Part III focuses on the role of the Office of the High Commissioner for Human Rights.

It is hoped that this Reader will not only help inform, but also guide civil society and others who are seeking to engage with international bodies to ensure the enjoyment of all universally recognized human rights norms and principles.

Elisa Peter
Acting Coordinator
UN Non-Governmental Liaison Service (NGLS)

August 2008

“We the peoples of the United Nations determined...to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small”...

Charter of the United Nations, Preamble

“The purposes of the United Nations are... to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.”

Charter of the United Nations, Chapter I, Article 1 (3)

The promotion and protection of human rights and fundamental freedoms is one of the main mandates of the United Nations (UN), as set out in its Charter. Since the adoption of the Universal Declaration of Human Rights on 10 December 1948, the UN has developed a wide range of international human rights standards and norms, as well as mechanisms to promote and protect those rights. The participation of other actors, including non-governmental organizations (NGOs), has been essential to this process.

In spite of evident progress, serious human rights violations continue to occur worldwide. In this context, and in recognition of the limitations of the international human rights system, the UN has recently launched a far-reaching reform process. Its main objective is to rationalize and improve the existing international mechanisms in order to ensure the realization of all human rights for all. Some significant changes have already taken place, notably the establishment, in 2006, of the Human Rights Council as a replacement for the former Commission on Human Rights.

This Reader seeks to provide an up to date overview of the UN’s human rights architecture and to offer basic and practical information on how civil society organizations may contribute to the work of UN human rights mechanisms.¹ This Reader does not cover regional or national human rights instruments and mechanisms.

Part I. International Human Rights Instruments: What are they?

Human rights are the rights that are inherent to all human beings. They are expressed in treaties and other sources of law at the national, regional and international levels. Today, there are more than 100 international human rights instruments (treaties, declarations, principles, recommendations, guidelines, etc.). A number of important international human rights instruments are described below.

1. Universal Declaration of Human Rights

Adopted by the General Assembly on 10 December 1948, the Universal Declaration of Human Rights (UDHR) is a foundational document of the UN human rights system. Its adoption marked the first time in history that the international community collectively agreed upon a body of fundamental rights and freedoms to which all persons, simply by virtue of their humanity, were entitled. Indeed, the principle of the universality of human rights is the cornerstone of international human rights law.

The UDHR contains a preamble and 30 articles, which include a general prohibition of discrimination and set forth various types of rights and obligations, including political and civil rights (such as the right to life, liberty and security of person, freedom from slavery and servitude, freedom from torture and cruel, inhuman or degrading treatment or punishment, the right to recognition before the law, and the freedoms of thought, conscience, religion, expression, opinion, assembly and association) and economic, social and cultural rights (among them the rights to social security, work, education, and to a standard of living adequate for health and well-being).

Although the UDHR is not a legally binding instrument (i.e. it does not create legal obligations for States), it has over time been widely accepted as a universal agreement on fundamental human rights norms that duty bearers are expected to respect, protect and fulfil. It therefore carries significant moral weight, and a number of its provisions now constitute customary international law.

The UDHR has inspired a large number of legal documents at the national, regional and international levels. Many subsequent international instruments are based on its catalogue of fundamental rights and freedoms. The International Covenant on Civil and Political Rights (and its two Optional Protocols) and the International Covenant on Economic, Social and Cultural Rights (see below), in particular, have effectively translated those rights into binding treaty law for the States that ratified these instruments.

The Declaration and the two Covenants mentioned above form the *International Bill of Human Rights*.

2. Core International Human Rights Treaties

The nine core international human rights treaties dealing with specific human rights are:²

1. The International Covenant on Civil and Political Rights (ICCPR) (1976)
2. The International Covenant on Economic, Social and Cultural Rights (ICESCR) (1976)
3. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (1969)
4. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1981)
5. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (1987)
6. The Convention on the Rights of the Child (CRC) (1990)
7. The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW) (2003)
8. The International Convention on the Rights of Persons with Disabilities (2008)
9. The International Convention for the Protection of All Persons from Enforced Disappearance (This treaty had not entered into force as of June 2008.)

These treaties create obligations on States Parties³ to establish and enact laws promoting and protecting human rights at the national level.

