



The role of national institutions on human rights in Latin America in the implementation of the 2030 Agenda for Sustainable Development



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INTRODUCTION

With the 2030 Agenda for Sustainable Development, the international community embarked on the task of realizing 17 crucial goals, called Sustainable Development Goals (SDGs), which include targets and indicators that reflect the way humanity aspires to achieve socially valuable goals such as prosperity, social justice, peace and a dignified life, both from an individual and a collective perspective. While countries were already facing challenges in meeting SDG targets, the public health crisis generated by COVID-19 brought significant additional challenges, in addition to exacerbating patterns of vulnerability, inequality and discrimination in Latin America, with a devastating effect on the groups and communities that are most vulnerable.

Human rights and sustainable development are interrelated and mutually reinforcing; therefore, there can be no sustainable development without human rights and without a clear path for their respect and protection. Together, national regulations and international human rights treaties and the 2030 Agenda comprise a roadmap for an immediate and coordinated long-term crisis response and recovery strategies aimed at achieving fairer, more resilient and sustainable societies. In this regard, human rights and the SDGs must be at the heart of post-COVID-19 responses and recovery strategies. In this context, the National Human Rights Institutions (NHRIs) are a bridge and main actor in these efforts.

Under the *NHRI-EU Project*¹ phase 2, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas (RINDHCA) and the Danish Institute for Human Rights (Danish Institute), with the support of the Global Alliance of NHRIs (GANHRI), the Office of the Ombudsman of Argentina (in its role as vice-chairman of the GANHRI SDG Working Group), and the Office of the Ombudsman of

Colombia held, between December 2020 and February 2021, the regional workshop “Drawing on the experiences of NHRIs to strengthen their role in national sustainable development processes”. This workshop provided an unprecedented opportunity for NHRIs in more than ten Latin American countries to exchange experiences on their role in implementing, evaluating and monitoring the SDGs.

Topics addressed

The workshop was organized through four sessions based on the five areas of critical importance to humanity and the planet of the 2030 Agenda for Sustainable Development known as the five “Ps” by their opening letter in English: people, planet, prosperity, peace and partnerships.

In the first session, the themes “Peace” and “Partnerships” were considered in the context of SDG 16 (peace, justice and strong institutions) and 17 (partnerships to achieve the goals), which are cross-cutting elements for effective implementation of the Agenda 2030, its SDGs and human rights. The second session was developed from the perspective of the “People” theme, incorporating five dimensions of human rights to ensure that all human beings can achieve their potential in a healthy environment: the end of poverty and human dignity (SDG 1), the fight against hunger in all its forms and the right to food (SDG 2), the right to life and health (SDG 3), the right to education (SDG 4) and the right to gender equality (SDG 5).

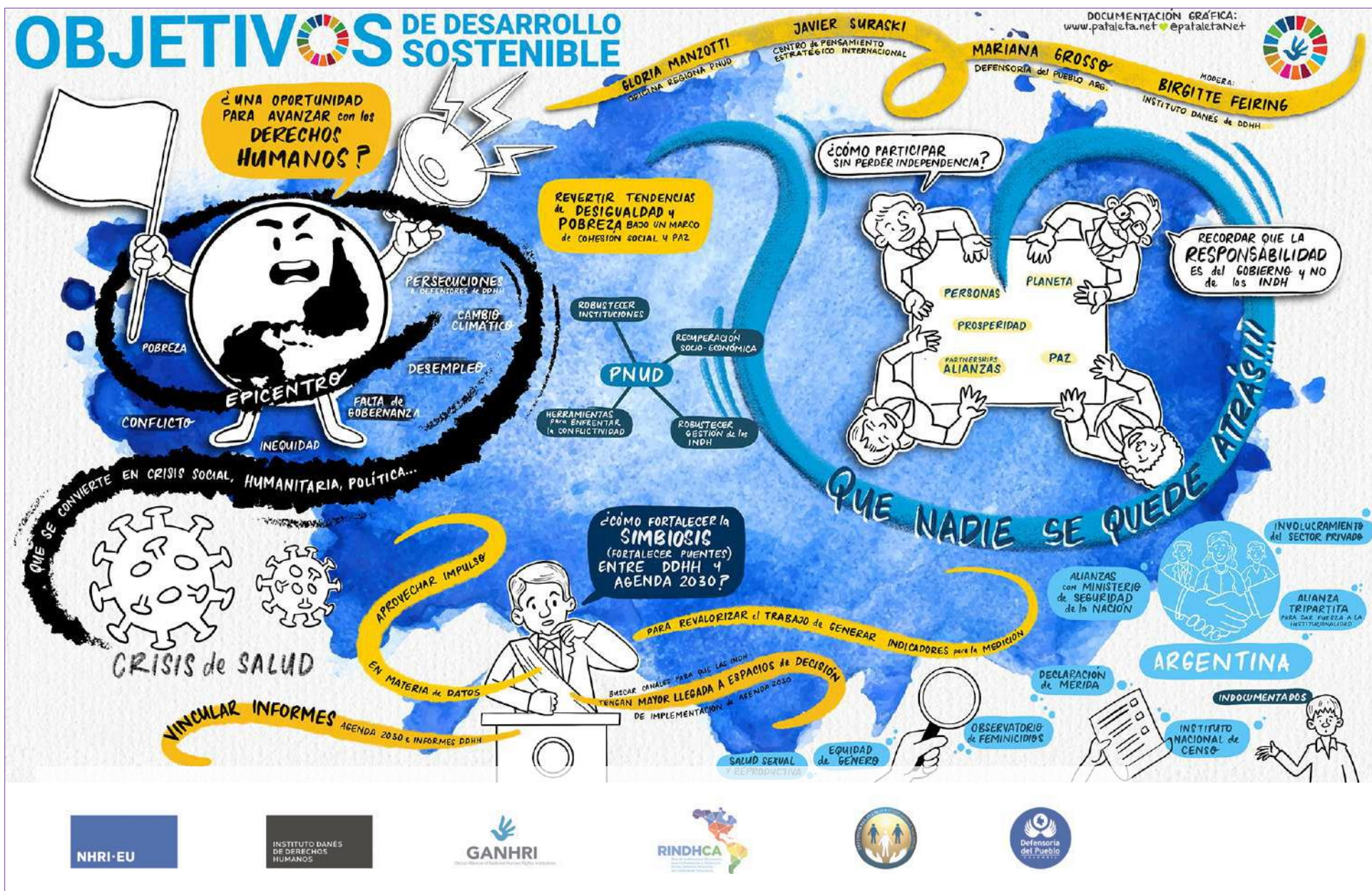
The third session took place from the perspective of the “Planet” theme based on the idea of protecting our world against degradation and guaranteeing the right to a healthy environment through specific actions on rights to water and

sanitation (SDG 6), sustainable consumption and production (SDG 12), urgent action to address climate change (SDG 13) and sustainable management of natural resources and ecosystems (SDG 14 and 15) so that the needs of present and future generations can be met. This session also focused on the protection of environmental and human rights defenders, within the framework of the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) ².

Finally, the fourth session tackled the prosperity theme and the objectives grouped therein: affordable and clean energy (SDG 7); decent work and economic growth (SDG 8); industry, innovation and infrastructure (SDG 9); reducing inequalities (SDG 10); and sustainable cities and communities (SDG 11). In addition, this session focused on the role of NHRIs in achieving sustainable recovery from COVID-19.

This report presents the main lessons learned, experiences and good practices identified in the four workshop sessions attended by Latin American NHRIs and in a survey completed by them on the implementation, evaluation and monitoring of the SDGs under a human rights approach within the framework of the COVID-19 crisis.

The **GANHRI SDG and Human Rights Toolkit**, accessible at <https://ganhri.org/sdgs-toolbox/>, collects resources (training materials, reports, databases, etc.) from relevant organizations, covering a wide range of thematic areas and issues of relevance for regions and specific stakeholders.



Graphic documentation of the session “The relationship between the SDGs and Human Rights” (Only available in Spanish)





The links between human rights protection and the 2030 Agenda for Sustainable Development: a Latin American perspective

The analysis presented in this report is based on the dialogue between NHRIs in Latin America concerning the close relationship between human rights and the goals and targets that make up the 2030 Agenda for Sustainable Development. This link can be seen from the very preamble of the Declaration through which the Agenda was established.³ It notes that the SDGs aim to realize the human rights of all people⁴.

The Danish Institute for Human Rights developed a tool called “**The Human Rights Guide to the SDGs**”, which allows online analysis of how the goals arising from the SDGs intersect with specific provisions enshrined in international instruments of protection of human rights.⁵ Accessible at: <https://sdg.humanrights.dk/es>

All of this means that human rights are central to the process of substantiating or giving content and reach to the SDGs. This relational complementarity can be seen from the regulatory, conceptual and functional points of view.

