

OHCHR in the field: Americas



Type of presence	Location
Country offices	<ul style="list-style-type: none"> Bolivia Colombia Guatemala Honduras Mexico
Regional offices	<ul style="list-style-type: none"> Central America (Panama City, Panama) South America (Santiago de Chile, Chile)
Human rights component in UN Peace Mission	<ul style="list-style-type: none"> Haiti (MINUSTAH)
Human rights advisers in United Nations Country Teams	<ul style="list-style-type: none"> Dominican Republic* Jamaica* Panama (UNDG Regional Human Rights Adviser for Latin America and the Caribbean)** Paraguay

* Deployed through the UNDG-Human Rights Working Group.

** Closed in 2016.

In 2016, OHCHR continued its engagement with the Americas region from its headquarters in Geneva, the New York Office and its 12 field presences. These presences included two regional offices (Panama City and Santiago de Chile); five country offices (Bolivia, Colombia, Guatemala, Honduras and Mexico); four human rights advisers in the Dominican Republic, Jamaica, Paraguay and to the United Nations Development Group (UNDG) Regional Team for Latin America and the Caribbean based in Panama; and one human rights component in a peace mission (Haiti). OHCHR also supported the Independent Expert on the situation of human rights in Haiti and a special project in Barbados on supporting countries in the Eastern English-Speaking Caribbean on implementing recommendations issued by the international human rights

mechanisms, including the Universal Periodic Review (UPR). In 2016, the country office in Honduras became fully operational and the mandate of the country office in Colombia was extended for another three years. In addition, OHCHR was given specific tasks under the peace agreement, approved by the Colombian Congress in November 2016, including monitoring and reporting on all human rights aspects of the agreement. In July, the post of the UNDG Regional Human Rights Adviser for Latin America and the Caribbean was discontinued due to a lack of funds.

The region continues to face widespread violence and insecurity and reports one of the highest murder rates in the world. In some countries, the situation of violence is further exacerbated by complex networks of organized crime and drug trafficking. Security and justice systems face enormous challenges in responding to this violence and governments frequently rely on the military to maintain law and order, which has serious human rights implications. Impunity remains a major concern. OHCHR assisted countries to adopt a human rights perspective to combat insecurity and violence, with a special focus on the fight against impunity. In 2016, the Office continued its work on widening the democratic space in the region with a particular emphasis on protection mechanisms for journalists and human rights defenders in Colombia, Guatemala, Honduras and Mexico.

The year 2016 was marked by challenges in democratic governance and increasing political and social tensions, prompted in part by corruption scandals and the slow progress in governments' efforts to reduce poverty and tackle social and economic exclusion. The expansion of extractive industries has negatively impacted on the rights of indigenous peoples and peasant communities, which exacerbated social and economic conflict in the region. Racial discrimination remains a significant barrier to the enjoyment of economic, social and cultural rights and to political participation. Violence against women continues to be of great concern in the region, which has one of the highest rates of gender-related killings. Progress but also setbacks were similarly observed in relation to women's sexual and reproductive rights. Concerns remain regarding ongoing discrimination against lesbian, gay, bisexual, transgender and intersex persons.

An increase in hate speech against minorities and migrants was also reported during the year. Migrants and asylum-seekers, mainly from the Northern Triangle (El Salvador, Guatemala and Honduras) and the Caribbean, continued to be extremely vulnerable to human rights violations throughout the migration process. In response to the migration crisis, OHCHR began to develop national and subregional strategies.

OHCHR continued its work on non-discrimination, including by strengthening United Nations local and regional capacities to integrate human rights into its policies, programmes and activities, such as the 2030 Sustainable Development Agenda.

In 2016, OHCHR strengthened its partnerships with regional organizations, especially with the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, with the view of developing joint strategies in key areas of concern, such as the protection of human rights defenders and migration. The Office also maintained cooperation with subregional organizations, including the Common Market of the South (MERCOSUR) and the Central American Integration System (SICA).

During 2016, OHCHR supported visits of the High Commissioner for Human Rights to Colombia, Ottawa and Washington D.C. and those of the Deputy High Commissioner to Ecuador as well as to Honduras where she participated in the official openings of the country offices. Support was provided for the visit of the Working Group of Experts on People of African Descent to the United States of America and in relation to two country visits of the Independent Expert on the situation of human rights in Haiti, during which he assessed the human rights impact of Hurricane Matthew; the largest humanitarian catastrophe that hit the region in 2016.

Country Offices

Bolivia

Year established	2007
Staff as of 31 December 2016	10
Expenditure in 2016	US\$1,810,980

Results

Strengthening international human rights mechanisms

- ▶ A national coordinating body to report to treaty bodies, reply to individual communications and enquiries and ensure regular follow-up to recommendations of all international human rights mechanisms is established and effectively functioning (EA 6)

The National Body created by the Ministry of Foreign Affairs, the General State Prosecutor and the

Ministry of Justice, with the support of OHCHR, for the elaboration of State reports and the monitoring of recommendations formulated by the international human rights mechanisms, held regular meetings during 2016. It reviewed the State Party report under the Convention on the Rights of the Child and the list of issues sent by the Committee on the Rights of Persons with Disabilities. In addition, the design of the monitoring system (SIPLUS), which was launched by the Government in 2015, was enhanced with the support of a consultant hired by OHCHR. The system is now accessible to anyone interested in knowing all of the recommendations issued in relation to the Bolivian State as well as the State's follow-up actions. SIPLUS also connects these actions to the human rights indicators developed by the Ministry of Justice, the National Institution of Statistics and OHCHR.



