

THE ESTABLISHMENT AND EFFECTIVE OPERATION OF NATIONAL MECHANISMS FOR IMPLEMENTATION, REPORTING AND FOLLOW-UP

Under international law, States have the responsibility to respect, protect, and fulfill human rights. By ratifying treaties and engaging with various international and regional human rights bodies mechanisms, States commit to fulfilling these obligations. International human rights mechanisms and bodies, such as the Special Procedures, the Universal Periodic Review (UPR) and Treaty bodies provide crucial guidance to States through recommendations aimed at improving compliance with human rights obligations and standards. These recommendations are instrumental in shaping policies, legal reforms, and institutional practices to promote and protect human rights at the national level. The translation of international recommendations into national action is therefore essential for the promotion and protection of human rights at the country level.

In the Vienna Declaration and Programme of Action of 1993, States highlighted the crucial role that national human rights institutions (NHRIs) can play in support of the promotion and protection of human rights, including by bridging the gap between international obligations and national realities. NHRIs are independent bodies established by States with a broad constitutional or legislative mandate to protect and promote human rights under the Paris Principles. As expert bodies at national level, NHRIs work towards the domestic application of international human rights norms and standards, with full understanding of the local context. They encourage States to ratify international treaties, advise on their domestication, and monitor implementation, reporting on progress and challenges to national and UN bodies. They also facilitate access for national stakeholders, including individual rights-holders, to the international human rights protection system.

In recent years, States have increasingly established national mechanisms for implementation, reporting, and follow-up (NMIRFs) to support the reporting and follow-up processes with a view to better implement their human rights obligations and commitments on the ground. NMIRFs are government structures designated to coordinate and prepare reports for international and regional human rights mechanisms. They may also initiate, coordinate, and track national follow-up and implementation in consultation with relevant stakeholders. Countries which have ad hoc approaches to treaty reporting and follow up may lead to missed opportunities for institutional learning, inconsistent practices, and fragmented responsibilities across public actors. This can, in turn, foster mistrust between government institutions and other human rights stakeholders, weakening coordination and accountability in the human rights sphere.

To ensure a positive and meaningful impact of their obligations on the ground, States' approach to implementation must include a strong coordination among state entities, meaningful consultation processes with relevant stakeholders, active participation of rights-holders and independent accountability mechanisms to ensure compliance and address violations. These key elements must also guide the creation and functioning of NMIRFs.

NHRIs and NMIRFs, while distinct in nature and mandate, can play complementary roles in supporting the effective implementation of international human rights obligations. Where collaboration is fostered, NMIRFs can benefit from the independent expertise, data, and monitoring capacity of NHRIs, while NHRIs can use NMIRFs as entry points to contribute to reporting processes, track implementation of recommendations, and support follow-up. Structured cooperation between these mechanisms can strengthen national human rights systems, ensure more coherent engagement with international bodies, and contribute to better human rights outcomes on the ground.

Representing 118 national human rights institutions across all regions, the Global Alliance of National Human Rights Institutions (GANHRI) is the largest human rights network worldwide. Building on the aforementioned elements, and based on the rich experiences, good practices and challenges identified by NHRIs worldwide, GANHRI wishes to make the following key recommendations to States, with a view to maximize impact on the ground and ensure positive and concrete improvements in the enjoyment of human rights by all individuals.

1. STATES SHOULD ADOPT A SUSTAINABLE, COORDINATED AND TRANSPARENT APPROACH TO THE REPORTING, FOLLOW-UP AND IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS AND RECOMMENDATIONS

States are required to take positive actions to fully realize the equal enjoyment of human rights, including by implementing their international obligations and commitments.

This process is greatly supported by a sustainable approach that includes clear objectives, mandates and roles as well as timelines and processes for reporting and implementation, coordination with relevant government ministries, as well as other state entities such as Parliament and the judiciary. This also applies to local public actors, which provide a crucial contribution to the implementation, reporting, and follow-up of international human rights mechanisms and therefore need to be involved and allowed to become more active actors in this context.