Legal relationship between SDGs and human rights

In terms of regulations, human rights reinforce the content and scope of the political commitments underlying the 2030 Agenda. Certainly, the

SDGs form a political declaration that is geared towards the gradual reduction of a series of social, economic and environmental deprivations, which represent structural impediments to the ability of people around the world to live in decent conditions. ⁶ Thus, the SDGs are aspirational in nature. However, from an intersectional approach based on human rights, it is evident that achieving the SDGs is not a mere aspiration. On the contrary, many of them imply the fulfilment of genuine legal mandates that require immediate and priority attention from States. The reason is that the SDGs are based on human rights that States have compelled themselves, both locally and internationally, to respect, protect and guarantee.

Likewise, this approach shows that achieving the SDGs involves civil society actors, including the private sector because of the responsibility of companies to respect human rights in the day-to-day running of their operations. ⁷ Consequently, human rights strengthen the 2030 Agenda by identifying who are the “duty bearers”, that is, those who have the duty to contribute to its realization; and who are the “rights holders”, that is, who are empowered to claim them as rights ⁸.

Conceptual relationship between SDGs and human rights

Conceptually, human rights show that the SDGs have a universal, indivisible, interdependent and interrelated character. Indeed, human rights are universal and indivisible because

their compliance is based on the principles of non-discrimination and equality. These two human rights attributes operate as a roadmap for the implementation of the SDGs. For example, several of the participating NHRIs highlighted during the workshops the importance of public policies in confronting the COVID-19 crisis that prioritize the most vulnerable groups in society as a result of promises to “leave no one behind” and “always reach those lagging farthest behind first” related to the implementation of the 2030 Agenda and its SDGs. The meaning of these promises is best understood when viewed from the angle of universality and indivisibility characteristic of human rights.

Likewise, human rights can serve as a common thread between the different SDGs, so that their realization is achieved in a coordinated manner. Thus, NHRIs in the region stressed that human rights make it possible to assess the interdependence or correlation between the different SDGs as pointed out during the workshop by Soledad García Muñoz, the Special Rapporteur on Economic, Social, Cultural and Environmental Rights (REDESCA) of the **Inter-American Commission on Human Rights (IACHR)**.

By way of illustration, achieving the SDGs within the people theme, i.e. end poverty, zero hunger, health and well-being, quality of education and gender equality, is inconceivable in the absence of public policies aimed at reducing inequalities among people (SDG 10); or without the participation of strong institutions committed to the promotion and protection of human rights (SDG 16).



RESOURCES

Useful resources and documents of interest from the IACHR in relation to the COVID-19 pandemic:

- m IACHR (2020) *Pandemic and Human Rights in the Americas. Resolution No. 1/2020*. Available at: <https://www.oas.org/en/iachr/decisions/pdf/Resolution-1-20-en.pdf>
- m OAS Press Release (July 2020) - IACHR Resolution 4/20 on the “Human Rights of Persons with COVID-19”. Available at: https://www.oas.org/en/iachr/media_center/PReleases/2020/073.asp
- m IACHR (2017) *Report on Poverty and Human Rights in the Americas*. Available at: <http://www.oas.org/en/iachr/reports/pdfs/Poverty-HumanRights2017.pdf>
- m REDESCA/IACHR (2019) *Business and Human Rights Report. Inter-American Standards*. Available at: http://www.oas.org/en/iachr/reports/pdfs/Business_Human_Rights_Inte_American_Standards.pdf
- m REDESCA/IACHR (2019) *Annual Report of the Inter-American Commission on Human Rights 2019*. III Annual Report of REDESCA. Working for the effective indivisibility, interdependence and protection of all human rights for all people in the Americas. “Until dignity becomes customary.” Available at: <http://www.oas.org/en/iachr/docs/annual/2019/docs/IA2019REDESCA-en.pdf>
- m REDESCA/IACHR (2020) *Compendium Labor and Trade Union Rights. Inter-American Standards*. Available at: https://www.oas.org/en/iachr/reports/pdfs/LaborRights_EN.pdf

Similarly, it is inconceivable to talk about decent work and inclusive economic growth (SDG 9) if the SDG 5 gender equality targets are not achieved.

Functional relationship between SDGs and human rights

Thus, the relational complementarity between the SDGs and human rights is also functional or operational. Specifically, monitoring and accountability mechanisms for the legally binding obligations and principles of States, in relation to human rights, or performance concerning corporate social responsibility, are enabling tools for measuring the degree of compliance with the SDGs, or to ensure that their implementation takes place on a basis of equality and universal access.⁹ For example, from the adoption of a human rights-based approach, the rights associated with the world of work may serve as a criterion for assessing compliance with SDG 8 (work and inclusive economic growth), which includes targets concerning the elimination of forced and child labour, and discrimination. In a case study, the NHRIs of Honduras and Peru presented practical examples of how the functional relationship between the SDGs and human rights work:

HONDURAS

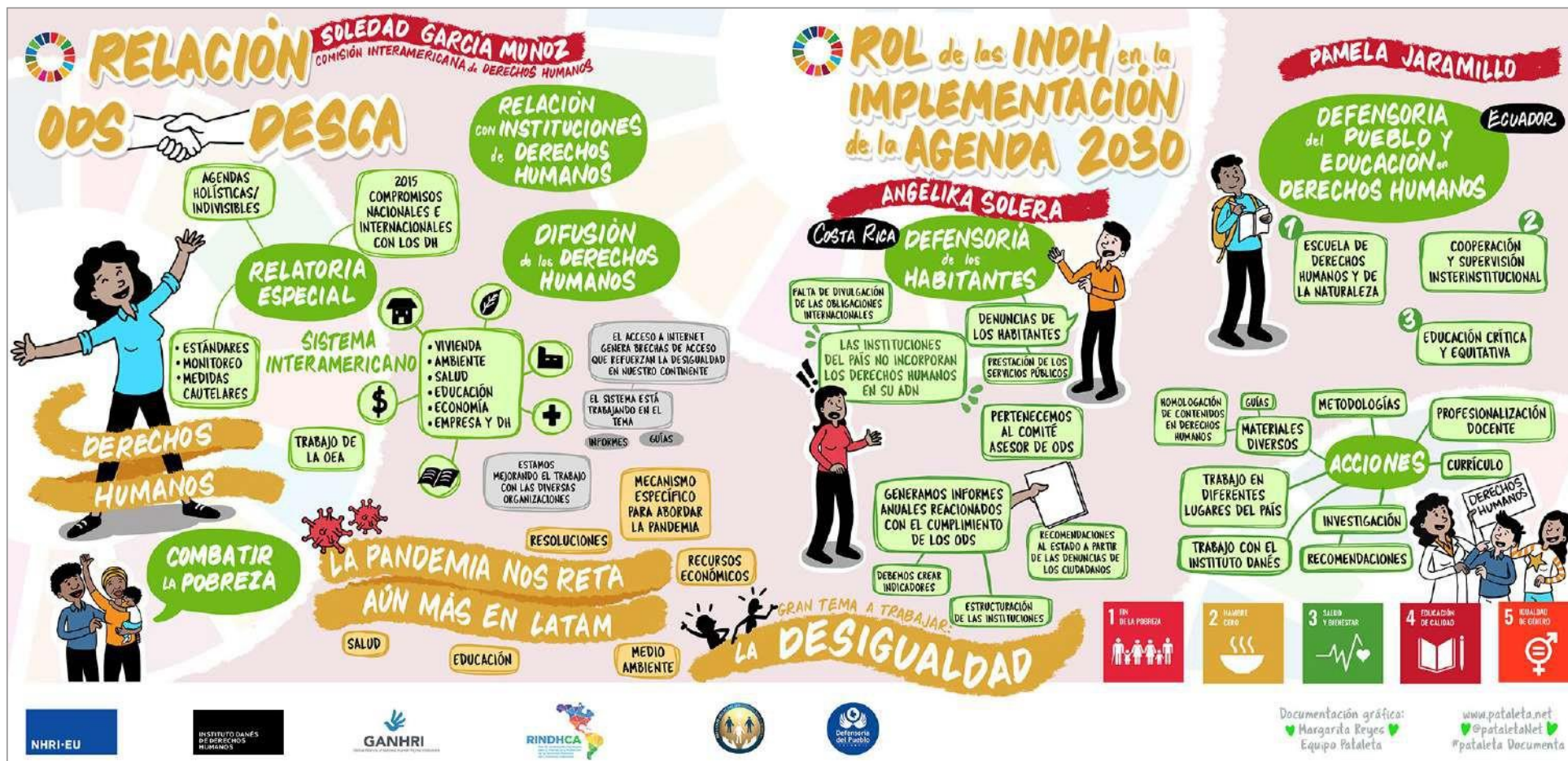
The Municipalities of Welfare Solidarity are part of a Human Security strategy carried out by the National Commissioner for Human Rights (CONADEH) of Honduras. The objective is to effectively protect and promote human rights at the local level, meeting priority needs and implementing the 2030 Agenda for Sustainable Development. The strategy is based on supporting local governments in solving their own problems, as well as empowering civil society by addressing individual complaints from the most disadvantaged sectors. This strategy has five related instruments: (1) community organization based on multisectoral civil society networks organized by CONADEH, (2) systems for the protection and promotion of human rights, (3) social auditing and oversight, (4) the human security index at the municipal level and (5) initial and continuing education. These five instruments are part of the 2030 Agenda, especially in terms of education (SDG 4), health (SDG 3) and conflict resolution (SDG 16).

