

Distinguished Members of Parliament,  
Ladies and gentlemen,

I am honoured by the opportunity to address this meeting and I thank Mr Murray Hunt, the Legal Adviser of the UK Parliament Joint Committee on Human Rights and Visiting Professor in Law at Oxford University for organising this important event.

As you know, the promotion and protection of all human rights for all, everywhere, lies at the core of the mandate of the Office of the High Commissioner for Human Rights. When discharging this mandate, our Office regularly interacts with States through their **Governments** regarding compliance with their international human rights obligations. Our Office also continuously strives to enhance the capacity of **administration of justice systems** and provides training for judges on the domestic implementation of international human rights norms and standards. When it comes to **Parliaments**, our Office has undertaken several activities to increase awareness among Parliamentarians about their responsibilities towards human rights. For example, we have organized seminars in different regions, issued publications, and provided briefings to enhance parliamentary capacity on human rights issues. However, as you surely will agree, further work needs to be done in this area. This is why we **welcome the opportunity** to be here today to discuss the leading role of parliaments in the promotion and protection of human rights.

During my intervention today I will touch upon three main issues: The specific role of Parliamentarians in the promotion and protection of human rights; the importance of increased cooperation with UN human rights mechanisms; and the basic parameters that should frame the development of international principles on Parliamentarians and human rights.

#### The role of Parliamentarians in the promotion and protection of human rights

Parliaments are cornerstones of national protection systems. They play a critical role in ensuring States' compliance with their international human rights obligations and **share a responsibility, with other branches of the State, to protect, respect and fulfil human rights.**

They mainly discharge this role by contributing to building a **legal and policy framework** that is in accordance with the State's international and regional human rights obligations and which strengthens the rule of law. Parliaments are also charged with ratifying international and regional human rights treaties that have been signed by the Executive.

But it is not only through this law-making function that Parliaments contribute to the respect of human rights.

Parliaments play a fundamental role in the **creation and effective functioning of relevant national institutions** to promote and protect human rights, including national human rights institutions.

Parliaments **approve national budgets**. National budgets have a significant and direct bearing on which human rights are realized and for whom. When approving budgets, Parliamentarians need to bear in mind the human rights implications of their allocation of funds to institutions and activities. For instance, they must ensure that particularly relevant institutions, such as NHRIs, receive sufficient budgetary support.

Parliaments exercise **oversight of the Executive**, including to ensure that it fulfils its role to respect, protect and fulfil human rights. Parliamentarians **raise issues relating to human rights in the public debate**, when doing so, they help to forge a national consensus to uphold human rights. Parliamentarians can show leadership in this debate and can champion the situation of human rights of specific groups and victims of discrimination.

Parliaments can and do frequently **investigate alleged human rights violations** through parliamentary inquiries. In this context, they can hold public hearings that bring to the fore human rights issues.

In order to **put human rights at the centre of their work**, Parliaments **need to develop the necessary institutional structures, processes and mechanisms**.

While human rights is a cross-cutting issue that should be taken into account by all parliamentary committees, the **establishment of a parliamentary committee with an exclusive human rights mandate** sends a strong political message and should be encouraged. These committees provide an effective means of ensuring that human rights issues are given the attention they deserve and continuously taken into account by all other parliamentary committees. In addition, the representative nature of parliaments is crucial and as such the role of female MPs as well as MPs from ethnic, religious and national minorities is key.

Allow me to emphasize here that Parliamentary Human Rights Committees should, first and foremost, **focus on the national human rights situation**, on the implementation of human rights obligations by their own country. Often we see that such Committees pay more attention to the human rights situation in other States, neglecting to look into their national systems. While interest by Parliamentarians in foreign affairs is welcome and encouraged, this should not detract from their role and responsibilities towards human rights at home.

#### Increased cooperation with the United Nations

This brings me to the question of an increased role of Parliaments in the UN human rights machinery.

Some Parliaments have **not been very involved with the United Nations in the past**. However, in the last few years this has changed. Parliamentary involvement at the UN is now considered a way to add **democratic support to the work and**

**recommendations of international bodies; and a means to increase human rights promotion and protection** at the national level.