A treaty enters into force once a certain number of States (as determined by the treaty itself) have ratified or acceded to it. Of the nine core international human rights treaties, only the International Convention for the Protection of All Persons from Enforced Disappearance had not entered into force as of June 2008, as it had not yet been ratified by the required 20 States. Some treaties are supplemented by optional protocols, which States Parties to the treaty may ratify. Optional protocols normally contain provisions regarding a specific issue and/or allow for specific procedures, such as individual complaints or inquiries.

Human Rights Treaties	Ad-opted	Date of entry into Force	States Parties
International Covenant on Civil and Political Rights (ICCPR)	1966	1976	161 ⁴
First Optional Protocol to ICCPR	1966	1976	111 ⁵
Second Optional Protocol to ICCPR	1989	1991	65 ⁶
International Covenant on Economic, Social and Cultural Rights (ICESCR)	1966	1976	157 ⁷
Optional Protocol to ICESCR	Likely 2009 ⁸	Requires 10 ratifications or accessions	
Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	1965	1969	173 ⁹
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	1979	1981	185 ¹⁰
Optional Protocol to CEDAW	1999	2000	90 ¹¹
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	1984	1987	145 ¹²
Optional Protocol to CAT	2002	2006	34 ¹³
Convention on the Rights of the Child (CRC)	1989	1990	193 ¹⁴
Optional Protocol to CRC on the involvement of children in armed conflict	2000	2002	120 ¹⁵
Optional Protocol to CRC on the sale of children, child prostitution and child pornography	2000	2002	126 ¹⁶
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW)	1990	2003	37 ¹⁷
Convention on the Rights of Persons with Disabilities	2006	2008	20 ¹⁸
Optional Protocol to the Convention on the Rights of Persons with Disabilities	2006	2008	13 ¹⁹
International Convention for the Protection of All Persons from Enforced Disappearance	2006	Not yet entered into force	4 ²⁰

Further information is also available online: <http://www2.ohchr.org/english/bodies/ratification>.

3. Other International Human Rights Instruments

There are other types of international human rights instruments adopted within the UN framework: declarations, guidelines, standard rules, recommendations, etc. These include the Declaration on the Right to Development of 1986, the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms of 1998 (commonly known as the “Declaration on Human Rights Defenders”) and the Declaration on the Rights of Indigenous Peoples of 2007.

These texts state general principles and practices that most States accept. Although not legally binding, these instruments have an undeniable moral force.

Part II. How Are Human Rights Promoted and Protected?

1. The United Nations Bodies and Human Rights

Human rights cut across each of the fields of the UN's work: peace and security, development, economic and social affairs, and humanitarian affairs. The Office of the High Commissioner for Human Rights (OHCHR) plays the leading role in the UN human rights system. Outlined below are the bodies that are primarily concerned with the promotion and protection of human rights.

a. The Human Rights Council

Brief description of the Human Rights Council

The Human Rights Council (HRC) is the principle UN intergovernmental body responsible for human rights. It was established by General Assembly Resolution 60/251 on 15 March 2006 to replace the former Commission on Human Rights. Its mandate is, among other things, to:

1. Promote universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner;
2. Address situations of violations of human rights, including gross and systematic violations; and to make recommendations thereon; and
3. Promote the effective coordination and the mainstreaming of human rights within the UN system.

The HRC is a subsidiary organ of the General Assembly. The HRC's 47 Member States are elected for three-year terms by an absolute majority of the General Assembly in a secret ballot. The members are regionally allocated²¹ with a third of them being elected each year. HRC Member States are ineligible for re-election after two consecutive terms, therefore preventing de facto permanent membership. States presenting their candidacy for election may make voluntary pledges and commitments, which the members of the General Assembly take into account when voting. Furthermore, the General Assembly, by a two-thirds majority of the members present and voting, may suspend the HRC membership of a State that commits gross and systematic violations of human rights.

The HRC holds a minimum of three sessions each year, for a total of no less than 10 weeks. It can also convene Special Sessions at the request of a member of the HRC with the support of a third of its members.