PERU

The Office of the Ombudsman of Peru promotes gender equality and sexual and reproductive rights (SDG 5.6) through its human rights advocacy work. In the country, the Constitutional Court made a decision that has affected women's sexual and reproductive rights by prohibiting the distribution of Emergency Oral Contraception (AOE), known as the morning-after pill, by the Ministry of Health. However, distribution of the contraceptive was allowed to continue through individual pharmacies, creating a gap and accentuating the feminization of poverty, thus creating inequality between women who have the resources to access it and those who do not. The Ombudsman's Office plays a key role in defending the sexual and reproductive rights of all women through, for example, monitoring the guarantee of access to AOE in emergency kits in cases of sexual abuse. In addition, it carried out an analysis of the situation in the Ombudsman's Reports, contributed as *amicus curiae* in the constitutional court case and produced recommendations and press releases promoting non-discriminatory access to AOE.

Graphic documentation of the session “The role of NHRIs in the implementation of the SDGs: People Theme” (Only available in Spanish)









The human rights perspective in the implementation of the SDGs in the context of COVID-19: the role of NHRIs in response and recovery actions

Given the above context, the dialogue between Latin American NHRIs showed that the implementation of the SDGs centred on a human rights-based approach has taken on a greater preponderance as a result of the ongoing COVID-19 pandemic. In this regard, several reports issued by international human rights bodies have highlighted that the current pandemic poses a risk to the protection of human rights. Consequently, because of the close links that human rights have with the SDGs, the COVID-19 crisis could lead to stagnation or regression in achieving the goals and targets that make up the 2030 Agenda. Several of the specific concerns identified by NHRIs seem to point towards this.

In particular, the COVID-19 crisis has motivated governments to declare states of emergency that involve restricting individual rights and freedoms. Likewise, it has generated serious human, social and economic costs. Consequently, the ability to enjoy rights such as health, education, food, social security and, in general, to live in decent conditions has diminished. Moreover, the pandemic has exacerbated the high levels of inequality that have historically prevailed in Latin America, as population groups that have been particularly affected in their rights were especially

vulnerable, or have experienced historical patterns of exclusion, such as women, indigenous peoples, ethnic minorities, children, the prison population, persons with disabilities and persons who subsist from informal work, just to mention some of the examples that were put into context by NHRIs.

Therefore, a prerequisite for the full and effective implementation of the 2030 Agenda in the region, as seen by NHRIs, is that all public policies adopted to address the crisis must be based on respect for and promotion of human rights. This will entail, among other challenges, adopting public policies with differential approaches aimed at the most vulnerable populations, so that the promise of “leaving no one behind” is fulfilled. It will also involve strengthening internal mechanisms for the enforcement of rights, as well as strategies that enable people to know what their rights are and ensure conditions exist to assert them, which means providing special protection to human rights defenders.

NHRIs play a central role in the implementation of the 2030 Agenda in Latin America.¹⁰ Particularly, through the “symbiotic relationship” that the SDGs have with human rights, as Javier Surasky of the **Centre for International Strategic Thinking (CEPEI)** pointed out during the workshop. Also because of the significant experience these entities have gained in decision-making and carrying out actions that, in themselves, fall within the scope of the SDGs, such as promoting human rights education (target 4.7 of SDG 4). Additionally, one of the indicators of

compliance with SDG 16 (peace, justice and strong institutions) is precisely to have an NHRI operating in accordance with the Paris Principles. Principles which, among other criteria, indicate that NHRIs should be able to act independently from governments, have a broad mandate to promote and protect human rights, and report on their national situation.¹¹ That is why the 2015 **Merida Declaration of the Global Alliance of NHRIs (GANHRI)** highlighted that NHRIs, as entities responsible for the promotion and protection of human rights domestically, are essential for the implementation and monitoring of the SDGs.¹²

Given the above context, NHRIs in the region have exchanged experiences and strategies on how to articulate human rights and the 2030 Agenda in the exercise of their functions against the backdrop of the COVID-19 pandemic. The following are some of the practical experiences shared by NHRIs in the dialogue that forms the basis of this document, organized by theme (a case study of the work of six NHRIs during the pandemic is available in Annex No. II).

Actions to combat gender violence (SDG 5) in the context of the pandemic

To begin with, NHRIs have testified that a common problem in the different countries of Latin America has been the escalation of violence against women during the pandemic. In this regard, the NHRI of **Costa Rica** stated that it had prepared a study, which found that the COVID-19 crisis has exacerbated the economic

exclusion of women, adolescents and girls, deepening pre-existing inequalities, particularly as regards the right to work and food. This scenario poses a risk to the achievement of SDG 5 (gender equality), which includes goals such as ending discrimination against all women and girls, and eliminating all forms of violence against them.

Consequently, several NHRIs stated that they have taken concrete actions to prevent and protect women victims of gender-based violence in times of pandemic. These actions included, for example, recording and monitoring episodes of gender-based violence and killings (femicide of women, girls, trans people, linked femicides and femicide suicides) as in the case of **Argentina's** NHRI. In addition, public authorities were exhorted to take a gender perspective into account when taking action against the COVID-19 crisis, as well as monitoring local institutions responsible for preventing gender - based violence, as in the cases of the NHRIs of **Mexico**¹³ and **Guatemala**, respectively. In the case of **Costa Rica**, the NHRI was interested in learning about the conditions of women who were in shelters for victims of domestic violence or who lived in conditions of economic vulnerability. For its part, **Ecuador's** NHRI created a psychosocial support platform to provide rapid support to those vulnerable to the pandemic, including women who had been victims of domestic violence.

Several Latin American NHRIs have also adopted measures to facilitate women victims of gender-based violence to lodge the appropriate complaints. This is the case in **Guatemala**, where the NHRI provided citizens

with channels for swift communication designed for this purpose. For its part, the **Argentine** NHRI has an area specialized in dealing with complaints received for violations of women's rights. On the other hand, several NHRIs have carried out outreach campaigns against gender-based violence, while others, such as the institution in **Peru**, have conducted campaigns to guarantee women's reproductive rights.

Actions to leave no one behind in the face of growing social inequality (SDG 10)

Another concern expressed on a recurring basis during the workshops was the impact of the pandemic in relation to the high rates of social inequality that already existed in the region. As Gloria Manzotti of the **Regional Office of the United Nations Development Programme (UNDP)** stressed, COVID-19 is a crisis of the ability to govern, which entails challenges in terms of institutional administration and governance and which calls for the articulation of a recovery strategy that involves the reversal of the prevailing patterns of inequality and poverty in the region.

The situation in the region, aggravated by the pandemic, constitutes an obstacle to achieving the targets for reducing inequalities (SDG 10), ending poverty (SDG 1) or zero hunger (SDG 3), just to mention a few examples. In this regard, several NHRIs stated that, within the framework of carrying out their functions, they have helped to mitigate the adverse

socio-economic effects caused by the pandemic. For example, some NHRIs reported monitoring the allocation processes of social aid or benefits that governments have extended during the pandemic. Specifically, their role has been to call for the design and implementation of aid or benefit packages to follow a differentiated approach that prioritizes vulnerable population groups.

On the other hand, several NHRIs have focused on guaranteeing the rights of workers and migrants during the pandemic. This is the case of the **Mexican** NHRI, which has experience in protecting the rights of migrants working in the countryside, many of whom are minors. Similarly, **Ecuador's** NHRI urged several public and private entities to take measures to guarantee labour rights and strengthen public policy necessary to ensure the survival of small and medium-sized enterprises. In addition, it provided policy analysis reports and observations on the Humanitarian Bill in order to ensure that the rights of working people are guaranteed. Likewise, the Office of the Ombudsman of Ecuador, with the support of more than 20 workers' organizations and unions, filed a claim for unconstitutionality against the labour regulation presented by the so-called Humanitarian Support Act. Also, Ecuador's Ombudsman's Office filed a protection action in favour of 400,000 public servants unpaid during the pandemic. A favourable resolution was obtained on 1 September 2020 that guaranteed timely payment of salaries, without exception.

