

Information note and provisional programme: Independent academic study on the domestic impact of the UN human rights treaties

Meeting on 28 February and 1 March 2019, Geneva

[date of document: 19 February 2019]

Background

A group of 20 researchers, under the guidance of Prof Christof Heyns (member of the Human Rights Committee) and Prof Frans Viljoen, both from the University of Pretoria, is currently conducting an independent academic study in collaboration with the OHCHR into the domestic impact of the UN human rights treaty system. The study covers the 20 countries where the researchers are based, and is a follow-up to a study conducted under the same leadership, also in collaboration with the OHCHR, two decades ago, covering the same 20 countries. The results of this study were published as a book (*The impact of the United Nations human rights treaties on the domestic level 2002*, Brill/Nijhoff).

For full details on the two studies see <http://www.icla.up.ac.za/research/impact-of-the-un-human-rights-treaties-on-domestic-level>

The new study is the most comprehensive qualitative research project of its kind that has been undertaken, in terms of its geographical span and the number of treaties covered, and the only such study that compares its findings with a baseline, namely the study of 20 years ago. The results of the study will also be published as a book by Brill.

The book will set out the position in each country in question, leading up to a concluding chapter offering conclusions about the factors that have an influence, positive or negative, on the impact of the system, drawing on the 20 country studies. It will also contain proposals for reform. As in the first book, there will be an emphasis also on identifying good practices.

One objective of the study is to serve as a basis for those engaged in the practice and the reform of the treaty system, including in the context of the current process of treaty system reform. However, the ultimate aim is long term, namely to serve as resource in the years to come for those who want to gain a thorough, evidence based, understanding of the way in which the treaty system influences the behaviour of states and others worldwide.

The study has also started to stimulate parallel research on countries beyond the 20 covered by the study, conducted by independent researchers working on their own, based on the same template as the core study.

One possible further development will be to use the study as a launching pad for a website on which information and primary sources on the impact of the system in as many countries as possible will be posted. The current 20 researchers involved in the main study may thus

be asked to make the sources they use available for this purpose, as will those who do parallel studies. The website will be updated on an ongoing way, using *inter alia* crowd sourcing.

Purpose of the Feb/March meeting

The 20 researchers engaged in the current study started with their work during 2018. They are expected to submit their draft chapters by the middle of 2019.

The February/March 2019 meeting is aimed at bringing as many as possible of these researchers together, to engage with each other, with the study leaders and with experts in this field in the OHCHR and beyond, in order to:

- make sure all the researchers are on the same page as far as the research to be undertaken is concerned, that they are fully engaged, and to identify and address potential problems;
- give the researchers exposure to current developments in the treaty system as a whole, and thus to make sure they fully understand the context in which they work; and
- provide the study leaders with an opportunity to assess the direction in which the study is going, and to make timeous adjustments where needed.

PROGRAMME

Independent academic study in collaboration with the OHCHR on the domestic impact of the UN human rights treaties

28 February and 1 March 2019,
Geneva

Unless otherwise specified, the meeting will take place in Palais Wilson, Room 1-1016

Thursday 28 February

9h00 – 9h30

Opening by a representative from the OHCHR and Christof Heyns; introduction of participants

9h30 – 10h00

An introduction to the current study: where it comes from, what it tries to achieve, how it is linked to the earlier study; and some of the 'lessons learned' from the earlier study. Parallel, independent studies on other countries; using the current study to launch a website with updated information on the impact of the treaty system worldwide.

Frans Viljoen, Christof Heyns

10h00 – 11h45

Panel on **current developments in the treaty system** – including the 2020 treaty strengthening process. The follow-up procedures of the treaty bodies. Establishment of National Mechanisms for Reporting and Follow-up. OHCHR capacity building. What is the gap that the impact study can help to fill?

Participants:

Elena Kountouri

Vincent Ploton

Patrick Mutzenberg

Mara Stecazzini

Chair: Willem Gravett

11h45 – 12h00

Tea/coffee

12h00 – 13h00

Methodology of doing an impact study: What do we mean with ‘impact’? (Issues such as causality vs corroboration; standard of proof). Also sources (primary sources in the countries in question such as white papers, the role of interviews); attribution of sources; using the OHCHR website.

Participants:

Speaker from OHCHR
Andreas von Staden
Rachel Murray

13h00 – 15h00

Lunch and going to Palais des Nations

Afternoon session: Palais des Nations Room VIII

(Entry through the Pregny Gate. Participants need to take their passports with them and allow at least half an hour to gain entry to the Palais des Nations and to find the venue, after arrival at the Pregny Gate.)

15h00 – 15h45

Panel providing an overview of some **recent human rights impact studies** and the potential added value of the current impact study.