OHCHR staff members collecting information on the situation of detainees in pretrial detention in El Abra and San Sebastián prisons in Bolivia. © OHCHR/Bolivia

The Creation of a Truth Commission

Without doubt, the adoption of legislation, in December 2016, to create a Truth Commission, was a key human rights milestone for the Government of Bolivia. OHCHR had advocated for this result since 2008. Previously, Bolivia was the only country that had suffered military dictatorships in the Southern Cone that had failed to establish a Truth Commission. Despite numerous consultations between the Office, human rights civil society organizations and the Government, over time, it became clear that the Government was not ready to invest in the project.

Instead, the Government focused its attention on providing reparations to more than 6,800 registered victims of the military dictatorships in accordance with Law 2640. The process took place between 2008 and 2014 and ended with limited and unsatisfactory results. Approximately 25 per cent of the victims received less than 20 per cent of the expected reparation. Further efforts to resolve this issue were initiated and halted due to concerns that the legislative proposals failed to meet international standards or severely limited the scope of the violations that could be investigated.

In 2014, a decision was made to focus on the creation of a Truth Commission as a measure that could provide, among other benefits, a means to adequately and fairly resolve the issue of reparations for victims. To bring this idea to fruition, all relevant civil society organizations were consulted to ensure that all alleged human rights violations would be fully investigated. Steps were taken to unify the criteria of the different organizations around a project that could result in consensus. With technical assistance from OHCHR, a draft bill was completed, which received a strong endorsement from victims' or-

ganizations. Finally, international and regional experts were invited to Bolivia to share their insights. The presence of the experts, including from Peru and Colombia, was fundamental to supporting this process.

At the beginning of 2016, the draft lost support from the Parliamentary Human Rights Commission. Then, in April, Ms. Nora Quisbert, Deputy of the ruling political party and a highly respected indigenous leader in her community, agreed to sponsor the bill on behalf of the victims' civil society organizations.

Ms. Quisbert was the daughter of a disappeared person and someone who had suffered as a result of the violence of the military dictatorships. Through a lifetime of struggle, she had overcome immense obstacles. She applied that same perseverance and commitment to ensuring that this historic legislation was adopted.

Ms. Quisbert contacted the President of the Chamber of Deputies to gauge the Government's political will. She also attended meetings with other experts, took steps to ensure that the draft complied with international standards and addressed an empathetic public that had demanded an answer, for decades, about what had happened during the dictatorships.

It is anticipated that the Truth Commission will begin its investigations in 2017. After many years of struggle and tireless perseverance, including to fight against impunity, victims will finally have the opportunity to realize their rights to truth, memory, justice, reparation and to ensure that those human rights violations will never be repeated.



Human rights workshop for civil society representatives in Bolivia.
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Enhanced equality and countering discrimination

- *Measures are taken to protect groups in conditions of vulnerability, such as LGBTI persons, persons with disabilities and migrants, in compliance with international human rights norms and standards (EA 4)*

The Office supported the National Committee of Persons with Disabilities in the development of its strategic plan and a training module, addressed to municipalities and civil servants, for the implementation of inclusive public policies for persons with disabilities.

- *The National Committee against Racism effectively advises organizations of discriminated groups and monitors the implementation of the Action Plan (EA 4)*

The National Committee against Racism and All Forms of Discrimination has made substantial progress in the holding of its regular sessions and facilitating the meetings of its Permanent Council. In addition, it has developed an Action Plan for 2016-2020 with the support of OHCHR. The National Committee, with technical advice from the Office, has also trained administrative judges who elaborated a protocol for the prosecution of cases of racism and discrimination in the public administration. The protocol has been approved by the National Committee and has been submitted for application by the Government at all levels (departmental, municipal and local).

Combating impunity and strengthening accountability and the rule of law

- *The School for Judges, the School for Public Prosecutors and the Plurinational Academy of Consti-*

tutional Studies incorporate international human rights law into their curricula (EA 1)

The Plurinational Public Defence Service carried out the first postgraduate course in Human Rights and Administration of Justice, addressed to 50 public defenders from the nine departments of the country. Furthermore, the Public University facilitated the first postgraduate course on human rights in police work for a group of 47 officials working with the justice system. Both institutions received technical support from OHCHR for the development of the courses.