Other NHRIs have ensured that frontline health personnel are guaranteed the Personal Protection Equipment they need. Continuing with the theme of policies related to the material well-being of people, several NHRIs have been concerned that those living in precarious conditions should have access to essential public services in the midst of the pandemic. Ecuador's NHRI conducted permanent visits to hospitals at the national level, both of the Social Security Institute (IESS) and the Ministry of Public Health and verified the lack of PPE supplies and medical personnel to deal with the health emergency. Furthermore, it urged precautionary measures and opposed cuts to basic services during the pandemic on behalf of the most vulnerable. Its intervention resulted in the banning of cuts to basic services during the pandemic. In addition, these guarantees were able to prevent excessive charging of interest on unpaid payrolls during the emergency.

This aspect shows the intersectionality between human rights such as health, hygiene, the minimum living wage or access to water, and several of the SDGs, such as 3 (health and welfare) or 6 (clean water and sanitation).

Actions to strengthen institutions and generate alliances (SDG 16 and 17)

Finally, the role of NHRIs during the COVID-19 crisis has served to strengthen institutions (SDG 16) and generate partnerships for the achievement of the 2030 Agenda

(SDG 17). At the institutional level, several NHRIs stated that the assistance provided to other public entities has served to raise awareness that the measures taken in response to the crisis, and those taken in order to achieve socio-economic recovery once the post-pandemic arrives, must be embedded in a human rights framework. NHRIs have also forged links with international organizations to cooperate in the monitoring and supervision of the human rights situation during the pandemic. They are also working in tandem with a wide range of civil society actors such as NGOs, universities, and business.

The Human Rights Guide to Sustainable

Recovery, accessible at <https://www.humanrights.dk/tools/human> provides guidance to different actors

for sustainable recovery from COVID-19 using the Sustainable Development Goals (SDGs) and human rights as a plan.

The Guide can be used by States, national human rights institutions, business, civil society and researchers to develop and influence sustainable recovery planning and monitoring.

Actions to strengthen environmental democracy (SDG 13, 15 and 16)

According to Valeria Torres, of the Technical Secretariat of the Escazú Agreement of the **Economic Commission for Latin America and the Caribbean** (CEPAL), from an environmental perspective, Latin America faces various ecosystem pressures arising from, inter alia, the COVID-19 pandemic¹⁴, natural disasters and the murder of environmental campaigners.

Faced with this situation, the Escazú Agreement¹⁵ is a pioneering instrument in the region and the world that fosters the recognition of a virtuous circle between human rights and the environment that needs to be strengthened through the rights of access to information, public participation and justice¹⁶. This is also closely related to the SDGs that make up the planet theme, such as climate action (SDG 13) and life of terrestrial ecosystems (SDG 15), since their implementation depends, inter alia, on the creation and strengthening of information systems, mechanisms and instances of participation and administrative or judicial procedures for the protection of the right to a healthy environment. The Escazú Agreement also contributes to the guarantee of substantive rights recognized in the 2030 Agenda and in international human rights treaties, such as on health and food.

NHRIs play a fundamental role in the implementation of the Escazú Agreement and in the struggle to reinforce environmental democracy in the region. Examples of actions by NHRIs in protecting social leaders:

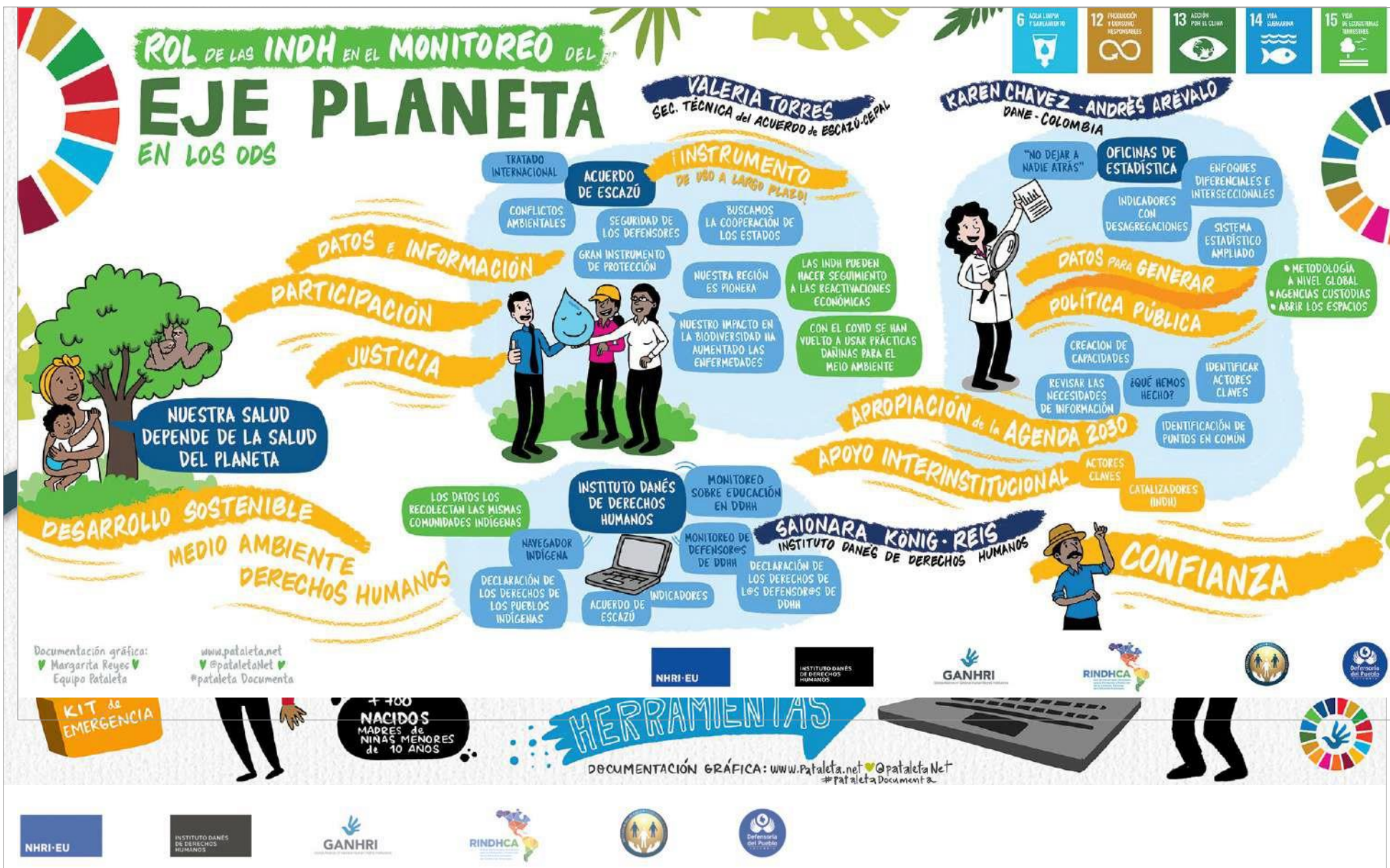
COLOMBIA

The Office of the Ombudsman (NHRI of Colombia) has a Comprehensive Strategy for the Protection of Social Leaders and the Early Warning System to protect these leaders. This system was created in 2001 and was created with the aim of preempting acts of violence, drawing on the natural hazard prevention system and the conflict prevention system of the Internal Committee of the Red Cross. Consequently, from assessing threats, capabilities in the territory, social contexts and human rights violations, it establishes risk probabilities and generates a document called “Early Warning” that includes recommendations for action in a given situation. It should be emphasized that this system is comprehensive, so it does not depend on specific officials or delegated areas of the Ombudsman's Office, but is a cross-cutting strategy called “We are with you” that links all members of the NHRIs, and other branches and institutions of the State, in the search for the full guarantee of all categories of rights of human rights defenders and social leaders¹⁷.

