

**Expert workshop to discuss the role and contribution of civil society organizations, academia, national human rights institutions and other relevant stakeholders in the prevention of human rights abuses**

**21-22 February 2018,  
Palais Wilson, Geneva**

**DRAFT CONCEPT NOTE**

**I. INTRODUCTION**

As highlighted in the vision of the Secretary-General on prevention, the United Nations needs to become better at helping countries to avoid crises that take a high toll on humanity, undermining institutions and capacities to achieve peace and development.<sup>1</sup>

In his address to the Human Rights Council in February 2017, the Secretary-General stated that “just as denial of human rights is part of the problem – the active promotion of human rights is part of the solution. And that means supporting Member States in building capacity – strengthening states, institutions and civil society.”<sup>2</sup> He went on to say that “perhaps the best prevention tool we have is the Universal Declaration of Human Rights – and the international treaties that derive from it. The rights set out in it identify many of the root causes of conflict, but equally they provide real-world solutions through real change on the ground.”

Human rights thus possess inherent preventive power and – combined in a framework of universal, indivisible, interdependent and interrelated rights – they can be a powerful tool for conflict prevention. International and regional human rights mechanisms, which complement and support national processes for the prevention of human rights violations, can serve as both early warning mechanisms and important tools for accountability.

---

<sup>1</sup> António Guterres, “The Vision of the Secretary-General on Prevention” (May 2017), available online at [www.un.int/sites/www.un.int/files/Permanent%20Missions/delegate/attachment the vision of the sg on prevention.pdf](http://www.un.int/sites/www.un.int/files/Permanent%20Missions/delegate/attachment_the_vision_of_the_sg_on_prevention.pdf)

<sup>2</sup> António Guterres, “Remarks to the Human Rights Council” (27 February 2017), available online at <https://www.un.org/sg/en/content/sg/speeches/2017-02-27/secretary-generals-human-rights-council-remarks>

Building on its 2015 study on the role of prevention,<sup>3</sup> the Office of the High Commissioner for Human Rights (OHCHR) will organize an expert workshop on 21-22 February 2018, to discuss the role and contribution of civil society organizations, academia, national human rights institutions and other relevant stakeholders in the prevention of human rights abuses.<sup>4</sup>

## II. BACKGROUND

The OHCHR study underscored that prevention of human rights violations is primarily the responsibility of the State.<sup>5</sup> Prevention requires a proactive, continuing and systemic process of addressing risk factors and causes of human rights violations through a range of measures, including law, policy and practice, to ensure respect for and protection of all human rights for all those within the State's territory or jurisdiction. International and regional organizations contribute to the prevention of human rights violations through their respective mandates by supporting States to fulfil their human rights obligations.

A framework for the prevention of human rights violations requires the ratification of human rights treaties and their implementation at the domestic level; regular and independent review of existing and proposed laws and policies and effective remedies for violations that provide redress for the victim and institutional change to prevent recurrence. This in turn requires the establishment of independent institutions, including an independent, accessible and effective legal system and accountable and responsive government as well as national human rights institutions (NHRIs).

The State should provide an enabling environment for NHRIs and civil society to perform their functions, which will contribute to its primary responsibility to prevent human rights violations. NHRIs and civil society provide independent expertise, assistance to victims, information to the public and specific groups about their rights and how to access them, and undertake other functions such as visiting places where persons are deprived of liberty.

States must also protect against human rights abuses by private actors and may breach their international human rights law obligations where they fail to take appropriate steps to prevent, investigate, punish and redress private actors' abuse.

Effective human rights education, which develops knowledge, skills and attitudes prompting action for human rights and uses sound methodologies, is essential and complementary to other preventive measures.

Since the drafting of the study, Member States have joined together to agree new agendas on sustainable development and sustaining peace. Inherent to the success of both is the prevention of violations of human rights. The 2030 Agenda is explicitly rooted in human rights law<sup>6</sup> and Sustainable Development Goal 16 sets a number of targets to promote just, peaceful and inclusive societies which all contribute to the prevention of human rights violations. The

---

<sup>3</sup> OHCHR, "The Role of Prevention in the Promotion and Protection of Human Rights", [A/HRC/30/20](#) (2015).

<sup>4</sup> Human Rights Council [resolution 33/6](#), para. 14 (September 2016).

<sup>5</sup> See for example para. 3 (a), Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, [A/RES/60/147](#) (2005).

<sup>6</sup> [A/RES/70/1](#), para. 10 (2015).

