

PARLIAMENTS AS PROMOTERS OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW

Extract of the recommendations included in [the report of the Forum Chair \(A/HRC/40/65\)](#).



In 2018, the United Nations Forum on Human Rights, Democracy and the Rule of Law organized its second session, which was attended by representatives of States, national and regional parliaments, parliamentary associations, United Nations specialized agencies, regional and intergovernmental bodies, national human rights institutions and non-governmental organizations. Over 60 Members of Parliaments, from all regions participated as well. This document is an extract of the recommendations included in [the report of the Forum Chair \(A/HRC/40/65\)](#).

PRACTICAL RECOMMENDATIONS TO STATES/ PARLIAMENTS

Parliaments as key actors for the promotion of human rights, democracy and the rule of law

19. [...] build parliaments' capacity to ensure that legislation complies with International human rights obligations. This includes providing parliamentarians with sufficient information when legislation is being scrutinized, including in the form of human rights and rule-of-law impact assessments when possible.

20. [...] address the challenges parliaments face in fulfilling their functions, and therefore in promoting human rights, democracy and the rule of law, by making available sufficient human and technical resources and human rights training for parliamentarians. [...]

21. Parliamentarians should hold the executive to account for the human rights impact of measures, policies and practices. This includes requesting from government clarification on the human rights and rule-of-law impacts of draft legislation, and ensuring that every piece of legislation is assessed for human rights compliance throughout the legislative process.

22. Parliamentarians should play a leading role in the implementation of and follow-up to recommendations made by international human rights mechanisms. They should call for the establishment of a national mechanism for implementation, reporting and follow-up, be involved in the work of such a mechanism, and ensure an integrated approach to the implementation of human rights mechanisms' recommendations [...]

23. Parliaments should develop human rights committees, subcommittees and caucuses. A culture of human rights should be built across the parliament and human rights should be made part of mainstream political discourse. Parliamentarians should ensure that budgets are analysed from a human rights standpoint [...]

24. [...] strengthen the parliament's mandate and capacity for oversight, including by providing adequate resources and professional support. Oversight should be a parliamentary priority [...]

25. [...] address the discrimination and structural inequalities affecting the capacity of members of marginalized or minority groups to participate in parliamentary work and stand for parliament. [...] eliminate all legislative, physical, financial and cultural barriers, and consider introducing temporary special measures, such as quotas [...]

26. [...] address the discrimination and structural inequalities affecting women's participation in politics and parliament. They should consider introducing temporary special measures, such as quotas [...]

27. States, the media, civil society and others should defend parliamentarians' enjoyment of their own human rights, support parliamentarians under threat, and protect them from violence, intimidation and reprisals. [...]

Parliaments facing current global challenges to human rights, democracy and the rule of law

36. Parliamentary rules of procedure should facilitate full, fair and informed parliamentary debate. [...] Parliaments should not accept hate speech, xenophobia, racism or any other form of intolerance within their debating chambers. [...]

37. Parliamentarians should speak out against hate speech and explain how it corrodes democratic processes. They should counter populist behaviour. [...]

38. [...] Parliamentarians should push back against the use of national security concerns to legitimize policies and practices, such as antiterrorism legislation, with discriminatory consequences

39. Governments and parliaments should promote multilateralism and regional and international interparliamentary cooperation. [...]

40. States should take a human rights-based approach to addressing the issue of migration and should work with States of origin, transit and destination to design policies and practices that place human dignity at the centre. [...]

41. Parliaments should share best practices for involvement in the implementation of the 2030 Agenda for Sustainable Development. [...] they should also draw on the existing international human rights framework to enhance accountability in relation to, and monitoring of, the implementation of the Sustainable Development Goals (SDGs). [...]

42. Parliament should discuss and approve national plans and targets under the SDGs, and legislate and provide funding to meet the relevant targets. [...]

Parliaments working with others: is there room for more engagement?

52. Parliaments and the judiciary should perform their functions with due respect for their respective roles and independence and seek to complement each other to ensure better protection of human rights and the rule of law. Parliaments should take measures to encourage gender parity within the judiciary.

53. [...] take steps to create a national human rights institution that is in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). [...]

54. Parliaments should view civil society organizations as partners and pay due attention to the issues raised by them. [...]

55. Parliaments should take steps to facilitate dialogue with civil society organizations and enable regular engagement with parliamentarians, including by information sharing [...]. Parliaments should also put in place the necessary legal framework to enable civil society to do its work without fear of reprisals.

56. Parliaments should prioritize transparency and accountability, and combat corruption, to remain legitimate in the eyes of the public. Voting records should be made available for public scrutiny, preferably in electronic form.

57. Parliamentarians should promote constructive and open engagement with the media to reach the public more effectively, gain their trust, and increase accountability.

Enhancing the involvement of parliaments in international human rights mechanisms

66. [...] implement the recommendations included in the report of the OHCHR on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review (UPR) (A/HRC/38/25). [...]

67. Parliaments should facilitate legislative changes needed to enable States to implement recommendations of the UPR that they have accepted.

68. Parliamentarians should further discuss the Draft Principles on Parliaments and Human Rights (A/HRC/38/25, annex I), including next steps on how they are taken forward.

69. Parliaments should increase collaboration with human rights treaty bodies, including for the preparation of State reports and during discussion with the treaty bodies, and oversee the implementation of recommendations. [...]

70. [...] support the human rights work of international and regional parliamentary organizations and replicate at the national level successful initiatives taken by these organizations to strengthen attention to human rights issues.

71. States and civil society organizations should invest in education, training and awareness-raising for parliamentarians about the work of the United Nations human rights system, including the Human Rights Council and its mechanisms and the human rights treaty bodies.



This publication has been funded by the Swedish Government through the Swedish International Development Cooperation Agency (SIDA).

The recommendations shared in this publication do not necessarily reflect the views of the Swedish Government.