GUATEMALA

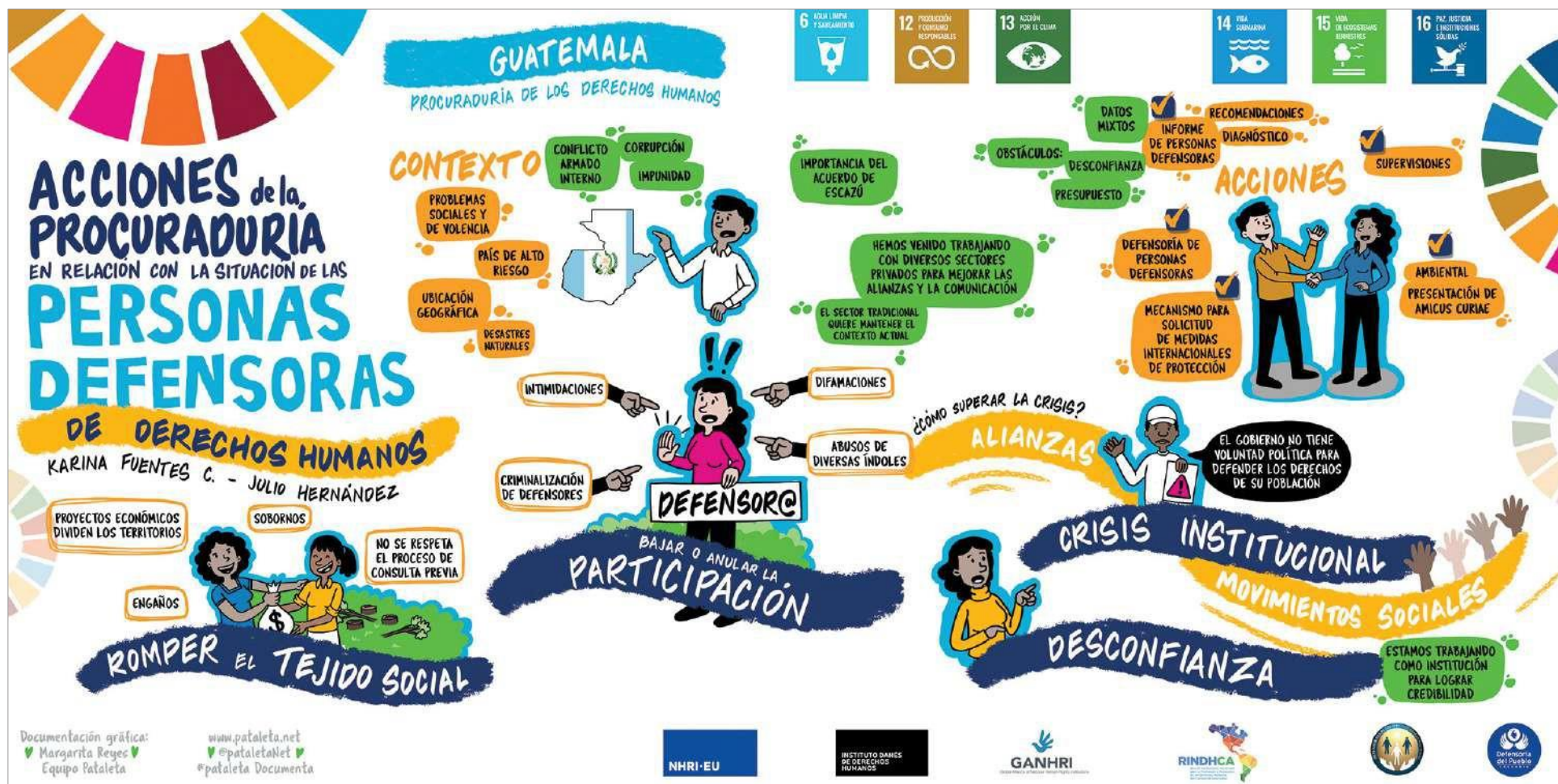
Guatemala faces a situation of systemic violence as a result of the internal armed conflict in terms of weakening institutions, the country's serious environmental problems, as well as attacks on human rights defenders. Faced with this situation, the Office of the Human Rights Ombudsman (NHRI of Guatemala) prepared a report that shows the different patterns used to affect the work carried out by human rights defenders, a diagnosis of the main weaknesses of the State and recommendations to public institutions. As a result of this report, the Attorney-General for Human Rights decided to create the “Ombudsman's Office” as a specialized unit of the institution for the research and promotion of human rights and the supervision of the public administration on the subject. The mechanism for requesting international protection measures for human rights defenders has also been implemented in cases where such protection is not achieved at the national level¹⁸.

Graphic documentation of the session “NHRIs in monitoring the SDGs: Planet Theme” (Only available in Spanish)





Graphic documentation of the session “NHRIs in monitoring the SDGs” Case study: Guatemala (Only available in Spanish)





The role of NHRIs in monitoring and follow-up of the Sustainable Development Goals

The participation of NHRIs is crucial in guiding States in adopting a human rights-based approach to governance, as well as for the collection of information to measure progress and monitoring of the SDGs. Monitoring actions by NHRIs have also involved making sure that there are no barriers that irrationally or disproportionately hinder access to the benefits of sustainable development. For example, some NHRIs indicated that they have had to intervene in order to ensure that the lack of registration in the official databases is not an obstacle to people accessing aid. In this regard, it was stressed that the work of NHRIs in data generation and compilation has enhanced the coverage of social protection policies.

For example, **Ecuador's** NHRI carries out actions such as promoting the empowerment of civil society to demand human rights; inter-agency coordination and cooperation; as well as monitoring and oversight of the situation of human rights education in order to achieve the 2030 Agenda¹⁹. Likewise, the **Honduran** NHRI in partnership with the Danish Institute develops a system that allows the SDGs to be aligned with the work of receiving requests for information and complaints. This project contributes to the monitoring of the SDGs based on their relationship with human rights petitions and complaints lodged by Hondurans.

Similarly, collaboration with national statistical offices has been very important in monitoring and follow-up work. It highlights the progress made by the **National Administrative Department of Statistics (DANE)**, the national statistical office of **Colombia**, where the institution's statistical production is conceived according to the idea that “no one should be left behind”. As highlighted by Andrés Arévalo and Karen Chávez, this approach to the Colombian national statistical system is based on two approaches: the differential and the intersectional approach. The conceptual framework of the differential approach relates to making visible and combating different forms of discrimination. This constitutes an input for the adoption of public policies and for the work of the various national actors. With regard to the intersectional approach, gender and ethnicity issues intersect.

The National Administrative Department of Statistics of Colombia (DANE) carries out four basic actions not only with the Office of the Ombudsman (NHRI of Colombia) but also with other institutions working with human rights in the country. These actions relate to: (i) technical and thematic capacity-building; (ii) coordination with the actors identified as key to creating these capacities in the review and diagnosis of SDGs, including ongoing work with the Office of the United Nations High Commissioner for Human Rights (OHCHR); (iii) a review of current needs, in particular on SDGs, and (iv) previous work on the subject of human rights and identification of common tasks.

Furthermore, **Colombia's** NHRI has developed the Comprehensive Strategy for the Protection of Social Leaders and an Early Warning System to protect their leaders (p.13). In addition, the **Guatemalan** NHRI, in its annual reports, reveals the different patterns of threat or risk to human rights defenders, including a diagnosis of the main weaknesses of the State, and the human rights situation in Guatemala and offers recommendations to the public institutions (p.14).

Finally, the Danish Institute is currently developing a tool aimed at improving the protection of human rights defenders, which will contain indicators to facilitate the monitoring of international human rights instruments related to fundamental freedoms in the context of the SDGs.

TOOLS:

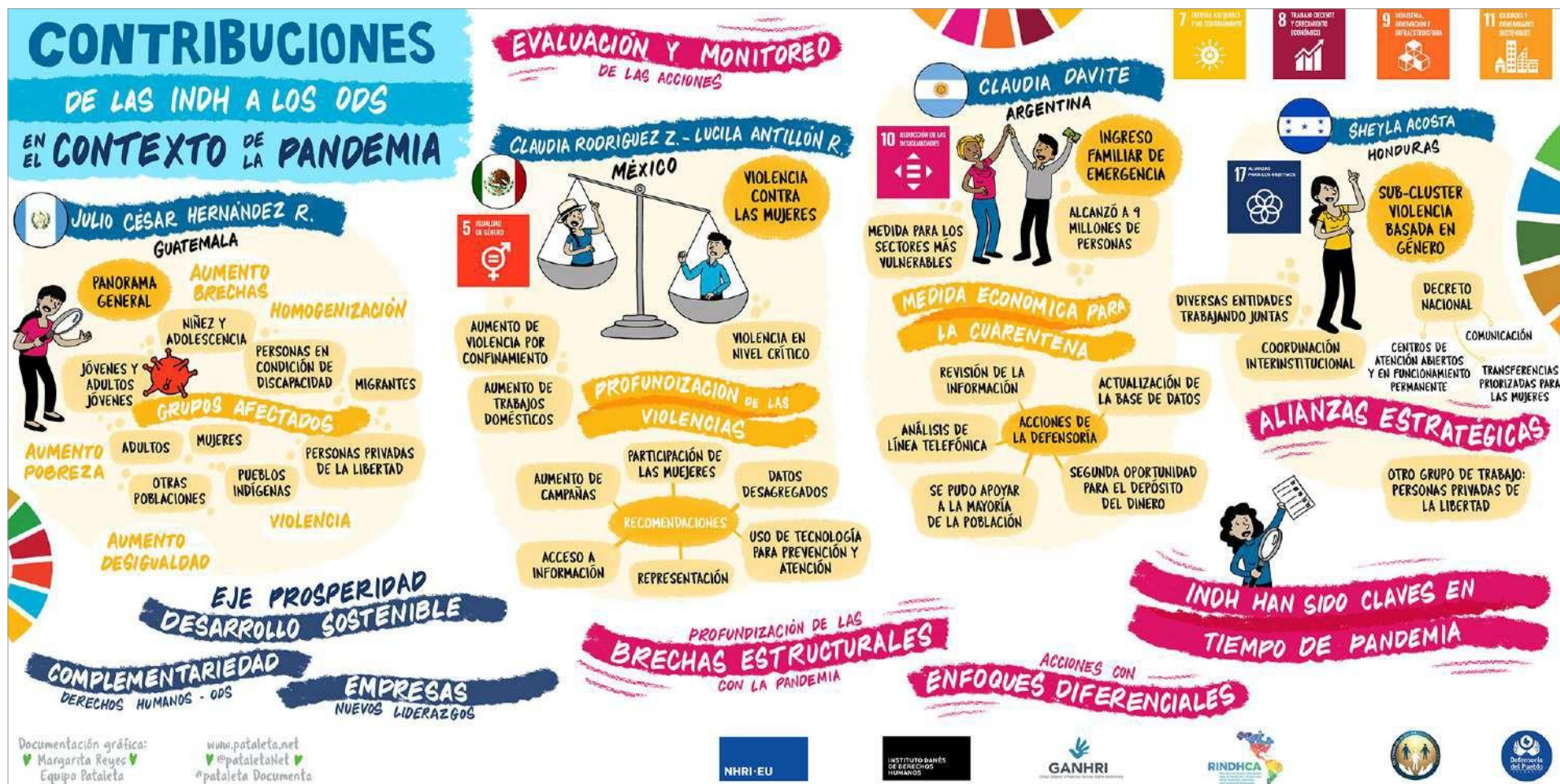
For the integrated monitoring and tracking of human rights and SDGs, there are also a number of tools, such as those developed by the Danish Institute for Human Rights:

