*DRAFT* AGENDA

2020 Annual Conference of the Geneva Human Rights Platform

Connectivity between regional and global human rights mechanisms

Thursday 15<sup>th</sup> October 2020, 9:00 – 18:00
Maison de la Paix (Pétale 5), Geneva
Agenda

9:00 – 9:15  Welcome and Introduction

- Permanent Representative of Switzerland to the UN in Geneva
- Professor Gloria Gaggioli, Director of the Geneva Academy
- Felix Kirchmeier, Executive Director of the Geneva Human Rights Platform

9:15 – 9:45  Keynote Address – where are we today in terms of connectivity between regional and global human rights mechanisms?

- Michael O’Flaherty, Director of the European Union Agency for Fundamental Rights

9:45 – 11:15  Plenary Panel 1: COVID-19 responses by the global and regional human rights systems

The COVID-19 pandemic has forced many activities to transition to an online setting and/or to review their working methods. Human rights mechanisms, both at the global and regional level, were not exempted from this transition. This session will focus on how the mechanisms of the global human rights system - Human Rights Council, Special Procedures and Treaty Bodies – and regional systems responded to the COVID crisis in order to strengthen human rights protection. It will also take the right to food as an example of the impact that COVID-19 is having on the exercise and realization of human rights. Questions to be addressed include: What were the changes in work modalities put in place and what lessons can be learned from the use of digital communications during the crisis, for example on-line sessions? What was the role played by the regional systems? How can the mechanisms monitor post-pandemic recovery programs to ensure they combat inequalities that were made evident during the crisis? How can they contribute to "building back better"? How can human rights mechanisms inform the SDG process, given that e.g. goal-2 pledges to end hunger? Over 800 million people are facing hunger every day, and COVID-19 is exacerbating the existing insecurities and weaknesses of the food systems. How can human rights mechanisms hold states accountable in this situation for the realization of the Right to Food?

Speakers:

- Speaker 1
- Speaker 2
- Speaker 3
- Speaker 4

Moderator:
11:15 – 11:30  Coffee Break

11:30 – 13:00  Plenary Panel 2: Complaints handling by regional and global human rights mechanisms – procedural and substantive questions

Individual Communications are a crucial entry point to the human rights mechanisms for victims of human rights violations. If working well, they can provide concrete remedy where the national judicial systems were unable or unwilling to do so. This session will focus on two aspects of Individual Communications: (1) substantive cohesion/cross-fertilization/contradictions: exploring the extent to which different human rights mechanisms, whose work is based on similar human rights provisions, should strive for universal interpretation; (2) methodologies and procedures, lessons learned on how to tackle backlog and case management systems; (3) victims’ perspectives/strategic litigation.

Speakers:
- Speaker 1
- Speaker 2
- Speaker 3
- Speaker 4

Moderator:

13:00 – 14:00  Lunch Break and “meeting space”

Information / interaction with the panel co-sponsoring organizations

14:00 – 15:30  Parallel sessions in three working groups will explore how regional and global human rights mechanisms address particular concrete policy areas

**Working Group 1:** Corruption and human rights: How can regional and global human rights mechanisms be engaged in the fight against corruption?

It is widely recognized by experts and practitioners alike that corruption hinders the enjoyment of civil, cultural, economic, political, and social rights. Corruption continues to undermine justice and accountability reforms and remains both a driver of human rights abuses and a barrier to States’ implementation of treaty-based human rights obligations. Almost all Member States of the United Nations agreed to criminalize acts of corruption (stated particularly as bribery, embezzlement, misappropriation or other diversion of property, trading in influence, abuse of functions and illicit enrichment) when they ratified the United Nations Convention against Corruption, but monitoring and enforcement
mechanisms remain weak. Yet the numerous international and regional human rights monitoring mechanisms are progressively filling that gap, focusing on the aggravating factor of corruption in human rights violations, or even on the understanding of corruption as a violation per se. This panel will explore the jurisprudence developed by international and regional human rights bodies around the topic of corruption and seek convergences and opportunities for further collaboration.

Speakers:
- Speaker 1
- Speaker 2
- Speaker 3
- Speaker 4

Moderator:

Working Group 2: Environment and human rights: How do regional and global human rights mechanisms address this link?

International and regional human rights mechanisms have made considerable progress in recent years on the express recognition of the “Right to a Healthy Environment”, on handling complaints based on procedural or substantive human rights violations related to the environment or again the protection of environmental defenders. This panel will compare the development of legal standards and the provision of concrete protection and remedies provided by the relevant frameworks at the international and regional level.

Speakers:
- Speaker 1
- Speaker 2
- Speaker 3
- Speaker 4

Moderator:

Working Group 3: Humanitarian law and human rights: How do universal and regional human rights mechanisms deal with international humanitarian law?

International humanitarian law (IHL) lacks mechanisms to strengthen its own compliance. If it undoubtedly remains an appropriate legal framework for regulating armed conflicts, such structural flaw of its system has left victims of violations “in search of a forum” and thus prompted a general recourse to the more-developed human rights machinery, including to mechanisms rooted in (universal and regional) treaties. Because they provide
procedural ways for the examination of individual complaints, such treaty-body mechanisms are indeed much better equipped to address victims’ grievances. Despite recurrent criticism - related to their lack of clarity on certain substantive issues and/or coherence of their decisions – developments toward greater convergence between IHL and human rights are likely to have a defining influence on the treaty bodies’ approach in the future. Universal treaty bodies should not necessarily be expected to take the lead but may follow suit where regional mechanisms of judicial nature show the way through their abundant case law.

