Chairperson Emmanuel Decaux, 
Distinguished Committee members,

It is an honor and privilege to participate in today's meeting, in my capacity as ICC Geneva Representative. The ICC greatly values this opportunity to offer comments, as the Committee discusses the paper on its interaction with national human rights institutions (NHRIs).

The ICC welcomes the consideration that the Committee has given since its establishment to the role of national human rights institutions to its work, including throughout its rules of procedures. The ICC congratulates the Committee for its engagement with victims' associations and civil society, which are critical partners to the work of the Committee.

I would also like to thank Committee Secretary Maria Giovanna Bianchi for her impeccable work and excellent cooperation with the ICC, including with myself, which greatly assists in facilitating NHRIs' engagement with the Committee.

With regard to the development of a paper on the Committee's interaction with NHRIs, we would like to offer the following observations for your kind consideration. I will first make observations of more general nature, while speaking in a second part more specifically to the role of NHRIs in relation to each of the Committee's procedures.

**General Observations**

First, the ICC believes that a paper on the Committee's interaction with NHRIs will provide a sound basis for developing the *work relationship between the Committee and NHRIs, with a view to strengthening implementation of the Convention at the national level*.

The ICC believes that NHRIs can be critical partners of the Committee in this regard. They can provide the Committee with independent and authoritative information on national situations and can in turn follow up in country on the Committee's concluding observations. NHRIs can undertake these activities effectively, provided they are established and operate in line with the *Paris Principles*.

Key to the efforts of the ICC is to help ensure that NHRIs meet the requirements of the Paris Principles. Their compliance with the Paris Principles in both law and practice is being assessed by the ICC in the periodic accreditation review. While the process has its limitations, important efforts
have been set in place to ensure the accreditation process is robust, independent and transparent.

The ICC would therefore welcome a reference in the paper to the importance that NHRIs comply with the Paris Principles and that they seek for ICC accreditation. As is the practice for other treaty bodies, the ICC would welcome if such reference be also made, where appropriate, in the Committee's concluding observations. This would help support the ICC's efforts aimed at promoting NHRIs' independence in line with the Paris Principles. It would also serve as an authoritative recommendation for states, and NHRIs themselves, to help ensure that NHRIs are independent and operate effectively and in line with the Paris Principles.

My second point relates to the unique role that Paris Principles compliant national human rights institutions have to help bridge the implementation gap between international and national human rights systems. This role is distinct, yet complementary to, the respective roles of the state and civil society. Accordingly, the ICC would welcome NHRI engagement opportunities with the Committee that are distinct from those of other actors.

Thirdly, the ICC welcomes efforts to make the work of treaty bodies more accessible to national stakeholders, including victims' organisations, civil society, and national human rights institutions. This includes timely information-sharing by the Secretariat, as well as webcast of Committee sessions in all UN languages and the use of IT, including videoconferencing and teleconferencing, where it is not possible for a national stakeholder to travel to Geneva.

The ICC welcomes therefore the references to videoconferencing in the Committee's rules of procedure. The ICC further welcomes the support provided by the Secretariat in cooperation with the ICC Geneva Representative to facilitate NHRI interaction with the Committee's work. This includes providing NHRIIs with advance notice of reporting schedules and opportunities for NHRIIs to contribute thereto, as well as advising them on their most effective contribution. The ICC Geneva Representative stands ready to continue working closely with the Secretariat to this end.

Fourthly, and finally, the ICC is concerned by acts of reprisals and acts of intimidation against those cooperating with the United Nations and its human rights mechanisms, including those against NHRIs. Accordingly, the ICC welcomes the references to reprisals in the Committee's rules of procedure, including in relation to urgent action (Rule 63), in relation to hearings during the Committee's country visits (Rule 95), as well as in relation to protection measures (Rule 99). The ICC would support the establishment of a focal point among the Committee members to address cases of reprisals, on the same lines as the one established by the Committee Against Torture.

**NHRI engagement opportunities**

With regard to concrete engagement opportunities for NHRIIs in the work of the Committee, the ICC believes that NHRIIs can have an important role with regard to all elements of the Committee's work. The ICC would welcome if the paper could outline the role of NHRIIs in relation to all such activities of the Committee.

While time does not allow for outlining all, I would like to highlight the following in particular.

My first observation relates to the reporting procedure under article 29 of the Convention. We see a role of NHRIs in all stages of the procedure, including the preparations at the national level and participation in the Committee sessions. We welcome the opportunity for NHRIIs to contribute to the development of the list of issues at an early stage of the reporting process. We also welcome the opportunity for NHRIIs to meet privately with Committee members in advance of the state's review. Such meetings provide an important and timely opportunity for the NHRI to update the
Committee on developments since the reports have been submitted, and to respond to particular questions that the members may have.

In case of a **review in the absence of a state report**, NHRIs could be invited by the Committee to provide an alternative report.

The second point I would like to make relates to critical question of **follow up to concluding observations**. NHRIs could be invited by the Committee to provide written information on measures taken by the state party to implement the concluding observations. We note that Rule 64 of the rules of procedure provides for the Committee to base its assessment on information provided not only by the state but also based on “other additional information”, which may include information sought and received from NHRIs. Further, for effective national-level follow up, it would be important to make publicly available the follow up responses from the state party.

Thirdly, NHRIS welcome the opportunity to contribute to **days of general discussions** and to the development of the **Committee's general comments**, and welcome in this regard a reference to NHRIs in Rule 55.2 with a view to extending an invitation to NHRIs and Rule 56 to disseminating draft general comments also to NHRIs for their comments.

Forthly, in the event of a **Committee visit under article 33 of the Convention**, the Committee may wish to seek and receive information from NHRIs in advance (Rule 92 point 2), as well as consider meeting with NHRIs during such visit, including in the form of a formal hearing. NHRIs may also assist the Committee where appropriate in identifying possible meeting counterparts for the Committee. NHRIs may encourage cooperation of the state party in preparation and during the visit, as well as follow up and reporting thereon (Rule 98).

And finally, in relation to **communications**, NHRIs have an important role, particularly in assisting victims making use of this procedure, providing additional information as **amicus** of the Committee, as well as a critical role in following up to the the views and reporting back to the Committee.

**Conclusion**

Distinguished Committee experts,

Let me conclude by acknowledging the Committee Chairperson in his opening remarks of your session, when he said that the historical dimension and human tragedy of enforced disappearances bestows the Committee with all its legitimacy and the legal force of its mandate.

At the same time, Chairperson Decaux reminded, that the historical dimension and human tragedy of enforced disappearances, makes us be very modest in our respective roles vis-à-vis the Convention and its implementation.

While we have sought to outline in this presentation the opportunities for NHRIs engagement with the Committee, we have at the same time to acknowledge our own limitations as well as the challenges that NHRIs face.

While these limitation and challenges may have various reasons, the ICC is committed to provided support to NHRIs in their engagement on the Convention and with the Committee at both national and international level.