We encourage states to develop comprehensive national human rights action plans that set clear priorities, goals, responsibilities, budgets and timelines for implementing human rights obligations, as well as clear monitoring, and evaluation processes, in consultation with all relevant national stakeholders including civil society and the NHRI.

In cases where States choose to establish a NMIRF, and with respect to their respective national contexts, the creation of a structure which focuses on promoting implementation of human rights obligations should be prioritised, rather than simple compliance with reporting obligations.

This could take the form of permanent structure with a clear mandate and processes in place for meaningful and inclusive consultations with relevant stakeholders. In addition, it could include mechanisms of accountability for government departments or agencies that must take action to address recommendations.

The NMIRF should have dedicated staff, and adequate financial resources. We further recommend that all information related to the reporting and implementation processes, including in the work of the NMIRF, be made publicly available and accessible to all stakeholders to ensure transparency and accountability.

2. NHRIs AND NMIRFS HAVE DISTINCT BUT COMPLEMENTARY MANDATES, ROLES AND RESPONSIBILITIES WITHIN THE NATIONAL HUMAN RIGHTS PROTECTION SYSTEM

NHRIs are independent bodies established by States to promote and protect human rights in line with the Paris Principles. Their core functions include advising the government, monitoring and reporting on human rights situations, ensuring accountability for violations, and raising awareness through education. They also play an important bridging role between the national and international arenas by advising on the domestication of international obligations, monitoring implementation, and reporting independently on progress and challenges to Parliament and UN bodies.

In contrast, NMIRFs are government-integrated bodies that focus on fulfilling reporting, follow-up and implementation requirements. They officially represent the government in its interactions with international human rights bodies. While both the NHRI and the NMIRF contribute significantly to promoting and protecting human rights, they do so in a distinct manner in line with their respective mandates and functions.

GANHRI emphasizes the importance for States, when establishing a NMIRF, to clearly define and ensure a thorough understanding of these distinct mandates, roles and responsibilities throughout its operations. We further emphasize that the establishment of a NMIRF cannot and should not replace the creation and strengthening of an independent NHRI in compliance with the Paris Principles. The roles performed by a NHRI are distinct and cannot be performed by a body within Government.

3. STATES SHOULD PUT IN PLACE APPROPRIATE CONSULTATIVE AND PARTICIPATORY PROCESSES TO REPORT, IMPLEMENT, AND FOLLOW-UP ON THEIR INTERNATIONAL OBLIGATIONS AND COMMITMENTS, INCLUDING IN LINE WITH THE CRPD

A whole-of-society approach to the reporting, follow-up and implementation is crucial for the domestication of international human rights norms and standards. We call on States to ensure the effective and meaningful participation of right-holders in such processes, including when a NMIRF is established.

In particular, and in line with the Convention on the Rights of Persons with Disabilities (CRPD), States must ensure that the NMIRF is inclusive and participatory by actively involving persons with disabilities and their representative organizations in the reporting, follow-up and implementation processes. This engagement should be framed as a continuous partnership, facilitating the co-production of policies that reflect the lived experiences and needs of persons with disabilities. Where CRPD governmental focal points under Article 33 (1) already exist, States must ensure that they are effectively integrated in the work of the NMIRF and can fulfil their mandate in line with the CRPD.

4. STATES MUST ENSURE THAT NHRIs AND CIVIL SOCIETY ARE ABLE TO EFFECTIVELY AND MEANINGFULLY CONTRIBUTE TO ALL STAGES OF THE SET-UP AND WORK OF THE NMIRF

NHRIs and civil society organizations (CSOs) offer essential human rights expertise at all stages of the set-up and work of the NMIRF, ensuring it is operational, inclusive, and aligned with the constitutional order, national realities and international commitments. They enhance the NMIRF's human rights knowledge and capacity, including by offering guidance on report drafting, planning, and evaluation processes, such as human rights action plans, facilitating meaningful consultations with national stakeholders. Furthermore, NHRIs can link the NMIRF to global processes such as the Sustainable Development Goals (SDGs).

