

Written submission for consideration by the Co-Chairs of the informal ad hoc working group of the General Assembly on the UN80 Initiative

International Service for Human Rights

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Introduction

The International Service for Human Rights (ISHR) is an independent, non-profit organisation promoting and protecting human rights. ISHR's mission is to support human rights defenders, strengthen human rights systems, as well as lead and participate in coalitions for human rights change.

ISHR thanks the Co-Chairs for the opportunity to contribute to their work, sharing our insights, ideas and recommendations on how the mandate landscape can be reformed for a more effective, efficient and impactful United Nations.

General comments

While Workstream II looks broadly at mandates across the UN system, ISHR believes there is no one-size-fits-all approach to their creation, implementation, and review. Mandates differ significantly depending on the pillar or thematic area in which they sit, and the contexts they're meant to address.

That said, any reform or decision affecting UN mandates must include strong human rights safeguards and ensure that human rights perspectives are not diluted or lost in broader efficiency efforts.

From ISHR's experience, human rights mandates have specific characteristics that must be explicitly recognised in this discussion.

1. They should be driven by the needs of victims and human rights defenders and grounded in the realities on the ground. The vast majority of UN human rights mandates have been established in response to calls from defenders, victims and affected communities and the views of these stakeholders should be paramount in any mandate review or reform.

2. They are often time-sensitive, created in response to an emerging or escalating crisis. In these cases, there is rarely time for a long “conceptualisation” phase. The UN’s budget process can further delay operationalisation - particularly for mandates adopted at June or September Human Rights Council sessions - which in turn delays their impact.
3. The continued relevance of a human rights mandate is determined by the situation itself: as long as violations persist, the mandate may remain necessary. Some situations are unfortunately protracted, meaning these mandates may need to be sustained for years to have impact.
4. While some States argue there has been a proliferation of mandates, this is, in part, a symptom of the failure of other UN bodies, such as the Security Council, to act effectively on certain crises. The Human Rights Council often steps in to fill that gap. It is also the case that the number of country-specific mandates has remained relatively stable since the HRC’s establishment, with the increase in the number of mandates overwhelmingly being on thematic issues, particularly related to economic, social and cultural rights.
5. Although striving for consensus is always desirable, some mandates - particularly country-specific mandates established without the support of the State concerned - are inherently polarising. Almost by definition, where a government is responsible for grave violations, particularly atrocity crimes, it will resist independent investigation and accountability efforts. Consensus isn’t always achievable, and its absence should not be equated with a lack of need or legitimacy.
6. Relatedly, lack of cooperation from the country concerned may be an obstacle to a country-specific mandate's objectives to promote and protect human rights on the ground and deliver all its functions. However, impact should not only be assessed against such a country's willingness to cooperate, which is often outside the Human Rights Council’s reach, but rather on the mandate’s ability to advance accountability and justice for victims.
7. Human rights mandates are chronically under-resourced. They’re often expected to function ‘within existing resources’ of OHCHR, which are already minimal. Liquidity constraints frequently cause protracted staff vacancies and delays, undermining delivery. Reviews of how mandates operate need to distinguish between problems of mandate design and those stemming from underfunding.
8. New human rights mandates are often innovative. Recent examples include the intersection of human rights and the environment, new technologies, or just

transitions in finance and the economy. Implementing such mandates may require external or highly specialised expertise that simply can't be reallocated from existing staff. This is also true in areas of particular sensitivity, such as the investigation of sexual and gender-based violence.

Question 1: Improving mandate creation to reduce inefficiencies and duplication

1. States should consider developing objective criteria to guide the creation and renewal of mandates - much like the [Irish Principles](#) used for country situations at the Human Rights Council (and possibly the Third Committee). This could also be applied to how and when situations are “elevated”. For example, when should a Commission of Inquiry evolve into an Independent Investigative Mechanism.
2. States and other stakeholders should promote the biennialisation or triennialisation of long-standing thematic resolutions, reducing duplication and workload. This should be applied systematically and in good faith across States, not just on a voluntary basis by a few.
3. It may be useful to look at data on engagement levels by States and civil society in different dialogues, workshops or consultations. For instance, engagement with the HRC Advisory Committee is often very low. Tracking such trends could inform decisions about adjusting formats, merging or sunsetting underutilised mechanisms.
4. It is critical to maintain the independence of human rights mandates, particularly in a context of increased politicisation and polarisation. Independent mandates, such as Special Procedures and country-specific accountability mechanisms, complement the vital work of the Office of the High Commissioner for Human Rights without being subject to some of the political considerations and interference to which that Office may be subject.

Question 2: Good practices and obstacles for effective implementation

Several practices could enhance effective implementation:

1. Penholders and core groups should conceptualise mandates early, before a zero draft is circulated, in close consultation with all stakeholders, not only traditional co-sponsors, including civil society and affected communities—. They should include groups in the Global South and small island developing states and address barriers such as the digital divide and accessibility. Mandates should address ongoing human rights violations, as well as their historical root causes.
2. States should refrain from requesting new mandates to be implemented ‘within existing resources.’ This practice undermines OHCHR’s ability to deliver both on the new mandate - especially for new thematic areas where there is no in-house capacity - and on existing mandates which it would reallocate resources from.
3. There is a need for more regular and efficient engagement between States at the Human Rights Council and budgetary bodies such as the ACABQ and the Fifth Committee, so that new mandates can become operational without months of delay, in particular when they respond to time-sensitive crises and play a critical role in preventing further escalation of human rights violations.
4. States should adequately consider the complementary nature of mandates working on similar/same issues (Special Procedures, OHCHR, accountability mechanism), with a view to preserving the added-value of each, and assessing the benefits and risks of potential mergers.

Question 3: Strengthening monitoring, review, and evaluation

Monitoring and review processes must be inclusive and impact oriented.

1. Civil society, affected communities, and partner organisations should be formally included in reviews. They bring independent evidence and first-hand perspectives from the field that are essential to assessing whether mandates are achieving their intended results.
2. Evaluation should look beyond outputs—such as the number of reports produced—and focus on real-world outcomes and changes or benefits for individuals and communities, including establishing facts and identifying root causes, and promoting recognition, justice and accountability efforts for victims at the national and/or international level. This should be assessed through regular, meaningful consultation processes with affected individuals and communities. For investigation and accountability mechanisms in particular it is critical to adopt a holistic approach to assessing impact, recognising not only the value of

criminal accountability, but also the contributions they make to prevention, truth telling, denunciation, exposing and raising costs for perpetrators, vindication for victims, and various forms of reparations. Mechanisms that rarely resulted in concrete outputs and tangible outcomes for victims, including because of politicisation, such as the HRC's Complaints Procedure, should be reviewed for reform or sunseting.

3. It is important to acknowledge that many human rights mandates are addressing deep structural or root causes of violations. Measuring their impact requires a longer-term vision, not just short-term indicators.