

SOUTH AMERICA

Field presence	OHCHR Regional Office for South America, based in Santiago, Chile Operation established in 2009
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Countries of engagement

Argentina, Brazil, Chile, Peru, Uruguay and Venezuela (complementing the OHCHR country presences in Bolivia, Colombia, Ecuador and Paraguay)

Engagement with the human rights mechanisms

See overview table on page 186

Most countries covered by the Regional Office for South America are rather stable democracies and have established legal and institutional human rights frameworks but still need to strengthen their capacity to promote and protect human rights. Most of them have recently held or will hold presidential elections. Although there has been variable progress in coming to terms with past crimes after the fall of dictatorial regimes and there is a possibility of voting in free elections, people are demanding more from their democracies, more equitable access to economic, social and cultural rights, less discriminatory practices towards vulnerable groups, better security and increased participation. These demands have at times been responded to with violence.

Violence persists and is related to inefficient State strategies, in particular in curbing the activities of organized crime. High murder rates mainly affect already vulnerable populations, primarily those affected by poverty and marginalization, while gender-based violence, homophobic-driven crimes and harassment of activists are a continuing concern. Arbitrary killings or arrests, discriminatory access to justice and abuse of pretrial detention occur. Widespread impunity and the ineffective administration of justice are compounded by poor prison conditions and torture, underlining the importance of the ratification of the OP-CAT and the establishment and effective functioning of National Preventive Mechanisms against torture.

The region has not escaped the global economic crisis, but has succeeded fairly well in mitigating its effects largely as a result of social policies and is now experiencing higher growth rates than other parts of the world. Unequal wealth distribution remains at the core of many rights violations, while rocketing growth has led to a reduction of

international aid. Millions are no longer living in poverty, but the problem has by no means ended. Some extractive activities can harm the environment and other natural resources and have an impact on the rights of peasants, people of African Descent and indigenous peoples. This situation has at times resulted in violence at demonstrations and repressive responses from States. There are widespread violations of the rights of indigenous peoples to participation and prior and informed consultation.

Harmonization of national laws with the international human rights treaties, and to a lesser degree with public policy and jurisprudence, is fairly advanced and ongoing. All countries, with the exception of Brazil, have established NHRIs in accordance with the Paris Principles, although their effectiveness and independence have at times come into question.

Thematic priorities

- ▶ Strengthening the effectiveness of international human rights mechanisms with a focus on: ratification; submissions of reports by States Parties and submission of information by civil society actors, the NHRI and United Nations entities to treaty bodies, special procedures and the UPR; and implementation of recommendations of human rights mechanisms, including through national coordination mechanisms.
- ▶ Integrating human rights in development and the economic sphere with a focus on: right to consultation; land, water and sanitation and housing rights; public policies and budget processes; and the integration of recommendations from human rights mechanisms and a human rights-based approach in United Nations work.
- ▶ Enhancing equality and countering discrimination with a focus on: anti-discrimination and equality legislation in place and used by judges.
- ▶ Widening the democratic space with a focus on: civil society empowerment and the responsiveness of the international community.
- ▶ Combating impunity and strengthening accountability and the rule of law with a focus on: national prevention mechanisms against torture and legal protection of ESCR.
- ▶ Early warning and protection of human rights in situations of conflict, violence and insecurity with a focus on: SGBV; trafficking; and insecurity.

OHCHR expected contribution

ALL HUMAN RIGHTS FOR ALL IN SOUTH AMERICA	
RIGHTS-HOLDERS	DUTY-BEARERS
<p>[EA5] ► Civil society in Argentina, Chile and Peru increasingly uses national human rights protection mechanisms and advocates for their effective functioning.</p>	<p>[EA1] ► Intervention protocols and internal instructions of security forces are in line with human rights standards in Brazil and Chile.</p> <p>Regulations and public policies in compliance with international standards are in place in:</p> <ul style="list-style-type: none"> ► Chile to combat human trafficking; and ► Uruguay to provide assistance and reparation to victims. <p>► An increased number of judges use anti-discrimination and equality standards in their rulings in Argentina, Chile and Peru.</p> <p>► Chile and Peru implement new standards on the right to consultation of indigenous peoples in compliance with international human rights law and extractive industries in those countries respect the right of indigenous peoples to consultation.</p> <p>► Official curricula for the judiciary incorporates the justiciability of economic social and cultural rights in at least three countries.</p>
	<p>[EA2] ► At least one international human rights treaty and five Optional Protocols are ratified.</p>
	<p>[EA3] ► National Preventive Mechanisms against torture (as per OP-CAT) are functioning in conformity with international human rights standards in at least three countries.</p>
	<p>[EA4] ► Improved legislative and policy anti-discrimination frameworks in all countries in the region.</p>
<p>[EA7] ► CSOs and NHRIs, when applicable, make substantive submissions to treaty bodies, special procedures and the UPR in Argentina, Brazil, Chile, Peru, Uruguay and Venezuela.</p>	<p>[EA6] ► Improved timely submission of treaty bodies and UPR national reports in compliance with the reporting guidelines.</p>
<p>[EA11] ► UNDAFs of Argentina, Brazil, Chile, Peru, Uruguay and, Venezuela incorporate a human rights-based approach.</p> <p>► UNCT and other international actors address human rights concerns with Governments of the region.</p>	

By 2017, OHCHR expects to have contributed to the achievement of the results outlined on the table above, in support of national efforts in the different thematic priority areas (colour scheme). OHCHR will pursue these behavioural, institutional and legislative changes in cooperation with relevant partners, using the different strategic tools at its disposal – monitoring and reporting, capacity-building and advisory services, advocacy and awareness-raising (see chapter one) – on the basis of an assessment of the specific context. It is expected that if achieved, these results will contribute to improving the duty-bearers' compliance with their international human rights obligations and to the rights-holders' ability to claim their rights and thereby to the enjoyment of all rights for all in the region.