An innovative and important part of the HRC's machinery is the Universal Periodic Review (UPR) mechanism, through which the HRC periodically reviews the fulfilment by each of the UN's 192 Member States of their human rights obligations and commitments. In addition to the UPR, the HRC also has various mechanisms, including the Special Procedures, the Complaint Procedure and the Advisory Committee (which are discussed below), as well as the Open-ended Working Group on the Right to Development, the Expert Mechanism on the Rights of Indigenous Peoples, the Forum on Minority Issues, the Social Forum, and a number of mechanisms related to the Durban Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

NGOs and the Human Rights Council

Only NGOs in consultative status with the UN Economic and Social Council (ECOSOC) may be accredited to participate in regular and special sessions of the Human Rights Council (HRC). The participation of NGOs in the HRC is based on the arrangements and practices observed by the Commission on Human Rights, pursuant to General Assembly Resolution 60/251 and ECOSOC Resolution 1996/31 of 25 July 1996. The HRC's rules of procedure are to be found in Resolution 5/1.

NGOs in consultative status with ECOSOC may submit written statements ahead of a given HRC session; make individual and/or joint oral interventions during substantive items of the HRC's agenda, including in debates, interactive dialogues, and panel discussions; and organize "parallel events" on issues relevant to the work of the HRC.

Further information on NGO participation in HRC's sessions, including accreditation, list of speakers and room reservations is available online: <http://www2.ohchr.org/english/bodies/hrcouncil/ngo.htm>.

For further information on how to access and work with the Human Rights Council, please contact the OHCHR Civil Society Unit: civilsocietyunit@ohchr.org.

For requests or information relating to ECOSOC consultative status, please contact:

Department of Economic and Social Affairs (DESA) NGO Section
One UN Plaza, Room DC1-1480
New York, NY 10017
United States of America
Tel: + 1 212 963 86 52
Fax: + 1 212 963 92 48
E-mail: desangosection@un.org
and/or
United Nations Office at Geneva
NGO Liaison Office
Office of the Director-General
Room 153, Palais des Nations
1211 Geneva 10
Switzerland
Tel: + 41 (0)22 917 21 27
Fax: +41 (0)22 917 05 83
E-mail: ungeneva.ngoliaison@unog.ch

The Universal Periodic Review

The Universal Periodic Review (UPR) is a new feature of the Council that is designed to review the fulfilment by each UN Member State of its human rights obligations over a four-year cycle. The review of States is conducted in a Working Group of the Council, which is made up of the Council's 47 Member States. The Working Group meets in three two-week sessions each year. A total of 48 States are reviewed annually.

Three documents serve as the basis for the review of each State:

1. Information prepared by the State under review, which may take the form of a national report.
2. A compilation of UN information on the State under review (including the reports of the human rights treaty bodies, Special Procedures and other relevant official UN documentation) prepared by OHCHR.
3. A summary of stakeholders' submissions, prepared by the OHCHR. These stakeholders include national human rights institutions, regional organizations and civil society representatives (including NGOs, human rights defenders, academic institutions and research institutes).

The Working Group conducts a three-hour interactive dialogue with each State under review, during which the State under review is given an opportunity to present the information that it has prepared toward its review. It also responds to questions and recommendations presented by the HRC's Member and Observer States²² on its human rights practices, as well as on the human rights situation in the country.

The review of each Member State is facilitated by three rapporteurs known as the "troika," selected from the different UN regional groups.²³

Although other stakeholders (including NGOs in consultative status with ECOSOC) may attend Working Group sessions, they do not play a role in the interactive dialogue.

NGOs wishing to submit information for consideration and possible inclusion in the OHCHR summary of stakeholders' information should visit the following webpage: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>.

Special Procedures

"Special Procedures" are the mechanisms established by the Commission on Human Rights and assumed by the Human Rights Council (HRC) to address either specific country situations (country mandates) or thematic issues in all parts of the

world (thematic mandates). Special Procedure mandates (indicating the function, purpose, duration, etc.) are established and defined by the relevant HRC resolution creating them. As of June 2008, there were 38 Special Procedures in operation: 29 thematic mandates and nine country mandates.²⁴

Special Procedures mandate holders are independent human rights experts who have been appointed by the HRC to carry out a particular mandate. They are either individuals (titled “Special Rapporteur,” “Special Representative of the Secretary-General,” “Representative of the Secretary-General” or “Independent Expert”) or working groups - usually composed of five representatives, one drawn from each UN regional group.

International, regional and national NGOs and other civil society actors play a vital role in relation to the Special Procedures system. Special Procedures do not require domestic remedies to have been exhausted, and can be activated even where a State has not ratified the relevant instrument or treaty.