The **Data Explorer of SDG-Human Rights**, accessible at <https://sdgdata.humanrights.dk/es>, is a database with a built-in search engine, linking the recommendations of the international human rights system with the goals and targets of the 2030 Agenda for Sustainable Development. It allows users to analyse the recommendations of international monitoring bodies of human rights, to the extent that they refer to the implementation of the SDGs and its 169 targets in specific countries.

The **“Indigenous Navigator”**, accessible at <https://indigenousnavigator.org/>, includes resources, indicators and questionnaires related to the monitoring and implementation of the Declaration on the Rights of Indigenous Peoples. Among other content, in particular, the browser has the following characteristics: (i) it relates the rights of these peoples to the SDGs and the contents of other instruments of international law; (ii) it has a system of indicators based on the methodology of the Office of the High Commissioner for Human Rights; and (iii) allows for the collection of data by NHRIs and members of these peoples.

The **Monitoring Tool on human rights education**, accessible at <https://sdg47-hre.humanrights.dk/>, allows national institutions of human rights and/or State parties to monitor the implementation of the human rights education element of global target 4.7 of the SDG and related human rights provisions.

All tools, analyses, courses and resources produced by the Danish Institute for Human Rights on the subject of SDGs and human rights are accessible at <https://www.humanrights.dk/sdgs>





Case study: National Human Rights Institutions play a key role during the pandemic and in the response to COVID-19

NHRIs in the Americas play a key role during the pandemic and in the response to COVID-19. They are fundamental to analysing the relevance of this crisis, in monitoring the role of the State in protecting human rights by highlighting the importance of implementing a rights perspective.

In this regard, NHRIs in the region share a common role to make visible the precarious situation of groups such as children, indigenous peoples, older persons and women, based on monitoring the situation of these groups, the actions of States and complaints about human rights violations.

This context has also brought institutional challenges to achieving planned activities and meeting the demands of the moment. Faced with these challenges, institutions have strengthened existing remote mechanisms for disseminating information of public interest and receiving complaints and introduced novel means of communication for telephone and virtual assistance. The use of technology has also contributed to delivering human rights training activities.

All these actions were not carried out in isolation, since the moment required the development of new networks and the strengthening of existing ones. Links with national and local State institutions proved essential, and also working with academia, civil society and international cooperation mechanisms such as United Nations clusters.

Highlighted actions

ARGENTINA

- ✚ Incorporation on the website of the rules related to COVID-19 in clear language and accessible to everybody and instructions on how and where to process authorizations required by States for movement within and across State borders.
- ✚ Monitoring and raising awareness of gender-based violence. This is a continuation of the work of the Femicide Observatory, which showed that the period of social and preventive isolation against COVID-19 led to an increase in deaths compared to 2018 and 2019. Created in 2016, accessible at: <http://www.dpn.gob.ar/observatorio-femicidios.php> and <http://dpn.gov.ar/gacetilla.php?id=32282&pagN=1>. The dissemination of measures implemented by the Ministry of Women, Gender and Diversity intensified <http://www.dpn.gob.ar/gacetilla.php?id=32138&pagN=2>.
- ✚ Strengthening work on gender and diversity issues. In this sense, a specific Area was created within the institution. Among other initiatives, they visited LGBTI groups in prison wards and places where they live.
- ✚ Recommendation to the authorities of the National Social Security Administration (ANSES) to regularize the operation of “Hotline 130” providing information on payment schedules for different social programmes (<http://dpn.gov.ar/articulo.php?id=32069&pagN=3>).
- ✚ Statement on COVID 19 vaccines as an opportunity to strengthen the United Nations 2030 Agenda. (<http://www.dpn.gob.ar/gacetilla.php?id=32300>).
- ✚ Expression of the need for business to respect human rights (<http://www.dpn.gob.ar/gacetilla.php?id=32123&pagN=2>).
- ✚ Advice and assistance provided to citizens in accessing emergency family income (IFE). The income is intended to help mitigate the financial difficulties of those people affected by the situation.
- ✚ Records kept of Argentine citizens who could not return home, or were “stranded”, through the creation of a register and its filing with national and local authorities. The citizens were assisted and permissions were authorized.
- ✚ Assistance to migrants in restoring access to identity cards, affected by the suspension of administrative deadlines.
- ✚ Strengthening work on the ground with indigenous communities through regional agents.

COSTA RICA

- £ Maintenance of the telephone service for receiving complaints and strengthening a virtual alternative for the care of Costa Ricans through the website and the establishment of a call centre that became operational at the end of March 2020.
- £ Monitoring the conditions of women during isolation, sending official letter DH-MU-0179 addressed to the National Institute for Women to find out about the conditions of shelters for women who suffer domestic violence and the actions taken to address the specific financial vulnerability of women. It also participated in special sessions of the CEDAW Agenda Working Group.
- £ Expression of concern over the suspension of hearings on the question of food, as well as the existence of judicial interpretations extending the deadlines for search for work, and the suspension of family inspections.
- £ Verification of the conditions of shelters for older persons and the actions of the National Children's Trust in cases of domestic violence.
- £ Preparation and publication online of a compendium of provisions issued by the government, as well as those emanating from international organizations in the field of human rights and the pandemic.
- £ Identification of a fall in the Transparency Index, calculated from the ongoing programme "Inter-Institutional Transparency Network" developed in coordination with the University of Costa Rica's and Digital Government's Public Administration Research and Training Centre, which evaluates elements that enable the measurement of the state of transparency of the public sector.
- £ Implementation of virtual planned activities in human rights education.
- £ Monitoring of the actions of the Minister of Health aimed at elderly people infected with Covid-19 in nursing homes, and requesting information on implementation of the provisions due to the increase in cases in these homes.
- £ Follow-up on the actions carried out by the General Directorate of Migration and Aliens to address the situations of Nicaraguans, Haitians and Cubans in various border areas.
- £ Promotion of short-term reintroduction of a drinking water service in the face of supply problems.
- £ Management, with the Directorate of Road Education, of the extension of the validity of driving licences for non-residents and the approval of licences (Resolution No. 2020-000818).

ECUADOR

- £ Issuance of statements to protect human rights during the health emergency, with a view to implementing the broadest prevention programmes for the population, with emphasis on the most vulnerable groups such as elderly people, pregnant women, girls, boys and adolescents, persons deprived of their liberty, among others.
- £ It has issued several pronouncements expressing concern about the repeated problems reported regarding the handling and identification of dead bodies in the country, in the context of covid-19, and has urged the national Government to strengthen and implement the necessary measures to ensure that the processes of handling and identification of corpses are carried out properly, providing speed, efficiency and safety, and prioritizing adequate care and information to the families of deceased or lost persons or who, as a result of the health emergency, are in a situation of confinement and social isolation. Also, an action was filed for protection against the disappearance of corpses resulting from poor handling and non-compliance with the protocol for the final disposal of bodies.
- £ It has submitted several warnings, alert calls and requests for information to the competent authorities, to ensure the protection of the rights of persons deprived of their liberty, in particular those related to access to health, to a dignified life and personal integrity, owing to conditions of overcrowding, poor and inadequate health infrastructure, lack of

protective supplies such as masks or toiletries and permanent supply of water for human consumption, among others, which constitute a clear violation of fundamental rights to this priority attention group. It also launched a protection action for persons deprived of their liberty who belong to vulnerable groups, with the aim of guaranteeing their rights, which have been affected during the health emergency.

