



INTERNATIONAL COORDINATING COMMITTEE OF  
NATIONAL INSTITUTIONS FOR THE PROMOTION AND  
PROTECTION OF HUMAN RIGHTS (ICC)

**27TH ANNUAL MEETING OF CHAIRPERSONS OF TREATY BODIES  
22 to 26 JUNE 2015, SAN JOSÉ, COSTA RICA**

Meeting with national human rights institutions  
25 June

Distinguished Chairpersons of Treaty Bodies,

It is a pleasure to be here today, and to address you in my capacity as the Ombudswoman of Costa Rica, and on behalf of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).

Advocate Mbedle Lourence Mushwana, the ICC Chairperson and Chairperson of the South African Human Rights Commission regrets not being able to join you in person today and requested me to convey to you his wishes for a most successful meeting.

On behalf of the ICC I thank you for the opportunity to meet with you today here in Costa Rica. The ICC highly welcomes the decision to organize the Annual Meeting outside Geneva as it has in the past encouraged meetings of Chairpersons of Treaty Bodies to take place in the regions. This brings your work closer to regional, national and local actors, which in turn helps to contribute to a better understanding of your work and presents a unique opportunity for many of these actors to contribute to your work.

**Introduction**

The ICC represents the global association of more than 100 national human rights institutions (NHRIs) from across the globe, created for and by NHRIs to share experiences, to support and learn from each other.

The ICC works to establish and strengthen NHRIs in line with the United Nations' Principles Relating to the Status of National Institutions (the Paris Principles); it facilitates and supports NHRIs' engagement with the international human rights mechanisms; it encourages cooperation on thematic issues and information sharing among NHRIs; and it assists NHRIs under threat.

The ICC recognises and values the unique and important role of treaty bodies in promoting and monitoring the effective implementation of universal human rights norms and standards at the national level.

In this regard, the ICC would like to bring to your attention three issues.

**First, is the status of NHRIs before the treaty bodies and their contribution to the work of treaty bodies.**

The ICC welcomes the opportunity to participate on the discussion of NHRIs' status before the treaty bodies. This is a unique opportunity to reflect on opportunities to consolidate a coherent and harmonised approach on NHRIs' engagement with the treaty bodies, while taking into account the particularities of each Committee and Convention they monitor, in order to ensure the most effective participation of NHRIs.

The ICC welcomes the long-standing cooperation between the treaty bodies and NHRIs, as NHRIs are key partners in bridging the gap between the international and national human rights system. The ICC reiterates its commitment to continue to support the invaluable work undertaken by the treaty bodies.

In doing so, the ICC encourages the treaty bodies to build on good practices, which have been developed across all treaty bodies.

As good examples, the ICC highly appreciates the close collaboration established with the Human Rights Committee, the Committee on Enforced Disappearances (CERD) and more recently the Committee on the Rights of Persons with Disabilities (CRPD), in developing in close consultation with NHRIs, concrete documents outlining the participation opportunities of NHRIs across the work of these Committees.

The ICC appreciates that NHRIs are provided with a clear role at all stages of the treaty bodies' work, including the reporting process, the States' review and follow-up procedures, the communications procedure and the development of General Comments and Days of General Discussion.

In particular, the ICC warmly welcomes the practice established by the CERD and CRPD to allow NHRIs to contribute in their independent capacity to the dialogue with the State under consideration.

Furthermore, the ICC supports the efforts by all treaty bodies aimed at increasing the accessibility of the system to all national-level stakeholders. In this regard, the ICC further encourages all treaty bodies to formalize the use of new technologies such as video conferencing when an NHRIs cannot travel to Geneva.

The close cooperation between the ICC and the Secretariats of the treaty bodies, such as the Committee on the Rights of Persons with disabilities, the Committee on the Elimination of Discrimination Against Women, the Committee on the Elimination of Racial Discrimination, the Human Rights Committee, the Committee on Enforced Disappearances, among others, has proven to ensure a more effective contribution of NHRIs to the work of the Committees and therefore is highly encouraged.

Building on the above, the ICC looks forward to a close and continued collaboration with the Annual Meeting of Chairperson of treaty bodies with a view to ensure the most effective contribution of NHRIs to the treaty bodies' work.

## **The second issue is that of reprisals**

The ICC has been concerned by reported acts of reprisals or acts of intimidation against persons cooperating with the international human rights mechanisms, including members and staff of NHRIs.

The General Assembly and the Human Rights Council, in their respective most recent resolutions on NHRIs explicitly recognise that NHRIs and their members and staff, as well as those cooperating with or seeking to cooperate with NHRIs, should not be subject to any forms of reprisals and intimidation, and that any such alleged cases should be promptly and thoroughly investigated.

The ICC appreciates that treaty bodies both individually and collectively have addressed the issue of reprisals in their work, and welcome treaty bodies' decision to discuss and adopt a joint treaty body approach against reprisals.

However, as reflected on the note developed by the Secretariat with an overview of existing treaty body policies and practices with respect to reprisals reference is not always made to the possibility that NHRIs can be, and have been, the subject of reprisals. The ICC is aware that a number of treaty bodies have expressed their concerns relating to possible reprisals against NHRIs. As a result, the ICC encourages the Chairpersons of the treaty bodies to include NHRIs specificities in the joint policy currently being developed.

Furthermore, it is important that in cases of reprisals that the UN system acts quickly and decisively, to protect NHRIs and others from reprisals. At the same time, due consideration must be given to the “do no harm” principle.

This in turn requires that the entire system including the treaty bodies have the capacity and procedures in place to respond appropriately and effectively to such cases.

The ICC encourages all treaty bodies, together with the broader UN system, to collectively and unequivocally condemn reprisals and any other acts of intimidation against those cooperating with the international human rights system, and to develop a common approach to most effectively address and respond to the issue of reprisals.

The ICC notes the Secretary-General's *Human Rights Up Front* initiative as a crucial step towards the attainment of a UN system that takes early and effective action to prevent and respond to human rights violations.

Towards this end, the ICC encourages the treaty bodies to consult with relevant stakeholders, the ICC regional coordinators, the ICC, and the UN country teams, to ensure a coordinated approach to effectively address issues of reprisals.

## **The third and final point relates to the Post-2015 Development Agenda**

In the coming months, United Nations Member States will agree on a new global agenda for sustainable development, which if realized, will greatly enhance the protection and fulfillment of human rights.

The ICC supports the bold and comprehensive set of goals and targets produced by the Open Working Group and the compelling vision for their realization put forward by the UN Secretary-General in his Synthesis Report.

The ICC encourages the treaty bodies to include achievement of relevant sustainable development goals and targets as a routine component of the States Party review. NHRIs stand ready to work with multilateral and national agencies to develop and apply global and localized indicators to measure progress and provide the treaty bodies with this information.

As independent state institutions, NHRIs are uniquely placed to act as a bridge between stakeholders and ensure that national development processes and outcomes are planned, implemented and monitored in a participatory, transparent and accountable manner based on disaggregated human rights data.

### Concluding remarks

In concluding, may I offer the following suggestions for the Chairpersons of the Treaty Bodies' consideration:

- œ That the treaty bodies further consider developing a coherent and harmonised approach on NHRIs engagement with the treaty bodies in order to ensure the most effective participation of NHRIs, building on the good practices developed so far;
- œ That the treaty bodies together with the broader UN system develop a common approach to most effectively address and respond to the issue of reprisals; and
- œ That the treaty bodies consider the inclusion of the achievement of the relevant sustainable development goals in their work.

Against this background, the ICC pledges its full commitment on behalf of its members to effectively contributing to the Treaty bodies system. Thank you.