Special Procedures mandate holders have developed varied working methods. Some may receive information on specific allegations of human rights violations and send urgent appeals or letters to governments asking for clarification. In 2007, more than 1,000 communications were sent by mandate holders to 128 governments. Mandate holders may also carry out studies on key human rights issues and, at the invitation of a State, may visit a country to assess the general human rights situation and/or the specific institutional, legal, judicial, and administrative conditions prevailing there that are relevant to their mandate.

During 2007, Special Procedures mandate holders undertook 62 visits to 51 countries. OHCHR provides the Special Procedures with personnel, logistical and research assistance.

To submit information on alleged human rights violations to Special Procedures please write to:

Special Procedures Division
OHCHR-UNOG
8-14 Avenue de la Paix
1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 06
E-mail: urgent-action@ohchr.org

Further information is available online:
<http://www2.ohchr.org/english/bodies/chr/special/index.htm>.

Note: When sending information, please specify which Special Procedures mechanism the information is addressed to in the subject line of the email or fax, or on the cover of the envelope.

Complaint Procedure of the Human Rights Council

The Complaint Procedure of the Human Rights Council addresses consistent patterns of gross and reliably attested violations of all human rights and fundamental freedoms occurring in any part of the world and under any circumstances.²⁵ Any individual or group can bring gross violations of human rights to the HRC's attention. Complaints can be submitted by the individual whose human rights have been allegedly violated or by a third party, such as an NGO, on behalf of that person. NGOs are not required to be in consultative status with ECOSOC in order to submit a complaint through the Complaint Procedure of the HRC.

Communications alleging a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms must meet certain criteria. These criteria are available at the OHCHR website: <http://www2.ohchr.org/english/bodies/chr/complaints.htm>.

Communications should be addressed to:

Human Rights Council and Treaties Branch
Complaint Procedure
OHCHR-UNOG
1211 Geneva 10
Switzerland
Fax: +41 (0)22 917 90 11
E-mail: CP@ohchr.org

Human Rights Council Advisory Committee

The Advisory Committee of the Human Rights Council (HRC) replaces the former Sub-Commission on the Promotion and Protection of Human Rights of the Commission on Human Rights. The Advisory Committee is made up of 18 individual experts drawn proportionally from the five UN regions.²⁶ It operates as a think-tank for the Council, by providing expertise and advice and undertaking research at the HRC's request.

The Committee members serve for a period of up to three years and are eligible for re-election once. The Committee meets in two sessions for a maximum of 10 working days each year, with the possibility of additional ad hoc sessions with the HRC's approval.

The Advisory Committee works with governments, national human rights institutions, NGOs and other civil society entities. NGOs are entitled to participate in the work of the Advisory Committee based on arrangements and practices observed by the HRC, (and formerly the Commission on Human Rights) including ECOSOC Resolution 1996/31.

Contact: HRCAdvisoryCommittee@ohchr.org

b. The Third Committee of the General Assembly

The General Assembly is the main deliberative organ of the United Nations. It is composed of representatives of all Member States, each having one vote. The UN Charter gives the General Assembly a broad mandate to “discuss any questions or matters within the scope of the present Charter and to make recommendations to Member States on these subjects.”²⁷ The large number of items on the General Assembly agenda has required that most be delegated for discussion to six specialized committees. Each committee is made up of all the UN Member States. Most items relating to human rights are discussed in the “Third Committee” (the Social, Humanitarian and Cultural Committee) of the General Assembly.

The Third Committee concentrates on agenda items relating to a range of social, humanitarian affairs and human rights issues, such as the advancement of women, the protection of children’s rights, indigenous issues, questions relating to refugees, the elimination of racism and racial discrimination, and the right to self-determination.

In October - November every year the Committee holds general discussions on a wide range of human rights issues at which representatives of Member States and UN entities deliver statements. The Committee also holds interactive dialogues with the High Commissioner for Human Rights and a number of the Special Procedures mandate holders of the Human Rights Council. All the reports submitted by the Secretary-General, the High Commissioner and the Special Procedures mandate holders are available on the website of the Committee. The presence of the mandate holders provides civil society representatives with opportunities to discuss human rights issues outside the framework of the Committee’s programme and organize events inviting them as speakers.