- £ In the area of banking services, the Board for Monetary and Financial Policy and Regulation and, in particular, the Superintendencies of Banks and the Public Economy and Solidarity were urged to issue a resolution, during the duration of the state of emergency, to suspend automatic debits from debtors' current and savings accounts, intended for payment of loans and credit card debt, until they are refinanced, restructured or renewed, in order to ensure and prioritize access to and provision of basic necessities and services.
- £ Creation of a virtual platform for psychosocial assistance, which allows the provision of support of mental health professionals and students to the population that requires it in an efficient and timely manner. Tool accessible at: portalportal@dpe.gob.ec
- £ Strengthening of e-learning in self-learning mode (MOOC), with the German Technical Cooperation on gender equality and human rights, to achieve greater outreach and results. Similarly, virtual educational processes were coordinated with the German GIZ

Sustainable Intermediate Cities Programme and the webinar “Human Rights Cities: Management with a human rights approach in the context of the COVID-19 health emergency” in conjunction with the Sustainable Intermediate Cities Programme and Grupo Faro.

- ✚ Advocacy of guarantees of labour rights and strengthening public policy necessary to ensure the survival of SMEs.
- ✚ Analysis and observations on the Public Finance Management Bill, approved by plenary session of the National Assembly and the Draft Organic Law on Humanitarian Support to combat the health crisis resulting from COVID-19.
- ✚ Public statement to the national Government to issue a declaration of emergency for the health sector for the first case of coronavirus in the country, being the first entity to do so.
- ✚ Participation in round table meetings in the national and provincial Emergency Operations Centre.
- ✚ Preparation of the “Thematic report on the human rights situation during the state of emergency declared due to the COVID 19 health crisis in Ecuador in 2020” in conjunction with UTE University and with the support of UNHCR and the European Union.
- ✚ Participation in the Education Cluster composed of the Ministry of Education, UNESCO, UNICEF and various civil society and non-governmental organizations providing technical assistance on the importance of incorporating a human rights approach

in the COVID-19 Education Plan. On these lines, it joined the initiative to generate actions that allow access to education for students and teachers in rural areas.

GUATEMALA

- ✚ Expansion of the Call Centre and the implementation of an e-mail system for receiving complaints, providing guidance and coordination with responsible institutions.
- ✚ Supervision of institutions responsible for the prevention and protection of women victims of violence, in which the implementation of mechanisms to facilitate reporting in contexts of mobility restrictions and non-operation of public transport was recommended.
- ✚ Preparation of the 2020 annual report assessing the impact of the pandemic on different rights and populations, out of which various recommendations were proposed to the various institutions of the State, available at: <https://www.pdh.org.gt/documentos/seccion-de-informes/informes-anuales/5266-informe-anual-circunstanciado-pdh-2020/file.html> file (not available in English). As well as the coordination of notification to the responsible institutions.
- ✚ Participation of the “National Alliance of Indigenous Women's Organizations for Reproductive Health” with civil society and non-profit organizations for monitoring and oversight of the human rights situation and health services.

- £ Preparation of the report entitled “The right to food and to security of food and nutrition in the framework of the COVID-19 pandemic” Available at: <https://pdh.org.gt/documentos/seccion-de-informes/informes/informes-especiales/informes-del-pdh-a-conasan/4982-xiii-informe-pdh-conasan-v-2-1/file.html> (in Spanish).
- £ Publication of reports on institutional actions in the context of the COVID-19 pandemic, including monitoring public expenditure, issuing specific recommendations, available at: <https://pdh.org.gt/documentos/investigacion/seguimiento-presupuesto-y-compras-covid-19.html> (not available in English)

HONDURAS

- £ Establishment of a platform to share information, map services, and activities to be implemented to avoid duplication of established processes and implement SDG 17 on partnerships.
- £ Timely recommendations to the Executive to address the needs of the population during confinement.
- £ Promoting awareness-raising, prevention and care measures on violence against women and actions to guarantee gender equality during the national emergency declared as a result of the COVID-19 pandemic from the National Congress, with the active participation of public institutions and civil society organizations.

- £ Accompaniment of the food ration delivery process and appeals to ensure fairness and equitable delivery.
- £ Participation of protection clusters activated by the United Nations system and the Honduran humanitarian team. The participation of the gender-based violence sub-cluster allowed the issuance of a decree for awareness-raising, prevention and actions that guarantee gender equality during the pandemic.

MEXICO

- £ Urged the Mexican government to ensure that the actions to be set out to address the spread of COVID-19 take place within the framework of human rights and with a gender perspective.
- £ Monitoring violence against women in the context of the pandemic and preparation of a study on gender-based violence “La violencia contra las mujeres en el contexto de la COVID-19”, available at: <https://igualdaddegenero.cndh.org.mx/Content/doc/Publicaciones/COVID-Mujeres.pdf>. (Not available in English) Includes 15 recommendations.
- £ Raising awareness of the seriousness of the invisibility of the problem of violence against women through a communiqué regarding the “Count to 10” campaign of 26 May 2020, promoted by the Federal Government. In this context, concern was expressed about the obstacles faced by victims of violence in accessing assistance and relief services.

- ₡ Raising awareness of positive parenting with the publication of the booklet “Usted padre, madre o tutor puede impulsar el bienestar y futuro de su hija e hijo”, available at: [http://appweb.cndh.org.mx/biblioteca/archivos/pdfs/ Padre-Madre-Tutor-Bienestar-Hija-Hijo.pdf](http://appweb.cndh.org.mx/biblioteca/archivos/pdfs/Padre-Madre-Tutor-Bienestar-Hija-Hijo.pdf) . (Not available in English) It contains guidelines on how to act based on listening and without violence.
- ₡ Monitoring the situation of persons deprived of their liberty. Publication of the NHRC Actions Report on Prison Systems during the COVID-19 Pandemic.
- ₡ Statement on violations of the rights of workers in the health sector with Recommendation 14/2020.
- ₡ Complaint of violations of the human right to life, to the protection of health, as well as to access health information against a Salvadoran migrant, who died from COVID-19, after being in the custody of the National Migration Institute with Recommendation 34/2020.
- ₡ Donation of 100 million pesos — approximately \$5 million — to combat the pandemic in 2020.



GENERAL CONCLUSIONS AND RECOMMENDATIONS

Achieving the SDGs and protecting human rights jointly implies the establishment of a minimum set of conditions in all countries, that includes strengthening the social rule of law, respect for the existing international legal order, the creation of robust national targets and indicators and the effectiveness of monitoring actions. In the context of the COVID-19 crisis, NHRIs play a crucial role in placing human rights and the SDGs at the heart of recovery strategies taken in the short, medium and long term with the aim of strengthening sustainable development, democratic principles and values, as well as the fight against scourges such as inequality and poverty prevailing in Latin America.

In this context, and on the basis of the arguments presented in this document, the following recommendations are made:

- Promote the importance of the role of NHRIs in Latin America in promoting local, regional and international action on sustainable development.
- Continue the creation of spaces of collaboration and exchange among Latin American NHRIs on SDGs and human rights.
- Strengthen the capacities of NHRIs so that they can contribute even more effectively to their countries' decision-making to follow up on the 2030 Agenda.
- Include NHRIs in national and local discussions on sustainable development and in reporting on the implementation of the SDGs.
- Increase the production of statistical data and its systematization to follow up on SDG targets and human rights protection, collaborating with NHRIs in the development of national indicators and data production.
- Progressively increase budgetary allocations to strengthen the work of NHRIs.
- Strengthen the capacities of all national actors through human rights education and sustainable development policies.



