

TOOLKIT LAUNCH EVENT “EFFECTIVE HUMAN RIGHTS ENGAGEMENT FOR PARLIAMENTARY BODIES”



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INTER PARES | Parliaments in Partnership
EU Global Project to Strengthen the Capacity of Parliaments



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International IDEA

HIGHLIGHTS



92 PARTICIPANTS



42 COUNTRIES



11 EXPERTS

INTRODUCTION

The “**Effective Human Rights Engagement for Parliamentary Bodies**” toolkit launch event, held on 20 September 2022, was organized by INTER PARES | Parliaments in Partnership, EU Global Project to Strengthen the Capacity of Parliaments to launch the toolkit of the same prepared by Kirsten Roberts Lyster, PhD, expert on parliaments and human rights and associate professor at the Central European University. The seminar brought together leading experts in the fields of parliaments, human rights, and democratic engagement who took part in an interactive discussion on how parliamentary bodies can and should engage on human rights.

The discussion was structured around three panels focusing on different key actors in the human-rights ecosystem: 1) members of parliamentary human rights committees; 2) national human rights stakeholders that engage with parliaments – in particular, civil society, academia, and National Human Rights Institutions; and 3) intergovernmental organizations that promote standards for parliamentary human rights engagement.

Each of the three discussion panels focused on a key question around parliamentary engagement with domestic human rights issues: 1) How do parliaments engage on human rights and what challenges do they face? 2) How can human rights stakeholders support parliaments to effectively engage on human rights? 3) What are the future perspectives on human rights engagement by parliaments?



Jonathan Van Meerbeeck

Head of sector – Human Rights, INTPA G1, Gender Equality, Human Rights and Democratic Governance, European Commission

“There is no full democracy without genuine protection of human rights and human rights also need democracy to thrive, and that is where parliaments have an essential role to play.”



Jonathan Murphy

Head of Programme, INTER PARES | Parliaments in Partnership

“Parliaments are uniquely positioned to contribute to realizing human rights and closing the implementation gap at the national level.”

The recording of the seminar is available on [YouTube](#).

A copy of the toolkit is available on the [INTER PARES website](#).

10 KEY TAKEAWAYS FROM THE SEMINAR

1. There is huge space for parliaments to increase their role as national human rights actors. Recognizing this, many international organizations have developed recommendations and guidance to support improved engagement of parliaments. However, more parliaments need to accept and actively take on their domestic human rights role.



Beate Rudolf

Director, German Institute for Human Rights, Former Chairperson, Global Alliance of National Human Rights Institutions (GANHRI)

“It’s about bringing human rights home. Not only because human rights are binding on states, but because human rights help make good solutions, help make good politics.”



Gastón Saavedra Chandía

President, Committee on Human Rights, Nationality and Citizenship, Senado, Chile

“The function of the commission is to bring the power of the Chilean state closer to the citizens and to maintain a dialogue between the two entities, to represent citizens and uphold their rights at national and international level, to direct public policies in the respect of human rights and international treaties.”

2. Human rights should become a regular and central part of parliamentary work on which parliamentarians of all background engage on, regardless of their personal backgrounds and identity. There should be long-term and sustained parliamentary engagement with human rights cutting across topics and political agendas.



Alice Donald

Associate Professor of Human Rights Law, Middlesex University, United Kingdom

“One of the merits of more sustained and better informed parliamentary engagement is that sense of ownership that politicians and parliamentarians can come to have over human rights that they don’t necessarily start with, and a degree of normalization, sensitization, increasing the knowledge and understanding that parliamentarians have of human rights so that when there is an issue that is very divisive this lands into a context that is used to discussing things in human rights terms.”



Isabel Alves Moreira

President, Subcomissão para a Igualdade e Não Discriminação, Assembleia da República, Portugal

“Year after year, there are only women on the equality sub-committee. There is an incorrect idea that equality is just for women.”



Sònia Guerra López

Member and Spokesperson of the Equality Committee, Congreso de los Diputados, Spain

“Only women are on the Equality Commission, and, as legislators, we should try to avoid horizontal and vertical segregation of this kind... Legislators should take positive actions to highlight the right path towards a fully egalitarian society.”