The Committee adopts (non-binding) resolutions on human rights issues and recommends that the General Assembly adopt them. Since the establishment of the Human Rights Council in 2006, the Committee has also considered the report of the Human Rights Council presented by the Chairperson of the Council in person, and acted upon the proposals contained in the report.

2. Mechanisms derived from Specific Treaties

The implementation of the core international human rights treaties (mentioned above) that have entered into force is monitored by human rights treaty bodies.

One of the treaty bodies' key tasks is to conduct systematic in-depth reviews of the State Parties' obligations under a particular treaty.

The eight human rights treaty bodies are:

1. The Human Rights Committee (CCPR)
2. The Committee on Economic, Social and Cultural Rights (CESCR)
3. The Committee on the Elimination of Racial Discrimination (CERD)
4. The Committee on the Elimination of Discrimination Against Women (CEDAW)
5. The Committee Against Torture (CAT) & Optional Protocol to the Convention against Torture (OPCAT) - Subcommittee on Prevention of Torture
6. The Committee on the Rights of the Child (CRC)
7. The Committee on Migrant Workers (CMW)
8. The Committee on the Rights of Persons with Disabilities (CRPD)

Each treaty body (or committee) comprises international independent experts (ranging from 10 to 23 individuals) who are nominated on the basis of their human rights expertise and moral authority, and elected for fixed, renewable terms of four years by States Parties. All of the human rights treaty bodies are serviced by the Treaties and Follow-up Unit of the Human Rights Treaties Branch of OHCHR in Geneva.²⁸

A principal function of the treaty bodies is to examine reports submitted by States Parties in accordance with varying degrees of regularity (from every two to five years). In addition to State reports, treaty bodies may receive information on the implementation of treaty provisions from: UN agencies, funds and programmes; other intergovernmental organizations; national human rights institutions; and civil society actors, particularly NGOs, professional associations and academic institutions. After holding a dialogue with the State Party delegation, in which the States' implementation of the relevant treaty is examined, treaty bodies produce what are generally called "Concluding Observations," which set out the principal concerns and recommendations of the treaty body concerned. They also adopt general comments, through which they convey their interpretation of the content and application of the provisions of the various human rights instruments.

Some committees have additional functions. These may include: the consideration of complaints from individuals claiming that their rights have been violated by a State Party; the initiation of confidential inquiries based on well-founded reports of serious, grave or systematic human rights violations of treaty provisions in a State Party; early warning procedures (which aim to prevent the escalation of existing problems in States Parties); and urgent action procedures (which aim to respond to problems in a State Party that require immediate action to prevent or limit the scale of serious human rights violations).

Treaty bodies report to the General Assembly (with the exception of the CESCR, which reports to ECOSOC). The International Covenant on Economic, Social and Cultural Rights (ICESCR) is an exceptional case, as it does not explicitly provide for the creation of a treaty body, but gives ECOSOC a general mandate to monitor its implementation. ECOSOC established CESCR as an advisory body under the Covenant, but it has come to be regarded as a treaty body.

NGOs and Treaty Bodies

Any NGO working within the field of the human rights contained in a treaty can interact with treaty bodies and is not required to be in consultative status with ECOSOC in order to do so.

There are a number of ways in which NGOs can contribute to the work of treaty bodies:

- Submitting written information and reports to treaty bodies;
- Working on follow-up to encourage implementation of treaty bodies' concluding observations; and
- Providing information to relevant treaty bodies toward individual complaints, confidential inquiries, and the early warning and urgent action procedures.

The rules and practices governing civil society interaction with the treaty bodies vary from one treaty body to another. Depending on the rules of the treaty body, NGOs and other civil society actors may participate in its sessions as observers.

All the committees can be contacted through OHCHR in Geneva:

[Name of the committee]
c/o Office of the United Nations High Commissioner for Human Rights
Palais des Nations
8-14, avenue de la Paix
1211 Geneva 10
Switzerland
Tel: +41 (0)22 917 90 00
Fax: +41 (0)22 917 90 29

Useful Resource

The United Nations Human Rights Treaty System: An introduction to the core human rights treaties and the treaty bodies (Factsheet No. 30) provides an in-depth overview of the Human Rights Treaties and Treaty Bodies. The Factsheet is available online in Chinese, English, Russian and Spanish:
<http://www.ohchr.org/EN/PublicationsResources/Pages/FactSheets.aspx>.