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ANNEX

RINDHCA Declaration on the Sustainable Development Goals and the 2030 Agenda in the Americas produced by NHRIs during the workshop

RINDHCA DECLARATION ON SUSTAINABLE DEVELOPMENT GOALS AND THE 2030 AGENDA IN THE AMERICAS

The Network of National Institutions for the Promotion and Protection of Human Rights in the Americas (RINDHCA), a regional organization member of the Global Alliance of National Human Rights Institutions (GANHRI) and which brings together 18 Latin American NHRIs, expresses its strong commitment to the promotion and achievement of the Sustainable Development Goals and the 2030 Agenda,

Reiterating the urgency of moving forward with the Sustainable Development Goals (SDGs) with the firm intention of leaving no one behind in the Latin American region,

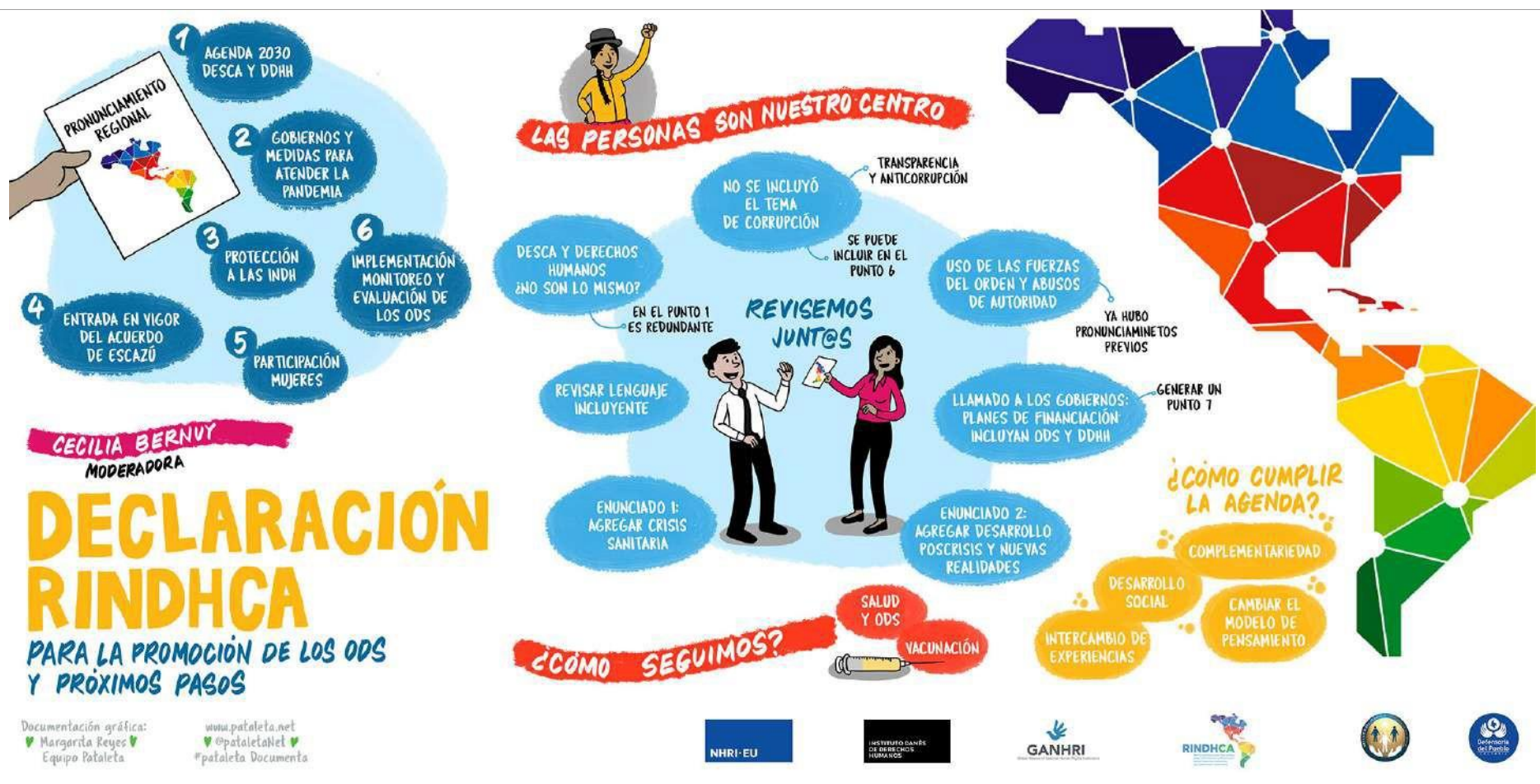
Recognizing the role of NHRIs in the implementation and monitoring of the SDGs as adopted in the GANHRI Declaration of Mérida and as recognized in multiple United Nations resolutions, in particular as expressed in resolution A/RES/74/156 of 2020,

Accordingly, RINDHCA calls for the effective achievement of the SDG targets on our continent, a demand that is particularly important in the current contexts of the health crisis (COVID -19) and global emergencies, which is why NHRIs in the American region:

1. Call for the 2030 Agenda to be implemented with a Human Rights approach, taking into account civil, political, economic, social, cultural and environmental rights, and recognizing economic, social and gender inequality, poverty, the special impact of the health, climate and environmental crisis on the region, as well as the situation of defenders of human rights and the environment, as matters of particular gravity and urgency that need to be addressed in the fulfilment of the SDGs;
2. Encourage the governments of the region, both national and subnational, to ensure that measures taken to address the COVID-19 pandemic and its social and economic recovery, as well as post-pandemic actions, are geared towards sustainable development and aligned with their obligations to respect and guarantee human rights, strengthening the protection of the most affected and vulnerable populations;
3. Call on States in the region to protect and strengthen NHRIs, as human rights monitors and guarantors and key implementers of the SDGs, and to reverse any measures that result in their weakening;
4. Welcome the imminent entry into force of the Escazú Agreement and call on those states that have not ratified it to do so, and to take measures in its implementation to protect and guarantee the work of human rights and environment defenders, with special attention to indigenous peoples, and effective justice in respect of acts against them;
5. Call on States in the region to ensure the participation of women in public decision-making spaces, to ensure special protection for women and girls against all forms of violence, to facilitate access to justice for all women without discrimination, and to ensure that public servants are properly trained to work on human rights and from a gender perspective, including in the design and implementation of sustainable development programs.
6. Invite governments in the region to adopt effective, public, transparent and participatory mechanisms for implementation, monitoring, accountability and anti-corruption of the SDGs, with the active participation of NHRIs in decision-making and policy-making spaces of sustainable development to ensure a proper human rights-based approach.
7. Urge Latin American governments to ensure that their economic policy includes the mobilization of domestic resources for development financing, taking into account human rights obligations and the Sustainable Development Goals.

February 2021

José Apolonio Tobar
Ombudsman for the Defence of Human Rights of El
Salvador, Secretary General of RINDHCA



Notes

- 1 NHRI-EU is a project for building capacities funded by the European Union and implemented by the Danish Institute for Human Rights. This project also includes the participation of GANHRI, the regional networks of NHRIs, including the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas — RINDHCA and the NHRIs themselves. It aims to strengthen the capacities of NHRIs individually and collectively in accordance with the United Nations Paris Principles, in order to increase their impact and effectiveness in the promotion and protection of human rights.
- 2 Available at: <https://www.cepal.org/en/escazuagreement>
- 3 Transforming Our World: The 2030 Agenda for Sustainable Development, Doc. UN. A/RES/70/1, 21 October 2015.
- 4 Transforming Our World: The 2030 Agenda for Sustainable Development, Doc. UN. A/RES/70/1, 21 October 2015, Preamble.
- 5 This tool can be accessed through the following link: <https://sdg.humanrights.dk/>
- 6 Thomas Pogge & Mitu Sengupta (2016): Assessing the sustainable development goals from a human rights perspective, *Journal of International and Comparative Social Policy*.
- 7 Human Rights Council (HRC) “Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework” UN Doc A/HRC/RES/17/31 (21 March 2011).
- 8 Danish Institute for Human Rights (2020). “A human rights-based approach to the means of implementing the sustainable development goals”, p. 13.
- 9 In this regard, see: Danish Institute for Human Rights (2020). “Human rights in the follow-up and review of the 2030 Agenda for Sustainable Development”.
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- 13 Initiative summarized in the document La violencia contra las mujeres en el contexto de la COVID-19, available at: <https://igualdaddegenero.cndh.org.mx/content/doc/publications/COVID-women.pdf>. It is part of the Commission's work on the prevention of gender-based violence, such as General Recommendation 43/2020 (On Violation of Access to Justice and Inadequacy in the Implementation of Public Policies for Prevention, Care, Punishment and Full Redress for Harm to Direct and Indirect Victims of Femicide and Other Violence, available at: https://www.cndh.org.mx/sites/default/files/documentos/2020-11/Recgral_043.pdf (Not available in English).
- 14 Context summarized in the document Building a New Future: A Transformative Recovery with Equality and Sustainability, accessible at: <https://www.cepal.org/en/publications/46227-building-new-future-transformative-recovery-equality-and-sustainability>.
- 15 Available at <https://www.cepal.org/en/escazuagreement>.
- 16 Monitored by the Observatory on Principle 10 of the Rio Declaration in AL and C accessible at: <https://observatoriop10.cepal.org/en>.
- 17 See: <https://www.defensoria.gov.co/es/public/atencionciudadanoa/1469/Sistema-de-alertas-tempranas---SAT.htm> (Not available in English)
- 18 Report from the Guatemalan Public Prosecutor's Office 2019 (not available in English) on: https://www.oacnudh.org.gt/images/CONTENIDOS/ARTICULOS/PUBLICACIONES/Informe_personas_defensoras.pdf
- 19 In this context, they have available a specialized digital library on human rights and nature at the Office of the Ombudsman of Ecuador, available at: <http://repositorio.dpe.gob.ec/>.