Integrating human rights in development and in the economic sphere

- *State institutions increasingly incorporate a human rights-based approach into their annual plans, policies and budgets, including the use of human rights indicators, and apply the right to free, prior and informed consultation (EA 1)*

The Ministry of Development prepared its 2017 budget according to the new National Economic and Social Development Plan and has incorporated many of the human rights indicators that were developed by the Ministry of Justice and the National Institute of Statistics with the support of OHCHR. Furthermore, both the Ministry of Justice and the National Institute of Statistics continued leading the development of indicators on nine priority rights (food, education, health, housing, labour, water and sanitation, access to justice and a fair trial, and the right of women to a life free of violence and the right to a life free of trafficking). There are currently 415 indicators that have been defined and information has already been collected for more than 60 per cent of these.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *State institutions implement effective policies and measures to foster gender equality and combat SGBV, in line with CEDAW and ICERD recommendations (EA 1)*

OHCHR supported the implementation of the Integral System of Prevention, Attention, Sanction, and the Eradication of Gender Violence, led by the Vice Ministry of Equal Opportunities, by providing technical assistance for the development of different tools relating to the Integral Law to Guarantee Women a Life Free of Violence, as well as for the development of a training module to strengthen the capacity of the interdisciplinary teams of the Plurinational Integrated Justice Services and the Plurinational Defense Service for the Victims. In addition, the judiciary received support from OHCHR to develop and validate a protocol for judging in line with a gender-based approach.

Bolivia: Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	966,166
Activities and operating costs	-	643,543
Subtotal	-	1,609,708
Programme support costs	-	201,272
GRAND TOTAL	-	1,810,980

Colombia

Year established	1997
Staff as of 31 December 2016	56
Expenditure in 2016	US\$7,728,434

Results

Combating impunity and strengthening accountability and the rule of law

- *Decisions of the national justice system, including ordinary, indigenous and special jurisdictions (military justice), increasingly conform to human rights standards, norms and principles (EA 1)*

At the request of the Constitutional Court, the Office submitted a technical opinion on the lawsuit presented by several Colombians against Legislative Act 01 of 2015, which expanded the jurisdiction of the military justice system. In its February 2016 ruling, the Court reiterated the arguments put forth by the Office and declared the norm to be constitutional. The work of the Office thus had an impact on promoting respect for international standards both in relation to constitutional jurisprudence and within the military justice system.

- *Transitional justice mechanisms, including accountability, truth, reconciliation and reparations mechanisms, allowing for the active participation of victims, established and/or functioning in accordance with international standards (EA 3)*

Progress towards the establishment of new transitional justice mechanisms was hindered by the failed October plebiscite that impeded the implementation of the Peace Accords. The parties renegotiated the terms of the agreement and the final Peace Accords, signed in November, reflect a robust combination of transitional tools to address victims' rights to truth, justice and reparations. Through its work with various stakeholders, including the parties of the negotiations, various governmental agencies, Members

of Congress, the judiciary and civil society, OHCHR successfully participated in the design of the mechanisms to ensure their compliance with human rights standards. The Office also actively participated in laying the groundwork to set up the special justice initiative and contributed to the overall design and rolling out of the mechanism.

As a result of significant advocacy efforts undertaken by OHCHR, human rights aspects were incorporated in the texts of the Peace Accords. The six chapters of the Accords with the FARC-EP are rights-based and OHCHR was assigned important tasks under the Final Agreement, including in the areas of transitional justice and victims' rights, issues relating to the transfer of FARC-EP prisoners currently in detention centres and the individual and collective protection of community members and human rights defenders. This level of influence was due to OHCHR's 20-year engagement in Colombia, its high level of credibility and its close interactions with key stakeholders throughout the process.

Integrating human rights in development and in the economic sphere

- *Relevant institutions and programmes from the national, regional and local level increase their capacity to incorporate a human rights-based approach in policy design and the formulation of indicators that allow progress measurement in their implementation (EA 1)*

The Government prioritized the incorporation of a human rights-based approach into its public policies, focusing on ensuring that local authorities based their policies on this approach. The support provided by OHCHR to officials at the Presidential Advisory Office on Human Rights facilitated an assessment of the territorial entities that effectively incorporated a human rights-based approach into their development plans, which demonstrated that nearly 80 per cent had done so. Furthermore, the



OHCHR staff member monitors a demonstration by peasants in Colombia. © OHCHR/Colombia

Presidential Advisory Office on Human Rights, the Human Rights Directorate of the Ministry of the Interior and the National Planning Department received training from OHCHR on the inclusion of a human rights-based approach in public policies, especially the National Development Plan and municipal and departmental development plans. With technical assistance from the Office, they also designed booklets that explained the technical aspects of how to include a human rights-based approach in local development plans, which were distributed to the mayors' and governors' offices.

- *Increased compliance with economic, social and cultural rights standards by the Administrative Department for Social Prosperity and the Ministries of Health and Education (EA 1)*

As a result of the work of OHCHR, local authorities made advancements in the application of right to health standards. For instance, the Mayor's Office of El Bagre is in the process of establishing the Municipal Health Round-table, which will facilitate action to guarantee the right to health and has produced a communications and response protocol to be used in cases of violence in rural areas where people are wounded by gunfire; and the governments of Caquetá and Amazonas reached an agreement to provide health care to the indigenous population living in the border zone.

- *Increased integration of human rights standards into business operations (EA 3)*

With technical assistance and support from OHCHR, in 2016, the Government began a training process

Manuel Bautista Pequi



Manuel accompanied by an OHCHR staff member.
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Manuel Bautista Pequi belongs to the Nasa people from the northern region of Cauca (Colombia). When he was 12, he was recruited by FARC-EP. After a few years in this guerrilla group, he managed to leave and was reintegrated into his community. In the following years, he began to play different roles in his community and became a renowned leader. OHCHR knew Manuel when he was working with the Association of Indigenous Authorities of North of Cauca, one of OHCHR's key counterparts in the Province of Cauca, in a programme of prevention against child recruitment and the social reintegration of recruited children.