3. Other International Human Rights Mechanisms

a. International Criminal Tribunals

Faced with widespread violations of international human rights and humanitarian law²⁹ in the former Yugoslavia and Rwanda in the early 1990s, the UN Security Council decided to establish two international criminal tribunals.

The International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda were set up in 1993 and 1994, respectively.³⁰ Their mission is to prosecute individuals responsible for genocide, crimes against humanity and other breaches of international humanitarian law committed in the territories of the former Yugoslavia since 1991 and in Rwanda between 1 January and 31 December 1994.³¹

Further information is available online:

International Criminal Tribunal for the former Yugoslavia: <http://www.un.org/icty>

International Criminal Tribunal for Rwanda: <http://www.icttr.org>

b. The International Criminal Court

The International Criminal Court (ICC), is another important human rights mechanism. It was established by a UN conference in 1998³² which adopted the Rome Statute. The Statute entered into force in 2002.³³ It is the first permanent international court with the authority to try individuals accused of genocide, war crimes and crimes against humanity. The ICC was established not as an organ of the United Nations but as an independent international judicial institution with a Relationship Agreement with the UN. The Court cooperates with the UN in many different areas, including the exchange of information and logistical support. Each year, the ICC reports to the UN Security Council and General Assembly on its activities.

c. UN Specialized Agencies' Mechanisms

Some UN specialized agencies have put in place specific mechanisms to protect human rights in their respective fields of competence. Below are two examples.

In 1978, the Executive Board of the United Nations Educational, Scientific and Cultural Organization (UNESCO) laid down a procedure for the examination of complaints concerning alleged violations of human rights in the Organization's fields of competence, namely education, science, culture and information. One of UNESCO's permanent subsidiary organs – the Committee on Conventions and Recommendations (CR) – undertakes this work. A complaint may be made against any Member State of the Organization. It is examined by the Committee in complete confidentiality with the cooperation of the government concerned until a friendly solution can be found to the case. The aim is to improve the lot of the alleged victims,

not to condemn the governments concerned. Individuals and NGOs may submit complaints, whether they are themselves victims or whether they deem to have reliable knowledge of such violations. The victims are individuals (teachers, students, researchers, artists, writers, journalists, etc.) who, by virtue of their position and the activity reproached to them, come within UNESCO's fields of competence.

Further information is available online:

http://portal.unesco.org/en/ev.php-URL_ID=15243&URL_DO=DO_TOPIC&URL_SECTION=201.html.

Since it was founded in 1919, the International Labour Organization (ILO) has developed Conventions and Recommendations that cover a broad range of subjects concerning work, employment, social security, social policy and related human rights. The ILO's supervisory bodies – the Committee of Experts on the Application of Conventions and Recommendations and the International Labour Conference Committee on the Application of Standards – regularly examine the application of international labour standards in ILO Member States.

Representation and complaint procedures can also be initiated against States that fail to comply with conventions they have ratified. A special procedure – the Committee on Freedom of Association – reviews complaints concerning violations of freedom of association, whether or not a Member State has ratified the relevant conventions.

Further information is available online:

http://www.ilo.org/global/What_we_do/InternationalLabourStandards/Applyin-gandpromotingInternationalLabourStandards/lang--en/index.htm.

Part III: The Role of the Office of the High Commissioner for Human Rights

The High Commissioner for Human Rights leads the Office of the High Commissioner for Human Rights (OHCHR) and the United Nations human rights programme. OHCHR is the global authority on human rights and is a part of the UN Secretariat.

OHCHR's primary responsibility is to promote and protect all human rights established under the Charter of the United Nations and under all international human rights laws and treaties. OHCHR undertakes a broad range of activities and supports the broader UN human rights agenda. It serves as the secretariat to all human rights treaty bodies, as well as the Human Rights Council and its mechanisms. OHCHR conducts research and organizes consultations on key human rights issues and assists countries in achieving the realization of human rights.

The OHCHR has offices around the world and its work in the field is a key component of human rights promotion and protection. OHCHR's presence includes country offices, regional offices and human rights advisors. It also supports human rights components in UN peace missions. By the end of 2007, the Office was running or supporting a total of 47 missions in the field.

Additional information on OHCHR's work may be accessed at: <http://www.ohchr.org>.

