

2020 Annual Conference

CONCEPT NOTE PLENARY PANEL 2

Complaints handling by regional and global human rights mechanisms – procedural and substantive questions

Maison de la Paix (Pétale 5), Thursday 15 October 2020,
11:30 – 13:00

Individual Communications are a crucial entry point to the human rights mechanisms for victims of human rights violations. If working well, they can provide concrete remedy where the national judicial systems were unable or unwilling to do so. However, treaty bodies were established at different times and have adopted methods of work and rules of procedure specific to Individual Communications independently. This confusing situation makes it harder to use and engage with the system. Furthermore, harmonization of jurisprudence between the treaty body system and regional human rights systems is a major issue to avoid the fragmentation and weakening of international human rights law standards, as well as forum shopping by complainants. It is also essential to ensure greater judicial authority and consistency of treaty body output.

Throughout the Treaty Body Review 2020 process, several proposals considered ways to increase mutual awareness and synergies between TBs and regional human rights institutions, by promoting access to comparative jurisprudence, sharing information, holding joint meetings and other forms of exchange.

This session will focus on three aspects of the Individual Communications procedure: (1) substantive cohesion/cross-fertilization/contradictions: exploring the extent to which different human rights mechanisms, whose work is based on similar human rights provisions, should strive for universal interpretation; (2) methodologies and procedures, lessons learned on how to tackle backlog and case management systems; (3) victims' perspectives/strategic litigation.

PANELISTS

- **Olivier de Frouville**, Professor of Law and Director of the Paris Human Rights Center, University of Paris 2 (Panthéon-Assas) and Member of the Committee on Enforced Disappearances
- **Joel Hernández García**, President, Inter-American Commission on Human Rights
- **Leah Hooctor**, Regional Director for Europe, Center for Reproductive Rights
- **Gaye Sowe**, Director, African Institute for Development
- **Alexandre Skander Galand**, Postdoctoral Researcher, Centre for Fundamental Rights, Hertie School

MODERATOR

- **Sarah Cleveland**, Columbia University and Member of the GHRP Advisory Board

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