GANHRI calls on States to consult with NHRIs and CSOs in the set-up of the NMIRF and its working methods. We urge States to ensure meaningful, inclusive and regular consultations with NHRIs and CSOs throughout all stages of the work of the NMIRF. To facilitate their interactions, a focal point for NHRIs and CSOs could be established within the NMIRF. Likewise, we encourage States to consider integrating the NHRI as a permanent observer in the work of the NMIRF.

5. THE INDEPENDENCE OF NHRIs AND CSOs MUST BE RESPECTED AND PRESERVED THROUGHOUT THEIR CONTRIBUTION TO THE SET-UP AND WORK OF THE NMIRF

While NHRIs and CSOs should engage with the NMIRF, it is crucial that their independence is preserved throughout their engagement with the mechanism. States have the obligation to report on and implement their international obligations, and in this context, NHRIs and CSOs serve as supportive, advisory and accountability mechanisms. In order to ensure effective implementation at the national level, NHRIs and CSOs must be able to operate independently—including by overseeing the work of the NMIRF—free from any forms of reprisals. Moreover, the possible appointment of focal points or contact persons within NHRIs and CSOs does not hinder the ability of civil society organizations to independently monitor the work of the NMIRF or to communicate directly with the mechanism.

We call on States to respect and preserve the independence of NHRIs and CSOs, by ensuring a safe and enabling environment for their work and allowing NHRIs to independently determine the extent of their participation in the work of the NMIRF, in accordance with their mandate.

To this end, a memorandum of understanding could be useful between the NMIRF and the NHRI, to ensure a clear distinction of roles and functions in line with their respective mandates, especially the independence of the NHRI.

6. STATES MUST CONTINUE TO ESTABLISH, AND WHERE THEY EXIST, STRENGTHEN NHRIs IN LINE WITH THE PARIS PRINCIPLES

In their most recent respective resolutions of 2022¹ and 2023² on NHRIs, the Human Rights Council and the General Assembly both underscored the importance of effective, independent, well-resourced and pluralistic NHRIs. In fact, the “existence of independent NHRIs in compliance with the Paris Principles” is a global indicator for achieving SDG 16, which is focused on promoting peaceful societies, providing access to justice for all and building effective, accountable and inclusive institutions.

Over the years, the UN Secretary General and UN mechanisms and bodies have consistently called on States to establish and strengthen NHRIs worldwide. Yet, to date, only 90 of the 193 UN Member States have established a Paris Principles-compliant NHRI. Accelerated progress is therefore required to guarantee that all States meet the NHRI indicator under SDG 16 by 2030.

We call on States to continue to establish, strengthen, and protect NHRIs in accordance with the Paris Principles. This includes ensuring their independence, providing adequate resources, and supporting their capacity to operate effectively, whilst ensuring they can operate in a safe and enabling environment, free from intimidation and reprisals. GANHRI, the regional networks, the Office of the High Commissioner and other UN partners stand ready to provide support to States in that process.

NHRIs, individually and collectively through GANHRI, will continue to engage with all stakeholders in the discussions and shaping of global policies related to effective implementation of international human rights and standards, including national mechanisms for implementation, reporting and follow-up.

¹ NHRIs, [A/HRC/RES/51/31](#), Resolution adopted by the Human Rights Council on 7 October 2022.

² NHRIs, [A/RES/78/204](#), Resolution adopted by the General Assembly on 19 December 2023.

ABOUT US

Representing more than 110 NHRIs, their members and staff across all regions, the **Global Alliance of National Human Rights Institutions (GANHRI)** is one of the largest human rights networks worldwide.

With a Head Office in Geneva and a governance structure representing NHRIs around the world, GANHRI works in close synergy with the four regional networks of NHRIs in Africa, the Americas, the Asia-Pacific, and Europe.

GANHRI unites, promotes and strengthens NHRIs to operate in line with the Paris Principles and provides leadership in the promotion and protection of human rights. Our vision is a world where everyone, everywhere, fully enjoys their human rights.

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