NGOs and the Office of the High Commissioner for Human Rights (OHCHR)

As a general rule, there are no specific criteria for the interaction of NGOs with the OHCHR. With the exception of the Council, NGOs do not require consultative status with the Economic and Social Council (ECOSOC) to work with the OHCHR.

There are many ways in which NGOs can work with the OHCHR to promote and protect human rights. NGOs can engage with the human rights mechanisms for which the OHCHR provides secretariat support, such as treaty bodies, Special Procedures and complaints mechanisms, and the Universal Periodic Review. In addition, NGOs can cooperate with OHCHR headquarters and field presences, including country visits by the High Commissioner. Cooperation may also take the form of information sharing, working in human rights training and education, and follow up on human rights recommendations or observations made by Special Procedures mandate holders, the treaty bodies, and in the context of the UPR.

Further information is available online:

<http://www.ohchr.org/EN/AboutUs/Pages/NgoPartnerships.aspx>.

Civil society organizations and actors are invited to contact OHCHR's Civil Society Unit for guidance and assistance:

OHCHR Civil Society Unit
Palais Wilson
United Nations Office at Geneva
1211 Geneva 10
Switzerland
Tel: +41 (0)22 917 90 00
E-mail: civilsocietyunit@ohchr.org

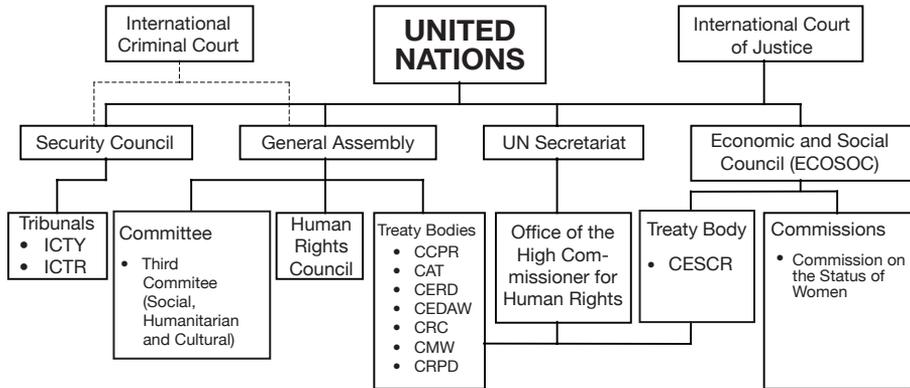
Useful Resource

Working with OHCHR: A Handbook for NGOs aims to provide NGOs with a comprehensive and user-friendly guide to the work of the OHCHR, including key information on human rights mechanisms, entry points for NGOs and contact details with a view to assisting NGOs in identifying areas of possible cooperation and partnership with the OHCHR. The *Handbook* is available in electronic format only, in English, Spanish, and Arabic. Efforts are underway to secure its translation in other UN languages.

Available online:

<http://www.ohchr.org/EN/AboutUs/Pages/NgoHandbook.aspx>.

Human Rights Architecture at the United Nations



KEY
 ICTY – International Criminal Tribunal for the Former Yugoslavia
 ICTR – International Criminal Tribunal for Rwanda
 CCPR – Human Rights Committee
 CAT – Committee Against Torture
 CERD – Committee on the Elimination of Racial Discrimination
 CEDAW – Committee on the Elimination of Discrimination Against Women
 CRC – Committee on the Rights of the Child
 CMW – Committee on Migrant Workers
 CRPD – Committee on the Rights of Persons with Disabilities
 CESCR – Committee on Economic, Social and Cultural Rights

United Nations Non-Governmental Liaison Service (NGLS)

The United Nations Non-Governmental Liaison Service (NGLS) is an interagency programme of the United Nations that was created in 1975 to promote and develop constructive and coherent engagement of civil society across the UN system. Its core activities include: information and communication outreach to civil society about the work of the UN ; supporting the UN system in developing productive relationships and partnerships with civil society; and supporting the work of civil society organizations that seek to constructively engage with the UN system.

Further information about NGLS's activities and publications is available:
<http://www.un-ngls.org>.