Focusing on examples of recent relevant practice (case-law and/or updated general comments), panelists will be asked to critically assess the record of both universal and regional human rights treaty-body mechanisms in dealing with international humanitarian law. Their intervention should also identify potential avenues for increased cooperation, debate and knowledge sharing between mechanisms while being mindful of limitations inherent to their specific mandates.

Speakers:
- Speaker 1
- Speaker 2
- Speaker 3
- Speaker 4

Moderator:


Public investment in well-functioning health systems is key for countries to manage the COVID-19 crisis. Aside of general availability and affordability of the health system, essential questions are non-discriminatory access to health care, services and information, and specific prevention and protection measures for at-risk groups. A human rights-based approach to health, i.e. the realization of the highest attainable standard of health, can guide states in the design of their health system and the provision of public health. The pandemic also made clear the importance of the social determinants of health and of the interdependence and indivisibility of human rights in shaping a holistic response to the crisis and the path to sustainable recovery programs that should address increased inequalities at all levels and strengthen the functioning of public protection systems.

Relevant questions for this panel include the following: How do global and regional human rights mechanisms weigh into this debate? What is their role in monitoring States’ obligations to realize the right to health? And how detailed should their recommendations be? How can they link best to the National Human Rights Systems and national health
How can actors link best to national health systems and public/private actors? How can they support rapid interventions in health-crisis? How can they contribute to post-pandemic recovery programs to combat inequalities that were made evident during the crisis?

Speakers:
- Speaker 1
- Speaker 2
- Speaker 3
- Speaker 4

Moderator:

15:30 – 16:00 **Coffee Break**

16:00 – 17:30 **Concluding Plenary Panel: Lessons learned and outlook on how connectivity between global and regional HRMechanisms can be strengthened in concrete areas**

Short introduction:
- tbc

Speakers:
- Representative UNTBs
- Representative Inter-American Commission / Court
- Representative African Commission / Court
- Representative European Court

Moderator: Felix Kirchmeier, GHRP

17:30-18:00 **Closing of the Conference**
Background

The Geneva Human Rights Platform (GHRP) provides a neutral and dynamic forum of interaction in Geneva for all stakeholders in the field of human rights – experts, practitioners, diplomats and civil society – to debate topical issues and challenges related to the functioning of the Geneva-based human rights system. Relying on academic research and findings, it works to enable various actors to be better connected, break silos, and, hence, advance human rights. The GHRP is hosted at the Geneva Academy and supported by the Swiss FDFA.

Whereas the 2019 Annual Conference of the GHRP explored in particular the issue of connectivity of human rights mechanisms within the United Nations human rights system, the 2020 Annual Conference will expand its focus by addressing the issue of connectivity between regional and global human rights mechanisms. This will also include relevant links with national systems and the overall effectiveness of their interaction in a number of specific policy areas. The conference shall bring together a large number of human rights actors from Geneva and beyond and offer a platform for exchange – both through co-organized panels and via a “meeting space” during lunch break.

The modern human rights protection system is comprised of an intricate and disparate web of UN and regional treaties and oversight mechanisms. The last half-century has seen the promulgation of a large number of international and regional human rights instruments, including numerous multilateral UN human rights treaties and the various conventions and protocols of the regional human rights systems. The multilateral conventions are overseen by 10 treaty bodies, which, though exercising similar powers, were not created to function as a system. Each treaty body was created by States as a free-standing institution, functioning independently within the framework of its own mandate, with the power to independently establish its own procedures, and with its own reporting and review requirements for States. The regional human rights systems in place in Africa, the Americas and Europe are overseen by regional commissions and courts as well as supporting regional political mechanisms, including the African Union, the OAS, and the Council of Europe. And human rights norms are enforced directly or incorporated by domestic law into numerous national legal systems.

The plurality of instruments, institutions and actors, which constitute the fabric of the modern human rights “system”, and the rich development of human rights standards and oversight mechanisms since the adoption of the Universal Declaration of Human Rights, raise important challenges to the functioning of the system as a cohesive “whole”. In fact, while human rights are conceived by definition as universal, the proliferation of human rights norms and mechanisms at the global and regional levels raises not only significant potential for substantive complementarity and overlap, hence reinforcing mutual efforts, but also a danger of incoherence and redundancy of effort, confusion and fatigue. As such, it is important to address a number of key questions:

- To what extent are such human rights mechanisms, both at the global and regional level, currently connected?
- How do global and regional human rights mechanisms tackle and address particular issues and concrete policy areas?
What lessons can be drawn by comparing and contrasting different practices in order to reduce redundancy, better reinforce mutual efforts, close gaps in human rights monitoring and accountability, and ultimately maximize the impact of a human rights system?

How can we ensure greater connectivity among these multifarious components, both at the global and regional level, to help them actually function as a system?

To explore these issues, the different panels of the conference will highlight specific aspects of connectivity, focusing on how different mechanisms deal with such aspects and in which way they are and could jointly contribute to international debates.

A first plenary panel will discuss and compare the responses to the COVID-19 pandemic by regional and global human rights mechanisms with a focus on the Right to Food, while a second plenary panel will zoom-in on the way such mechanisms handle cases brought to them by individuals who see their rights violated. The two plenary sessions set the scene for the debates of the day and will be followed by four parallel thematic working group sessions on the issues of corruption, environment, international humanitarian law and the right to health. Discussants will detail experiences from the various regional systems and the UN human rights system, aiming to identify promising avenues for further connectivity. The concluding session of the conference will take a practical look on how to enhance cooperation and connectivity between universal and regional human rights mechanisms in the areas discussed throughout the day.

For more details on the individual panels, please see separate panel concept notes.

During lunch-break, a “meeting space” will offer the opportunity for the co-sponsors of the sessions to display their materials and present their organizations.