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Human Rights Council
Forum on Human Rights, Democracy and the Rule of Law
Second session
22 – 23 November 2018

Provisional agenda and annotations thereto

Note by the Secretariat

Provisional agenda

1. Adoption of the agenda and organization of work.
2. Parliaments as key actors in the promotion of human rights, democracy and the rule of law.
3. Parliaments facing current global challenges to human rights, democracy and the rule of law.
4. Parliaments working with others: is there room for more engagement?
5. Enhancing the involvement of parliaments in international human rights mechanisms.
6. Concluding remarks.

Annotations

1. Adoption of the agenda and organization of work

Venue

1. Pursuant to Human Rights Council resolution 34/41, the second session of the Forum on Human Rights, Democracy and the Rule of Law will be held in Geneva in room XVII of the Palais des Nations on 22 and 23 November 2018.
2. The Forum will have before it the provisional agenda contained in the present document to consider for adoption. A tentative schedule of work for the session is contained in annex I.

Opening meeting

3. The President of the Human Rights Council will deliver an opening statement followed by statements of the United Nations High Commissioner for Human Rights and the Chair of the second Forum on Human Rights, Democracy and the Rule of Law.

Documentation

4. All documents for the session will be made available on the following website: www.ohchr.org/democracyforum.

Panel discussions

5. After the presentations introducing the topics for discussion at the beginning of each agenda item, there will be an open discussion to which all participants will be invited to contribute, based on a sign-up sheet.

2. Parliaments as key actors to the promotion of human rights, democracy and the rule of law

6. As the body competent to legislate, keep the actions of the executive under scrutiny, and represent the people who elected them, parliaments play a key role in the promotion of human rights, democracy and the rule of law. Discussion will focus on the capacity and willingness of parliaments to ensure that legislation complies with States' human rights obligations and will identify where and how parliaments' role in this regard has been particularly effective.
7. Discussions will identify the different ways in which parliaments hold policy-makers to account. Participants will consider how existing mechanisms for parliamentary oversight can be strengthened, with reference to innovative practices in this area.
8. Discussions will consider the international work undertaken by parliamentarians in electoral observation and human rights monitoring missions, and also the parliamentary diplomacy undertaken by some parliamentary organisations.
9. Parliaments may face a number of challenges in fulfilling their functions, which may prevent them from effectively exercising this role. This session will also provide an opportunity to explore and address the obstacles, including discrimination and structural inequalities, affecting the capacity of women and groups that are marginalised or discriminated against to participate in the work of parliaments and stand for parliamentary office. Discussions will focus on how to make parliaments more inclusive and fully representative of the people they serve.

10. Participants will reflect on the need for members of parliament to enjoy their human rights as a precondition to promote human rights, democracy and the rule of law. Discussions will look at measures in place to protect parliamentarians' exercise of their human rights, and will consider what more can be done in this respect.

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

11. This session will discuss the crucial role of parliaments in light of current global challenges to human rights, democracy and the rule of law, including those affecting democratic institutions and principles, the problems posed by mass migration, and the challenges to sustainable development.

12. At times of division and strife, parliaments can promote the essential values of respect, dialogue and compromise. Participants will consider how parliaments can counter undue restrictions on public freedoms, the use of hate speech, attacks against journalists and the rise of populism.

13. Discussions will focus on the responsibility of parliaments to deal with attacks on democracy and the rule of law; protect peaceful, just and inclusive societies; and address a shrinking civic space. Participants will explore how parliaments can rebuild and enhance trust in democracy and State institutions.

14. Discussions will consider how parliaments from host and origin countries can cooperate to design effective policy frameworks for migration and effectively address the associated human rights and rule of law challenges.

15. The Agenda 2030 for Sustainable Development acknowledged the essential role of national parliaments in the effective implementation of the Sustainable Development Goals. Discussions will focus on the participation of parliaments in the implementation of the Sustainable Development Goals and in the translation of the 2030 Agenda into local, national and regional policy, as well as in holding governments accountable for delivering on their commitments in this regard.

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

16. Transparent and accountable institutions, and participatory and inclusive decision-making, are necessary for democracy and human rights. As representatives of the people Parliaments are increasingly opening their doors to other stakeholders. Participants will consider existing practices to make parliaments more transparent and open, and how parliaments can better interact with other State institutions.

17. Discussions will examine co-operation between parliaments and national human rights institutions (NHRIs). Participants will also examine how NHRIs can contribute to ensuring that parliaments take into account human rights considerations during the law-making process. Attention will also be paid to the ways in which the Principles relating to the status and functioning of national institutions for the promotion and protection of human rights (the Paris Principles), and the Belgrade Principles on the relationship between NHRIs and parliaments have been implemented.

18. The existence of an active civil society is an essential element of democracy. Discussions will focus on cooperation between civil society organisations and parliaments, looking specifically at the ways in which civil society can help set the legislative agenda and encourage parliaments to champion human rights issues.

19. Discussions will touch upon the relationship between parliaments and the judiciary, and how these two institutions can complement each other to ensure better protection of human rights and the rule of law, while respecting their respective independence.

5. Enhancing the involvement of parliaments in international human rights mechanisms

20. Discussions will focus on the measures necessary to ensure structured and regular participation by national and regional parliaments in the work of the Human Rights Council and its mechanisms. Participants will reflect on how to enhance synergies between parliaments and the Universal Periodic Review, with reference to the most recent OHCHR study on this topic (A/HRC/38/25), as well as to the proposed draft principles on parliaments and human rights (A/HRC/38/25, Annex). The ways in which the Special Procedures of the Human Rights Council engage with parliaments and options for additional engagement will be discussed.

21. Participants will also identify concrete measures to increase collaboration between parliaments and human rights treaty bodies for the implementation of recommendations made by these bodies, including through the establishment of national mechanisms for reporting and follow up.

22. Participants will reflect on the human rights work of international and regional parliamentary organisations. In particular, successful initiatives taken by these organisations to strengthen the attention paid by national parliaments to human rights issues will be discussed.

23. The possibility for greater involvement of parliamentarians, along with government representatives, in negotiating international human rights instruments will be examined.

6. Concluding remarks

24. The Chair of the Forum will share concluding remarks, including forward looking proposals, with Forum participants.

Annex I

Schedule of work

Thursday, 22 November 2018

10 a.m. – 1 p.m.

3– 6 p.m.

Opening of the second Forum on Human Rights, Democracy and the Rule of Law

- Welcome and opening remarks by the President of the Human Rights Council
- Remarks by the United Nations High Commissioner for Human Rights
- Remarks by the Chair of the second Forum on Human Rights, Democracy and the Rule of Law

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

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

Friday, 23 November 2018

10 a.m. – 1 p.m.

3– 6 p.m.

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

Enhancing the involvement of parliaments in international human rights mechanisms

Concluding remarks