NGLS Geneva
Palais des Nations
CH-1211 Geneva 10 Switzerland
Telephone: +41 (0)22 917 20 76
Fax: +41 (0)22 917 04 32
E-mail: ngls@unctad.org

NGLS New York
Room DC1-1106
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Tel: +1-212/963 31 25
Fax: +1-212/963 87 12
E-mail: ngls@un.org

The Civil Society Unit of the Office of the High Commissioner for Human Rights

OHCHR's Civil Society Unit was created to strengthen cooperation with civil society for more effective human rights promotion and protection. In particular, the Civil Society Unit seeks to support civil society actors' engagement with UN human rights bodies and mechanisms.

Further information about the Civil Society Unit's activities is available:
<http://www.ohchr.org/EN/AboutUs/Pages/NgoPartnerships.aspx>.

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Endnotes

- ¹ This Reader compiles information found primarily on the OHCHR website and in various OHCHR publications. Visit <http://www.ohchr.org/EN/Pages/WelcomePage.aspx>. Further details on how NGOs can engage with UN Human Rights Mechanisms are available in OHCHR's publication *Working with OHCHR: A Handbook for NGOs*. The *Handbook* is available in electronic format only, in English, Spanish, and Arabic. A revised and updated version is under preparation, which will be translated into official UN languages.
Available online: <http://www.ohchr.org/EN/PublicationsResources/Pages/HumanRightsBasics.aspx>.
- ² The year indicated in brackets is the year of entry into force.
- ³ States that, through ratification or accession, have assumed a legal obligation to implement the rights recognized in a treaty.
- ⁴ As of 5 March 2008
- ⁵ As of 5 March 2008
- ⁶ As of 25 January 2008
- ⁷ As of 28 February 2008
- ⁸ The UN Human Rights Council adopted the Optional Protocol to ICESCR in June 2008. The Council recommended that the UN General Assembly adopts and opens for signature, ratification and accession the Optional Protocol at a signing ceremony in Geneva in March 2009. The Optional Protocol will enter into force three months after the date of deposit with the UN Secretary-General of the tenth instrument of ratification or accession.
- ⁹ As of 18 July 2007
- ¹⁰ As of 15 February 2008
- ¹¹ As of 25 January 2008
- ¹² As of 2 October 2007
- ¹³ As of 25 January 2008
- ¹⁴ As of 12 February 2008
- ¹⁵ As of 5 March 2008
- ¹⁶ As of 25 February 2008
- ¹⁷ As of 18 July 2007
- ¹⁸ As of 3 April 2008
- ¹⁹ As of 3 April 2008
- ²⁰ As of 1 April 2008

- ²¹ Thirteen seats are allocated to the African Group, thirteen to the Asian Group, eight to the Latin American and Caribbean Group, six to the Eastern European Group and seven to the Western Europe and Other States Group (Western Europe, Canada, New Zealand, Australia and two affiliated members, Israel and the United States of America).
- ²² Observer States are UN Member States that have not been elected as Council Member States.
- ²³ See footnote 20.
- ²⁴ The nine country mandates are: Burundi, Cambodia, Democratic People's Republic of Korea, Haiti, Liberia, Myanmar, Palestinian territories occupied since 1967, Somalia and Sudan.
- ²⁵ This new Complaint Procedure replaced the Complaint Procedure that existed under the Commission on Human Rights.
- ²⁶ The Committee members are allocated to each regional group: five seats for the African Group; five seats for the Asian Group; two seats for the Eastern European Group; three seats for the Group of Latin America and the Caribbean; and three seats for the Western European and Other States Group. All Member States can propose or endorse candidates from their own region.
- ²⁷ Charter of the United Nations, Article 10.
- ²⁸ In the past the Committee on the Elimination of Discrimination Against Women (CEDAW) was serviced by the Division for the Advancement of Women (DAW) in New York. In January 2008, it was moved under the OHCHR.
- ²⁹ International humanitarian law consists of a set of principles and norms that intend to limit the effect of armed conflict. It is also known as the "law of armed conflict."
- ³⁰ The Statute of the International Criminal Tribunal for the former Yugoslavia was adopted by the United Nations Security Council in its Resolution 827 (1993) of 25 May 1993. The Statute of the International Criminal Tribunal for Rwanda was adopted by the United Nations Security Council in its Resolution 955 (1994) of 8 November 1994.
- ³¹ The International Criminal Tribunal for Rwanda might also prosecute Rwandan citizens responsible for similar offences committed in the territory of neighboring States.
- ³² The United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court.
- ³³ When 60 States became Party to the Rome Statute.

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