The benefits of an increased interaction has been acknowledged and encouraged by both the Human Rights Council and the General Assembly through a number of recent resolutions. For instance, the Human Rights Council in its resolution 26/29 adopted in June 2014 highlighted the crucial role that parliaments play in translating international commitments into national policies and laws and hence in contributing to the fulfilment by each State Member of the United Nations of its human rights obligations and commitments and to the strengthening of the rule of law. The UN General Assembly, most recently in its resolution 68/272, recognized the unique role of national parliaments in support to the work of the UN in various fields, including human rights.

The **contribution by Parliaments in the work of the UN on human rights can take different forms**. Parliaments, in an independent manner, can regularly participate in the process of national consultations preceding the preparation of the national reports to be submitted to the Human Rights Council in the context of the Universal Periodic Review or to Human Rights Treaty Bodies.. Parliamentarians can also have a leading role in the implementation and follow up of recommendations made by UN human rights mechanisms. In particular, parliaments have a fundamental role in calling for the establishment of National Mechanisms for Reporting and Follow up and in ensuring an integrated approach to the reporting and implementation of recommendations. Similarly, parliaments have a significant role to play in calling for the development of a National Human Rights Action Plan for the implementation of the recommendations. Or they can meet with human rights mechanisms, such as Special rapporteurs, when they visit a country.

Current projects are trying to institutionalize this contribution of Parliamentarians to the work of the UN human rights mechanisms. As an example, in 2014 /2015 our Office organized a series of regional seminars in Europe, Latin America, Africa, and Asia to discuss good practices of Parliamentary engagement in the UPR process. OHCHR, together with the IPU, is in the process of finalizing a compilation of these good practices which draw from the various examples shared during the regional seminars. I would also like to refer to OHCHR's past collaboration with the IPU resulting in the Human Rights Handbook for Parliamentarians.

#### Internationally agreed principles

Ladies and gentlemen,

Moving towards the adoption of a set of principles on the role of Parliamentarians in the promotion and realization of human rights, is another initiative which, we believe, may contribute to increased parliamentary engagement on human rights issues.

This is an ambitious undertaking, but there are **precedents** which may serve as a good source of inspiration.

I can, for instance, mention the **Paris Principles**, a set of international standards which frame and guide the work of National Human Rights Institutions, which were drafted in 1991 and later adopted by the United Nations General Assembly in 1993. Nowadays, the Principles are broadly accepted as the test of an NHRI's legitimacy and credibility.

The 2012 **Belgrade Principles** on the relationship between Parliaments and national human rights institutions may also be worth considering. These principles define the cooperation between these bodies in relation to legislation, human rights mechanisms, education and awareness-raising and monitoring of the Executive's action.

In the same vein, a set of principles that could assist Parliaments to fulfil their role in the protection and realisation of human rights would further guide and strengthen parliament in these tasks. However, we should bear in mind the following **overarching principles for the development of such a document**:

**Inclusivity:** All relevant stakeholders need to participate in its preparation. This includes, first and foremost, Parliamentarians, but should not be limited to them. Civil society representatives, members of other branches of the State, academics, have also much to contribute to the process. Discussion should also include representatives of specific groups, such as women, minorities and youth.

**Universality:** It is important that in the conceptualization of any set of principles or guidelines, different legal systems and traditions be taken into consideration. While Parliaments around the world share many similarities, they also have different structures and methods of work, which should be considered for this exercise.

**Based in international human rights law.** In order to ensure that the principles on Parliaments and human rights fulfil their purpose, it is crucial that international human rights law is fully taken into account in their development. Firmly anchoring the document in international human rights law, will not only provide it with a solid legal basis, but will also guarantee that key human rights principles, such as the principle of non-discrimination and equality, are incorporated into the document.

Ladies and gentlemen,

To conclude, we hope that the discussions today will pave the way for even greater engagement by Parliamentarians in the promotion and protection of human rights. The Office of the High Commissioner for Human Rights stands ready to assist you in this endeavour. We wish you fruitful and interesting discussions.

Thank you