In 2012, the army found his file in a "database" of the FARC-EP and the Attorney General's Office issued a warrant for his arrest. He was captured in January 2013 and after being charged with rebellion, was detained in a

high security prison. In 2015, he was sentenced to eight years in prison. OHCHR followed the case very closely, observed the hearings, visited Manuel Bautista Pequi while he was detained and stayed in contact with his family.

As a victim of recruitment, and in accordance with international standards, Manuel Bautista Pequi should not have been found guilty of rebellion, however, his victim status was never presented during the hearings. After the Court decision and based on the Colombian Constitutional Court's jurisprudence, OHCHR provided legal advice and undertook advocacy efforts with relevant institutions to support Manuel's request to serve his sentence in his *resguardo* (indigenous collective land) instead of prison. This request was accepted by the judge on 11 May 2015 and since 18 June 2015, he has been back in his community and with his family. The two and a half years that he had spent in jail had a profound impact on him, his family and his community. His current status (somewhat similar to house arrest) makes it difficult for him to economically support his family.

While in jail, Manuel learned to do some handicrafts, including a beautiful pencil with an OHCHR logo that he had designed and produced himself. OHCHR proposed that he produce promotional products for the Office, such as pencils and bracelets. In 2016, OHCHR concretized this "promotional handicraft products project." While the project is small in scale, it has been very significant for Manuel Bautista Pequi and the Office. Through this project, OHCHR has supported a human rights defender in a different way and the Office has been able to offer a new kind of promotional product which tells a story, a human story.

for business leaders, public officials and civil society in the cities of Bogotá, Cali and Medellín, on the UN Guiding Principles on Business and Human Rights and the National Action Plan. These trainings led to greater awareness among these groups, which contributed to improved integration of human rights standards in their work and business operations. OHCHR also provided input to businesses in relation to their discussions with communities, thereby contributing to finding just solutions in cases of involuntary resettlement, socio-environmental conflicts, attention to environmental emergencies and prior consultation processes. The Office's comments and recommendations were adequately implemented by a number of these businesses. OHCHR also promoted the participation of businesses in the discussions and implementation of local development plans.

- *Rights-holders meaningfully participate in the design and monitoring of public policies, budgets and development projects particularly affecting their human rights (EA 5)*

OHCHR contributed to the creation of dialogue spaces between duty-bearers and rights-holders, in particular in El Bagre, rural areas of Neiva, the department of Norte de Santander, Tibú, Bojayá and Leticia, with varying degrees of results. In the rural communities of Neiva, Tolima, and El Bagre, clear progress was made in the mobilization of political will and the building of capacities within civil society organizations for the joint formulation of public policies with a human rights-based approach.

- *Increased use of national protection systems to ensure free, prior and informed consultation (EA 5)*
- In several regions of the country, OHCHR supported the increased use of promotion and protection measures regarding the right of ethnic peoples to participate through prior consultation and free, prior and informed consent. The Office provided technical assistance for the formulation of prior consultation and free, prior and informed consent protocols for the Arhuaco people of the Sierra Nevada de Santa Marta; the Nasa people of the Cerro Tijeras reservation in Cauca; three Nasa communities in Southern Tolima; and four Afrodescendant communities from the Raposo, Anchicayá and the Campo Poblado communities. OHCHR also supported the access to protection measures related to the right to land for the Afrodescendant communities of Alto Mira and Frontera; the Awá people of Nariño and Putumayo; and the Bari people of Norte de Santander. Finally, the Office supported the establishment of the Inter-Ethnic Commission on Peace and the Defence of Ethnic Peoples' Territorial Rights and its advocacy efforts during the peace talks. Thanks to the Ethnic Commission's advocacy and proposals, the final Peace Accords now include an ethnic chapter that

guarantees that an ethnic and cultural perspective will be mainstreamed in the interpretation and implementation of all points of the agreement.

Widening the democratic space

- *National human rights institution functioning in accordance with Paris Principles (EA 1)*

With the purpose of reinforcing its responsibilities related to the promotion and protection of human rights, the National Ombudsperson's Office began a training process aimed at improving its response in terms of the protection of the rights of the communities where the FARC-EP will concentrate as part of the implementation process of the Peace Accords; enhancing its protection measures for leaders in these same territories; and reviewing its intervention strategies in these zones. OHCHR provided support and technical assistance to the national human rights institution in this process, shared reference documents, held monthly monitoring meetings and promoted the inclusion of international human rights standards in the training.

- *Effective mechanisms and measures are in place to protect civil society actors, including human rights defenders (EA 3)*

As part of its risk assessment process and the implementation of protection measures, the National Protection Unit, through its participation in the Risk Assessment and Recommendation of Measures Committee (CERREM), improved its relevant decision-making process based on information provided by human rights organizations and OHCHR. On the basis of risk studies and information on human rights defenders who had been threatened, the Office provided technical assistance to the Unit during 44 CERREM sessions in 2016. Moreover, six municipalities, including Tibú, Medellín, El Bagre, Tumaco and Barrancabermeja, incorporated prevention measures in their respective prevention and contingency plans that apply relevant human rights standards. OHCHR provided technical assistance to mayors on the inclusion of human rights standards in the formulation of such plans.