Sustaining Peace resolutions promote a joined-up approach to peacebuilding, applying all three pillars of the United Nations in support of nationally-owned, people-centred and inclusive efforts to sustain peace, including through the involvement of civil society and NHRIs.<sup>7</sup> Both agendas provide important new openings for civil society, academia and NHRIs to contribute to the prevention of human rights violations as part of global efforts for sustainable development and sustained peace.

Planning and monitoring tools, including human rights impact assessments, can assist States to promote and protect human rights, and prevent violations thereof through human rights indicators, collection and analysis of statistics, taking into account the OHCHR framework.<sup>8</sup> International and regional human rights mechanisms bring independent expertise and provide impetus for national action and reflection. Complaints procedures and early warning mechanisms can also contribute to the prevention of human rights violations.

### **III. EXPERT WORKSHOP**

#### **Issues of focus**

Direct prevention (mitigation) and indirect prevention (non-recurrence) both require a coherent and complementary range of actions, underpinned by an inclusive and participatory approach which includes women and others who face discrimination.

Following an opening statement by the Deputy High Commissioner for Human Rights, the expert workshop will first discuss the comprehensive framework approach to prevention as outlined in the 2017 report to the General Assembly by the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.<sup>9</sup>

Subsequently, the expert workshop will concentrate on human rights education, including in primary and secondary schools as well as on training for judges, lawyers, civil servants, law enforcement officials and the military.

The next session will address the prevention of human rights abuses by private actors, including by implementing the Guiding Principles on Business and Human Rights and in relation to preventing violent extremism.

The second day of the expert workshop will start with discussing prevention in practice at the local and regional levels, with concrete examples how prevention works in municipalities and as well as how to ensure long-term prevention, including with regard to economic, social and cultural rights.

Subsequently the workshop will focus on sharing experiences on planning and monitoring tools, such as national human rights action plans, data collection and human rights indicators, in line with the Sustainable Development Goals.

---

<sup>7</sup> [A/RES/70/262](#) (2015); [S/RES/2282](#) (2016).

<sup>8</sup> OHCHR, "Human Rights Indicators – A Guide to Measurement and Implementation", [HR/PUB/12/5](#) (2012).

<sup>9</sup> Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, [A/72/523](#) (2017).

The next session will discuss human rights impact assessments as a tool for prevention, for example impact assessments of trade and investment agreements<sup>10</sup> and of the transfer of arms.

The final session will consider the contribution of the United Nations to prevention, including through follow-up to recommendations of human rights mechanisms. Particular emphasis will be placed on UN action in the field and the role of UN country teams in prevention.

### **Date and Venue**

The expert workshop will be held on 21 and 22 February 2018 in Geneva in the Ground Floor Conference room of Palais Wilson (Rue des Pâquis 52, 1201 Geneva, Switzerland).

### **Participants and Logistical Arrangements**

The expert workshop will bring together States, relevant United Nations entities, intergovernmental organizations, treaty bodies, special procedures, regional human rights mechanisms, civil society organizations, academia, NHRIs and other relevant stakeholders. The expert workshop will be held with simultaneous interpretation services in all six official languages of the United Nations (Arabic, Chinese, English, French, Russian and Spanish).

### **Methodology**

The expert workshop will encourage the exchange of national and international experiences and practices concerning the prevention of human rights violations and abuses. Experts will introduce the themes of the different sessions and engage with participants in an interactive dialogue. Participants, including experts and practitioners from States and other relevant stakeholders, will be invited to share their views, experiences and good practices. They will be strongly encouraged to share concrete examples from their work, focussing on successful engagements and projects, as well as lessons learned.

## **IV. OUTCOME**

OHCHR will prepare a summary report on the expert workshop, including any recommendations stemming therefrom, as requested by the Human Rights Council in its resolution 33/6. The report will be submitted to the Council at its thirty-ninth session in September 2018.

### ***Background documents:***

- Human Rights Council resolution 33/6, “The role of prevention in the promotion and protection of human rights” ([A/HRC/RES/33/6](#))
- Report of the Office of the High Commissioner for Human Rights, “The role of prevention in the promotion and protection of human rights” ([A/HRC/30/20](#))
- Summary report on the outcome of the Human Rights Council panel discussion on the role of prevention in the promotion and protection of human rights ([A/HRC/28/30](#))

---

<sup>10</sup> See Special Rapporteur on the right to food, “Guiding principles on human rights impact assessments of trade and investment agreements”, [A/HRC/19/59/Add.5](#) (2011).