

## Participation of Civil Society in UN Human Rights Mechanisms<sup>1</sup>

Summary Report of the Online Seminar on the Occasion of the Publication of the Book ‘United Nations Commission on Human Rights: A Very Great Enterprise’ by Dr. John Pace  
27 January 2021

- Practitioners and academics participated in the seminar, moderated by Prof. Ai Kihara-Hunt, featuring a panel discussion between Dr. John Pace, Ms. Atsuko Miwa, and Prof. Saul Takahashi.<sup>2</sup> Participants were welcomed by Prof. Yasunobu Sato and Mr. Osamu Shiraishi.<sup>3</sup> After introductions by Ms. Satoko Haru,<sup>4</sup> Dr. Pace began speaking about civil society actors’ role as a crucial partner for the UN in its human rights agenda.
- Citing its contributions in this ‘very great enterprise’ that is the UN’s human rights machinery, he describes civil society as a “vital component of the work of the international community on human rights formed over the years.” Despite these, he laments that civil society has faced several limitations in terms of its engagement with the Human Rights Council, such as procedures that constrain its input in the Universal Periodic Review (UPR) and the reduction of substantive contributions to deliberations in plenary meetings, to name a couple. Dr. Pace cautions that civil society contribution to the Council is in “serious jeopardy,” with it being dismissed merely as “other stakeholders” in plenary meetings. Despite attempts to limit its role, civil society has gained considerable momentum in advocating for human rights protection. The impetus for sustaining this momentum, Dr. Pace suggest, must come a 2013 initiative of creating a ‘space’ for civil society at the international level, specifically at the Human Rights Council. Likewise, the suggestion to have a Permanent Council for Human Rights with a Chamber for Civil Society should be considered seriously.
- The panelists, then, shared their assessment of the current state of human rights through the lens of the present challenges faced by the human rights community: the current pandemic, and the disconnect between the international realm and the reality on the ground in terms of understanding human rights. First, whereas Ms. Miwa would like to make the pandemic context as an opportunity to reconfirm the importance of the SDGs and the idea of ‘leaving no one behind,’ Prof. Takahashi cautioned that this ‘new normal’ may be unsustainable. He suggested being mindful that many people do not have access to internet and required technology. Dr. Pace later on added that digitalization can be a valuable medium, but that the focus must on following up on human rights issues raised. Second, Dr. Pace raises two points: the detachment of the UN system from the day-to-day realities of human rights on the ground, and the confusion regarding the roles of the High Commissioner for Human Rights and the Human Rights Council, leading to many human rights concerns being treated as humanitarian issues. He reiterates that civil society can help ‘bring the reality of human rights’ to the level of the UN.
- The panel further discussed how better engagement between civil society and treaty bodies can be achieved. Ms. Miwa suggests that civil society actors must recognize, and discuss further, their weakened involvement in the Universal Periodic Review. Prof. Takahashi emphasized the need for coherence in the system of engagement between civil society and treaty bodies, and concurred that there is much room for civil society involvement in the UPR. Dr. Pace remarks that these suggestions point to the need to reform the Human Rights Council.
- In relation to the topic of government-organized non-governmental organizations (GONGO), Ms. Miwa states that those NGOs that do not genuinely advocate for the realization of human rights standards, including but not limited to GONGO, have been posing a serious problem. Prof. Takahashi agrees, but believes their presence can ensure ‘good’ NGOs remain ‘on their toes’ trying not to associate with the ‘bad’ ones. Dr. Pace argues that in domestic contexts, governments must have the sense of obligation to act and the openness to the realities of a human rights situation.
- Finally, the panel addressed questions on the universality of human rights and on the issue of human rights not taking root in Japanese society. Dr. Pace argues that in order to understand universality, it must be recognized that the crystallization of HR norms, and their transformation as a legal subject, are rooted in the individual and the dignity of being treated as a human being. Meanwhile, Prof. Takahashi stresses the role of the Japanese government in the ‘trivialization’ of human rights in Japanese society. Ms. Miwa remarks that in Japan, there is weak understanding of the concept of HR that is often trivialized into kindness and sympathy.

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<sup>1</sup> This seminar was co-organized by the University of Tokyo’s Graduate Program on Human Security (HSP), the Asia-Pacific Human Rights Information Center (HuRights Osaka), and the Research Center for Sustainable Peace (RCSP), University of Tokyo. This summary report was prepared by Raymond Andaya, Research Student at the University of Tokyo.

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