Advances were also made with respect to increased effectiveness in the criminal investigation of homicides of human rights defenders. The Attorney General's Office, with the technical assistance of OHCHR, designed a registry of the cases of attacks against human rights defenders in 2016 in order to enable a better understanding of the situation and suggest suitable measures to the Colombian State. The Attorney General's Office also prioritized the investigation and monitoring of cases of human rights defenders who were killed and assigned 32 prosecutors from each of the regional divisions to focus on these cases. OHCHR coordinated its monitoring work with the regional divisions of the Attorney Gen-

eral's Office, provided training on human rights defenders to public officials and technical assistance to each of the divisions.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *Policies and regulatory frameworks applied by the national police and the armed forces in relation to security and the use of force, including in the context of demonstrations, increasingly comply with human rights standards (EA 1)*

The Ministry of Defence strengthened the incorporation of human rights principles by issuing a directive to the Armed Forces Command and the national police to include key principles related to the respect and guarantee of human rights in line with its human rights policy. This provides a basis for guaranteeing increased citizen security in the protection of the rights and freedoms of people facing threats to their dignity, personal integrity and property. The Ministry also designed "Comprehensive Citizen Security Plans," including human rights standards. OHCHR supported this development by providing human rights framework documents; sharing information gathering methodologies; supporting the inclusion of standards in training programmes, as well as the inclusion of statistical information for analysis and implementation of prevention policies. Also, the national police's "Citizen Security, a Path Towards Development" document, published in September, includes citizen security and the realization of human rights as priorities of the public and political agenda, especially with regard to the responsibility of political and administrative authorities in the area of citizen security. During this process, OHCHR provided technical assistance to the national police and political and administrative authorities, including a methodology for mainstreaming human rights standards in the document.

- *Legal frameworks, public policies, State institutions, as well as non-State actors, increasingly comply with international human rights standards in the area of prevention and response to human rights violations in situations of conflict, violence and insecurity (EA 1)*

OHCHR supported the municipal government of Neiva, the Public Ministry, the local community, the Attorney General's Office and public security forces in the design and implementation of an intervention strategy to prevent human rights violations (particularly extortion) by post-demobilization groups and FARC-EP. The preliminary results have been positive with a significant reduction in extortion cases as community members felt better protected by State entities.

- *Mechanisms for dialogue and negotiation are in place to enable the Government and CSOs to re-*

solve disputes and avoid escalation of violence, including in the event of a peace agreement (EA 3)

The Office continued to facilitate negotiations between the national Government and the Agrarian Summit, accompanying four of the five regional round-tables that are part of this national space and in five other regional spaces that were created after specific social protests. This engagement contributed to the reduction of distrust between the parties; the incorporation of new technical and methodological tools to monitor the agreements; and the reduction of the use of force and violence during the nationwide protests that took place in the middle of the year when the discussions were suspended. During the June protests, OHCHR deployed staff to 47 locations where protests were taking place and helped to prevent confrontations between protesters and public security forces in at least 15 locations. Overall, 108 agreements were reached between protesters and the Government with mediation undertaken by OHCHR.

- *Preparedness, response and recovery policies, protocols and mechanisms of the United Nations to deal with national disasters, conflict and other situations of violence and insecurity comply with human rights standards (EA 11)*

The United Nations Country Team accepted OHCHR's technical assistance to ensure the incorporation of a human rights-based approach in its work to support the implementation of the Peace Accord. In particular, OHCHR worked with FAO, UNODC and WHO, as well as the Ministry of Justice and Law, on a road map for the formulation of a public policy on drugs and to ensure that the implementation of Point 4 of the Peace Accord, "Solution to the Drug Problem", was undertaken with a human rights-based approach. Furthermore, OHCHR drafted and shared with the Special Political Mission the document "Areas of Cooperation and Coordination between OHCHR and the Special Political Mission based on UN Human Rights Policies." This document identified seven key types of human rights complaints that the Mission would have to be prepared to address in its deployment and operations. As a result, OHCHR and the Mission agreed to focus on the following areas of collaboration regarding human rights issues: personnel screening; orientation on human rights and the human rights context; protocols on human rights cases and situation management, information sharing and reporting; accountability of Mission staff for human rights misconduct, especially relating to sexual exploitation and abuse; population and civil society engagement under the "Do No Harm" principle; and public information.

Colombia: Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	6,303,264
Activities and operating costs	-	769,928
Subtotal	-	7,073,192
Programme support costs	-	655,242
GRAND TOTAL	-	7,728,434

Guatemala

Year established	2005
Staff as of 31 December 2016	22
Expenditure in 2016	US\$3,793,007

Results

Enhancing equality and countering discrimination

- *Indigenous organizations, traditional authorities and communities use litigation as a channel to demand recognition of their rights (EA 5)*

In the framework of the National Dialogue on justice reform, OHCHR, as part of the Technical Secretariat jointly with the NHRI, the International Commission against Impunity in Guatemala (CICIG), the Office of the Attorney General and the Resident Coordinator, was able to promote and facilitate the participation of at least 225 indigenous Mayan, Garifuna y Xinka authorities in seven regional events, enabling them to articulate their proposals on the general content of the constitutional reforms and highlight the limitations of the recognition of indigenous jurisdiction in the Constitution. In addition, through the Maya Programme, OHCHR followed up on and provided technical assistance to both indigenous peoples and the Government on the application of relevant international standards in relation to 11 litigation cases, including on the rights to land and resources, the protection of traditional knowledge in textile weavings, the legal recognition of indigenous community radio stations and the recognition of culturally appropriate health services.