3. The establishment of specialized and dedicated human rights committees is increasingly recognized as best practice for parliamentary engagement on human rights. These committees should have high standing in the parliament, such as being permanent committees. The Office of the United Nations High Commissioner for Human Rights (OHCHR) 2018 *Draft Principles on Parliaments and Human Rights* provide a particularly useful framework for the mandate, powers and functions of such committees. Committees must operate on the basis of clear, transparent working methods and have sufficient powers. However, the creation of a dedicated human rights committee should not result in other parliamentary bodies avoiding human rights as part of their agenda.



Jeehan Mahmood

Chairperson, Committee on Human Rights and Gender, People's Majlis, The Maldives

“[The powers of the Committee on Human Rights and Gender, People's Majlis of the Maldives] include, the power to summon Ministers, Judges, independent institutions- any authority or state official person or organization with regards to a matter concerning human rights; the power to investigate into individual complaints; conduct parliamentary inquiries; conduct announced and unannounced visits to venues with human rights concerns or to prevent human rights abuses; conduct research in to human rights situations; advise the executive and the judiciary on human rights related matters; conduct public hearings on laws and issues; conduct hearings with public, civil society and victims; appoint and remove independent institution members and ombudspersons with human rights mandates; engage with the international human rights mechanisms; engaging with international parliamentary bodies; produce human rights reports and engage the whole house/plenary in debates pertaining to those reports; issue recommendations to all state entities and independent institutions. We also have the powers to make our own committee mandate-related standing orders. And, interestingly, to conduct committee meetings outside of parliament, irrespective of venue, even abroad and even during recess.”

4. The agenda of parliamentary human rights committees should be developed taking into account the national situation, in consultation with stakeholders, as well as international reviews of the human rights situation in the country, such as the UN Human Rights Council's Universal Periodic Review Process (UPR). Often, the executive makes decisions that impact the day-to-day work of the legislature without any consultation or engagement with parliament. More parliaments also need to take the opportunity to be involved directly in the UPR process, including as part of national delegations and in national implementation.



Beate Rudolf

Director, German Institute for Human Rights, Former Chairperson, Global Alliance of National Human Rights Institutions (GANHRI)

“There must be one committee in the parliament that considers itself responsible for following up on the recommendations by a UN Treaty Body or a special procedure or UPR and then this has to be regular – not just when the next report is due.”



Gianni Magazzeni

Chief, Universal Periodic Review branch, Office of the United Nations High Commissioner for Human Rights (OHCHR)

“The Human Rights Council’s Universal Periodic Review process provides an X-Ray on the health of the human rights in a given country. It provides a very solid basis for action. States make sovereign decisions on UPR recommendations they accept and recommendations that they prioritize for action over the next 5 ½ years of the UPR cycle. But many parliamentarians are not aware that the executive accepts recommendations that have an impact on the work of the legislature and that they make sovereign decisions without prior consultation with the parliament.”

5. Human rights capacity is a critical challenge for parliaments. The human rights awareness of many parliamentarians is low. Many parliamentarians are not aware of the international treaties and conventions their country has signed up to, nor of their own role as parliamentarians in holding the government to account. The frequent change of parliamentary members is also a constraint in the development of capacity. The education of as many politicians as possible on human rights will help ensure sufficient knowledge to operationalize human rights within parliament. This lack of human rights capacity also presents a specific challenge for human rights committees, whose members can lack the ability to implement the mandate, and who may lack understanding of where their committee fits within the human rights ecosystem.



Passang Dorji

Member, Human Rights and Foreign Relations Committee, National Assembly of Bhutan

“One of the biggest constraints that we face is that every five years the Members of Parliament change. And the rate of return of Members of Parliament is quite low... So, the awareness, the knowledge on the scope and depth of human rights is limited, and that becomes one constraint for parliamentarians who take over this committee.”

6. Resource constraints for human rights committees need to be addressed by parliaments, recognizing the breadth of the work and the importance of human rights. Parliamentary human rights committees must be provided with sufficient human and financial resources to carry out their work. This includes support staff in a secretariat in the areas of policy and research, in addition to administrative support. These individuals can also talk to each other across committees, supporting broader engagement on human rights within the parliament.



Alice Donald

Associate Professor of Human Rights Law, Middlesex University, United Kingdom

“The single most important thing that has come out of our research in the international context is for parliamentary bodies to have sufficient secretariat and legal and policy advice and support. It is absolutely crucial to the efficient running of the committee, because we can’t expect parliamentarians to have knowledge of international human rights law.”