Participants:

Kate Fox
Rachel Murray

15h45 – 16h00

Tea/ coffee

16h00 – 18h00

‘Geneva Academy Fridays’ briefing with States

(This is a forum which the Geneva Academy hosts on a monthly basis with States represented in Geneva, focussing on the reform of the treaty system. Normally around 40 or so States attend. We have been given this month’s two-hour slot to engage with the States, so they know what we are doing and can give their inputs.)

Presentation on impact study: Frans Viljoen (20 minutes)

NGO perspective: Vincent Ploton (10 minutes)

Presentation by two country correspondents (5 minutes each)

Open discussion

Chairs: Kamelia Kemeliva, Christof Heyns

Dinner at 20h00. Venue to be announced.

Friday 1 March

Room 1-1016, Palais Wilson

9h00 – 10h00

An examination of the study template, to make sure all parties understand what is expected of them.

General discussion of the challenges encountered and the practicalities of doing the research.

Chair: Frans Viljoen

10h00 – 13h00

Presentation by each researcher on their work so far. The presentations will take place in parallel, with one group remaining behind in Room 1 – 1016, and the other group going to another venue (TBC).

Each participant must be ready to give an oral update on how far they are; what the problems are that they encounter; etc., 20 minutes each, of which 10 are for presentation and 10 for discussion. The presenters of the previous day will also be invited also to attend. A rapporteur will be appointed for each group.

Chairs: Frans Viljoen, Willem Gravett

13h00 – 15h00

Lunch

15h00 – 16h00

Briefing on study with NGOs who work in the field

Chair: Vincent Ploton

16h00 – 16h15

Tea/ coffee

16h15 – 17h30

Feedback from the break-away sessions, and the way forward.

Background Material:

Second Annual Report of the Secretary General on the status of the human rights treaty body system A/73/309 (6 August 2018):

http://www.un.org/en/ga/search/view_doc.asp?symbol=A/73/309http://www.un.org/en/ga/search/view_doc.asp?symbol=A/73/309

Navanethem Pillay *Strengthening the United Nations Treaty Body System: A Report by the United Nations High Commissioner on Human Rights* (June 2012):

<https://www2.ohchr.org/English/bodies/HRTD/docs/HCreportTBStrengthening.pdf>

Wilton Park *Towards a 21st Century Treaty Body System* (28 February – 2 March 2017) WP 1574:

<https://www.wiltonpark.org.uk/wp-content/uploads/WP1574-Report.pdf>

Directions:

From the Airport to Hotel (Ibis Centre Nations):

If you arrive via Geneva's Cointrin airport, you can take a taxi or travel into town via the city's excellent public transport system. If you decide to take a bus or train, free passes are available. The tickets are dispensed from machines located inside the baggage collection area adjacent to the exits. The easiest route from the airport would be to take **bus 5** (in the direction of **Thonex Vallard**) and exit the bus at **Vidollet**. As you exit the bus at Vidollet you will find the next bus you need to take at the stop across the street in rue de Vermont. There you take **bus 8** (in the direction of **Veyrier, Douane**) and exit the bus at **Canonniere**. As you exit the bus at Canonniere turn left, walk a few meters and you will see Hotel Ibis Centre Nations, a large red building on your right. The Vidollet stop is very close to the hotel if you would prefer to walk the rest of the way. As you exit the bus simply turn right, then turn left onto rue de Vermont, then turn left again onto rue de Grand Pre and after a few meters you will see the hotel across the street. Please note that inside the bus you will find a monitor showing every stop and also indicating which stop will be next on your journey to use as a guide. For further information on transport options and routes, log onto the Transport Public Genevois (<http://www.tpg.ch/>) website.

You are also entitled to a Geneva Transport Card which can be obtained from your hotel and enables you to take free public transport for your whole stay.

From the Hotel (Ibis Centre Nations) to Palais Wilson:

Hotel ibis Geneve Centre Nations, Rue du Grand-Pré 33-35, 1201 Genève, Switzerland
Walk 110 m (2 mins)
Canonnière
8 towards Veyrier, douane Departs in 2 min 41 sec
Cornavin
25 towards Genève, Jardin Botanique
Gautier
Walk 270 m (3 mins)
Palais Wilson, Quai Wilson 47, 1201 Genève, Switzerland

From Palais Wilson to Palais de Nation:

Palais Wilson, Quai Wilson 47, 1201 Genève, Switzerland
Walk 210 m (3 mins)
De-Châteaubriand
25 towards Genève, Jardin Botanique Departs in 2 min 31 sec
Jardin Botanique
28 towards Petit-Lancy, Les Esserts
Appia
Walk 400 m (5 mins)
Palais des Nations, 1211 Genève, Switzerland