Combating impunity and strengthening accountability and the rule of law

- *The Attorney General's Office, the judiciary, public defender and Constitutional Court increasingly incorporate human rights norms and standards in their policies and decisions (EA 1)*



OHCHR staff member on a joint mission with UNHCR, FAO and the Red Cross to monitor the situation of migrants and internally displaced persons in Izabal and Petén, Guatemala.

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Based on international human rights standards, the Constitutional Court issued important decisions on the protection of indigenous peoples' rights, the unconstitutionality of the death penalty in murder cases and the unconstitutionality of the diminution of the minimum wages in some municipalities. The Office contributed to these results through a number of capacity-building activities for magistrates and legal clerks of the Constitutional Court related to transitional justice, the rights of indigenous peoples and labour rights. Furthermore, an OHCHR analysis of the jurisprudence of the Constitutional Court on the rights of indigenous peoples demonstrates that international human rights standards have progressively been incorporated in the decisions of the Court. In addition, sentences handed down by judges and magistrates of the judiciary, including the Supreme Court of Justice, are increasingly based on human rights standards, in particular, in verdicts regarding transitional justice, indigenous peoples, women and the abusive use of criminal charges against human rights defenders. OHCHR's capacity-building programmes substantially contributed to this result. For example, the Office continued delivering its training programme, as well as other activities, for judges in relation to transitional justice, the right to reparation and the criminalization of human rights defenders. Additionally, OHCHR integrated a Technical Secretariat with the NHRI, the CICIG, the Office of the Attorney General and the Resident Coordinator, to propose reforms to the Constitution to strengthen the justice system. The Technical Secretariat engaged with and received inputs from various actors of the Guatemalan society and presented a document which was used as the basis for the constitutional reform bill currently being discussed at the Parliament.

Widening the democratic space

- ▶ *The NHRI fulfils its mandate in accordance with international human rights standards in investigating human rights abuses (EA 1)*

The national human rights institution (NHRI) has been operating in increased compliance with human rights standards and, in 2016, undertook several joint investigations with the Office, including on issues such as pretrial detention, protection measures for human rights defenders and internal displacement. The Office and the NHRI were also in regular contact to coordinate efforts regarding specific cases that required follow-up with authorities and civil society. Furthermore, both institutions developed a joint study on the issue of pretrial detention. The recommendations were shared and discussed with relevant State actors for their feedback and implementation.

- ▶ *Strengthened protection mechanisms for human rights defenders working in accordance with international standards (EA 3)*

Although the Unit for the Analysis of Attacks against Human Rights Defenders of the Ministry of the Interior held weekly meetings to coordinate inter-institutional protection efforts, OHCHR raised concerns about the effectiveness of the Unit to analyse patterns of attacks against human rights defenders in accordance with its mandate. Apart from this, civil society actors increasingly demonstrated strong knowledge of relevant human rights standards and international protection mechanisms and some cases are being brought to the attention of these mechanisms. The Office contributed to this result by providing guidance and capacity-building to civil society actors, including human rights defenders.

- ▶ *Increased advocacy and awareness of national protection systems by the general public, particularly by youth and women (EA 5)*

As part of the assistance provided to the Board of Education for Peace, Human Rights and Memory, which is composed of over 35 civil society organizations, the Office contributed to the design of the National Strategy for Citizenship Education. The Strategy includes practical guidelines for teachers of primary and secondary education and is focused on five thematic axes: human rights, democracy, historic memory, multiculturalism and a culture of peace. The Strategy was launched by the Minister of Education in November and represents a key step in advancing human rights education in the official education system.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- ▶ *Public policies in the area of security incorporate human rights standards (EA 1)*



OHCHR staff members monitoring the situation of communities in Laguna del Tigre and Sierra del Lacandón in Petén, Guatemala.
© OHCHR/Guatemala

The Migration Code was adopted due in part to advocacy undertaken by civil society and UN agencies. In addition, Security State Institutions made progress in incorporating a human rights approach into their policies with the adoption of a plan by the Ministries of the Interior and Defence to prevent the use of the army in citizen security matters. Also, the police improved their internal procedures to limit the use of force in the context of judicial evictions. Moreover, with the guidance of OHCHR, the new authorities of the General Direction that regulates private security services improved their control over companies that provide these services.