7. The availability of external expertise and advisors is also critical to support parliaments. This can come from academia, National Human Rights Institutions (NHRI) or civil society. Access to international experts may also be helpful to parliaments, particularly in providing more support for specific fields where there is limited global expertise, such as analyzing the budget through a human-rights lens.

8. Peer-learning is essential among parliamentarians. Projects such as INTER PARES that promote inter-parliamentary learning and exchange allow parliamentarians to increase their understanding of the substantive and procedural aspects of their work, especially in relation to issues like human rights.

9. Stakeholders, including academics, NGOs and NHRIs, have a particularly important role in engaging with parliamentary human rights committees. Such engagement not only helps the committee to be better informed, but helps ensure national ownership, enhances coordination, and supports the design of remedies for human rights violations that comply with the country’s international human rights obligations. Academics should be able to feed the findings of their research into parliamentary discussions. NGOs and civil society actors should be able to provide up-to-date information on the human rights situation in the country. Parliamentary human rights committees should regularly hear from the A-status NHRI, as well as give specific consideration to their annual reports on nations human rights situation. These groups, particularly the NHRI, should have ex officio access and not be solely dependent on invitations. However, the capacity of stakeholders must also be considered, ensuring that they are not overburdened. Stakeholder engagement should be regular, formalized and sustained, and promote an understanding of the role and complementarities of all actors.



Alice Donald

Associate Professor of Human Rights Law, Middlesex University, United Kingdom

“Where a parliamentary body is opaque in its working methods that will be a barrier to effective engagement by stakeholders.”



Tina Đaković

Organisational Coordinator, Human Rights House Zagreb, Croatia

“Sometimes the human rights dimensions of thematic issues get lost in the parliament. Themes should be discussed through a human rights framework – topics such as poverty, media freedom. Including a human rights focal point in all parliamentary committees could be a way to provide more human rights input to all committees in parliament.”

10. Understanding human rights and building consensus on human rights issues is essential. Depoliticizing human rights can be aided through better informed parliaments, to ensure that parliamentarians are more used to discussing issues in human rights terms. It can also be supported by promoting the notion that human rights is not an abstract concept by framing it in thematic terms, rather than human rights language. For example, police violence or adequate and sustainable housing. There is also a sense that the human rights agenda is ‘owned’ by one political side or only by civil society. This should be dispelled. The threats faced by parliamentarians who work on challenging human rights violations or on politically sensitive human rights topics must also be recognized.



Rogier Huizenga

Head of Human Rights Programme, Inter-Parliamentary Union (IPU)

“In today’s politicized and polarized world, we have to continue talking to everyone to show that human rights belong to everyone. We quite often see that human rights is an abstract concept that is not easy for parliamentarians to understand. We aim to make human rights as understandable as possible.”



Konstantine Vardzelashvili

Head, Democratization Department, Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR)

“We cannot speak about the effectiveness of parliamentary human rights mechanisms without recognizing the broader context. Although developing necessary institutional mechanisms in parliament is essential and may to some extent improve the situation if other key public institutions are not independent or efficient this will not change the situation dramatically. For example, without effective parliamentary oversight, or well-designed legislative processes, or a commitment to respect rule of law principles, or even without an independent and impartial judiciary, as an additional check on other branches of power.”

NEXT STEPS

The information and experiences shared in the presentations and discussion during the “**Effective Human Rights Engagement for Parliamentary Bodies**” seminar will contribute to the implementation of the Toolkit and further peer-to-peer sharing and learning in INTER PARES’ second phase. Some of the initiatives to be pursued on this topic include:

- Developing and promoting tools to sensitize parliamentarians and staff on their role and opportunities to engage on human rights, including an e-learning course and publicity of “**Effective Human Rights Engagement for Parliamentary Bodies: A Toolkit**”.
- Executing virtual and in person workshops and awareness-raising activities for parliamentarians on their role and opportunities to engage on human rights and staff through webinars, conferences, and dissemination events.
- Developing and promoting practical tools and guidelines to measure and strengthen parliamentary engagement on human rights.
- Ensuring that human rights is mainstreamed throughout INTER PARES partnership activities.
- Promoting good-practice sharing of practical human rights initiatives relevant to parliamentary bodies and their relationships with actors from the human-rights ecosystem.

We welcome your comments, ideas, and involvement in our future activities on this topic.
Please contact us at: interpares@idea.int