- ▶ *State policies and practices increasingly address SGBV, including through the application of national legislation by the judiciary (EA 1)*

Together with the School of Judicial Studies and the Supreme Court of Justice, OHCHR finalized a toolkit for the application of a human rights-based approach and a gender perspective in verdicts related to femicide cases and other forms of violence against women. This toolkit is based on a study elaborated by the School of Judicial Studies, the Supreme Court of Justice and OHCHR which identified how criminal and ordinary tribunals have integrated these approaches into their work. The toolkit has been disseminated to all judges of specialized tribunals and to 75 judges of the ordinary tribunals. It has also been shared with other Latin American countries, for example Bolivia, where it has been used as a reference tool by OHCHR and the judiciary to elaborate a protocol on the integration of a gender perspective in all judicial decisions.

Guatemala: Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	2,483,974
Activities and operating costs	-	971,798
Subtotal	-	3,455,772
Programme support costs	-	337,235
GRAND TOTAL	-	3,793,007

Honduras

Year established	2015
Staff as of 31 December 2016	12
Expenditure in 2016	US\$1,039,263

Results

Strengthening international human rights mechanisms

- *Establishment of a participatory standing national coordinating body on reporting/replying to individual communications and enquiries; and integrated follow-up to recommendations of all international human rights mechanisms (EA 6)*

A draft decree for the establishment of a national mechanism for reporting and follow-up has been produced under the leadership of the Secretariat for Human Rights and Justice. The draft has been transmitted to the Council of Ministers for approval. The Office provided technical advice on the draft decree and all of its recommendations were included.

- *Submission of reports in conformity with reporting guidelines (EA 6)*

In 2016, the State Party reports of Honduras were reviewed by the Committee on Economic, Social and Cultural Rights, the Committee against Torture (CAT), the Committee on the Elimination of Discrimination against Women (CEDAW) and the Committee on Migrant Workers and Members of Their Families (CMW). The drafting of the State Party reports was supported by UNDP and OHCHR and all were prepared in compliance with the reporting guidelines of the respective committees.

- *Increased number of substantive submissions to the human rights mechanisms by NHRI and civil society organizations (EA 7)*

With support from OHCHR, a coalition of national civil society organizations submitted a shadow report

to the CMW, the National Preventive Mechanism drafted its independent report to CAT and the United Nations Country Team (UNCT) prepared a report to CEDAW.

Combating impunity and strengthening accountability and the rule of law

- *Increased compliance of national legislation, policies, programmes and institutions with international human rights norms and standards relating to the deprivation of liberty and the prohibition and prevention of torture and ill-treatment (EA 1)*

Following technical advice that was provided by the Office, a Criminal Code Bill was drafted with a revised definition of certain crimes in accordance with human rights standards. OHCHR drafted three documents regarding the definition of those crimes and shared the documents with the National Congress and other relevant stakeholders, including the Supreme Court. The Congress will review the draft Bill in 2017.

Widening the democratic space

- *The ombudsman's office works in conformity with international standards (EA 1)*

In March, the National Commission on Human Rights (CONADEH) was reviewed by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions and confirmed its "B" status. CONADEH is not operating in full compliance with the Paris Principles in areas such as independence, immunity and representativeness. At CONADEH's request, OHCHR conducted an assessment of its institutional capacity to fully and effectively implement its mandate. The Office is currently providing support for the drafting of an institutional development plan.



The Deputy High Commissioner addresses the audience at the official opening of the OHCHR office in Honduras, November 2016.
© OHCHR/Honduras



Staff members of OHCHR and the National Commission on Human Rights facilitate discussions between authorities and students of the National University. © OHCHR/Honduras

► *A protection mechanism for human rights defenders and journalists is in place (EA 3)*

Efforts were put in place by the Government to advance on the implementation of the Law for the Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Personnel, adopted in May 2015, including through the adoption of the regulation of the law, the appointment of the Director of the National Mechanism for the Protection of Human Rights Defenders and the recruitment of key personnel. From its inception in 2015 until September 2016, the Mechanism received 60 requests for protection, 35 of which were found to fall within its purview. The protective measures granted include 29 police measures, three temporary rehousing measures and one assisted exit from the country. The Office assisted the Ministry of Human Rights, Governance, Justice and Decentralization in the operationalization of the Mechanism and contributed to the development of its rules and regulations. While the efforts put in place are commendable, concerns remain at the limited progress achieved in terms of accountability for crimes against human rights defenders. Accountability is key to preventing further threats and attacks.

Early warning and protection of human rights in situations of conflict, violence and insecurity

► *UN agencies increasingly apply a human rights-based approach to their violence and insecurity programmes (EA 11)*

OHCHR finalized the systematization of the recommendations of the UN human rights mechanisms by thematic areas. This overview was shared with the UN Inter-Agency Group on Human Rights and will be shared with the other groups of the UNCT so that the recommendations can be used to guide their work while also ensuring the integration of human rights into their respective programmes.

Honduras: Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	795,366
Activities and operating costs	-	133,091
Subtotal	-	928,457
Programme support costs	-	110,806
GRAND TOTAL	-	1,039,263

Mexico

Year established	2002
Staff as of 31 December 2016	23
Expenditure in 2016	US\$1,881,766

Results

Strengthening international human rights mechanisms

► *The National Human Rights Plan and respective local and sectorial programmes are elaborated in compliance with international human rights principles and standards (EA 6)*

OHCHR supported the development of local human rights assessments in the states of Estado de México, Querétaro and San Luis Potosí; the elaboration of the first Human Rights Programme in Estado de México; the first update of a local Human Rights Programme in Mexico City; and the evaluation of the National Human Rights Programme. The Office also accompanied the process of elaborating the first National Business and Human Rights Programme and provided technical assistance on human rights



The OHCHR Representative in Mexico speaks with relatives of disappeared persons, August 2016. © OHCHR/Mexico

public policies and the UN Guiding Principles on Business and Human Rights. It ensured that the views and perspectives of different actors, such as civil society organizations and indigenous communities, are taken into account.

Enhancing equality and countering discrimination

- *Human rights-compliant legislation adopted on anti-discrimination issues and/or same-sex marriages and/or sexual and reproductive rights (EA 4)*

A bill allowing same-sex marriage was approved by the Congress of the state of Michoacán in May. OHCHR advocated for the approval of the bill. Nevertheless, in November, the Congress rejected a proposition by the Federal Government to amend the Federal Constitution and the Civil Code in order to recognize the right of same-sex marriage.

Combating impunity and strengthening accountability and the rule of law

- *An increasing number of local states derogate the figure of “arraigo” and the federal law and the laws of an increasing number of states include the definition of enforced disappearance and torture in accordance with international standards (EA 1)*

OHCHR submitted recommendations in relation to the draft national law on criminal sanctions in order to reinforce the rights of people deprived of their liberty, some of which were incorporated into the law that was adopted in June. In addition, the Office continued lobbying for the approval of the general law on torture and other forms of ill-treatment by participating in meetings with civil society organizations and providing inputs regarding international standards on torture and other forms of ill-treatment. The Senate approved a draft law that is almost entirely in accordance with international human rights standards. The draft is currently awaiting approval from the Deputies' Chamber.

- *Human rights indicators are adopted by an increasing number of federal and local institutions and are being used to evaluate the impact of public programmes and the level of implementation of recommendations of international human rights mechanisms (EA 1)*

In collaboration with the Mexican Commission of Judicial Powers, UN Women, the National Statistics Institution, the Ministry of Interior and the Ministry of Women, the fair trial indicators system of the judiciary was redefined to include a gender perspective and incorporate human rights measurement into all stages of the penal process. The system was officially adopted in March and has been implemented by all 32 judicial powers. It contains over 4,000 variables and provides data on the socio-demographic characteristics of both victims and judged persons. The indicators framework for measuring the right to security was updated in collaboration with the Min-

istry of Public Security and is now operational. The Office contributed to the definition of indicators and mechanisms for measuring: the human rights of detained persons in collaboration with the Mexico City Penitentiary and NGOs; the implementation of penal reform and the impact of capacity-building activities undertaken by the Attorney General; the effectiveness of the National Preventive Mechanism (NPM) in collaboration with NGOs and the NPM; and the results and impact of the National Human Rights Action Plan.

Integrating human rights in development and in the economic sphere

- *Legislation adopted on the right of indigenous peoples to prior consultation and on the rights to food and water are in compliance with international human rights standards (EA 1)*

The secondary legislation on the right to food is being discussed at the Congress and may be adopted in early 2017. The Office met with Senators involved in the discussion to advocate for its approval.

- *Paradigmatic human rights cases raised by OHCHR relating to violations of economic, social and cultural rights, business and the right to free, prior and informed consultation of indigenous peoples, receive a positive response by authorities (EA 3)*

During 2016, OHCHR monitored at least eight cases related to alleged violations of economic, social and cultural rights and the rights of indigenous peoples to prior consultation in the states of Sonora, Oaxaca and Campeche. In a case relating to the right to consultation in Campeche, OHCHR's observations on the consultation process were taken into account by authorities. OHCHR is being increasingly recognized as a key player in cases relating to the right of indigenous peoples to prior consultation as a result of its regular engagement with all actors involved, including authorities, indigenous communities, NGOs and businesses.

Widening the democratic space

- *Paradigmatic human rights cases raised by OHCHR result in the implementation of protection measures by the Protection Mechanism's Governing Board, when relevant (EA 3)*

OHCHR maintained its constant presence in the National Protection Mechanism's Governing Board, overseeing the decisions related to the protection schemes for human rights defenders and journalists at-risk. OHCHR provided written observations for 47 cases and, in most cases, was able to successfully advocate for adequate protection measures. Furthermore, in the state of Chihuahua, the Office met with authorities to discuss the adoption of an early warning system for human rights defenders and journalists at-risk and is currently supporting the implementation of the system.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *Legislation adopted on the use of force, military jurisdiction, victims' rights and asylum-seekers in line with international human rights standards (EA 1)*

While the Federal Congress passed a bill aligning military justice procedures with the new justice sys-

tem, it also included some regulations that would extend military jurisdiction to civil matters. The Office analysed the bill and communicated a series of observations to the Congress, some of which were publicly cited by congresspersons who opposed the bill. The National Ombudsman submitted an appeal to the Supreme Court, which has not yet handed

Mexico: the “war on drugs” and the case of Corina and Denise

Corina Utrera Domínguez, 29, and Denise Blanco Lobato, 37, are two young Mexican women who are among the many victims of the serious human rights violations committed by Federal Government forces in the so-called “war on drugs.” This “war,” launched by the Government in 2006, has resulted in an escalation of violence, huge numbers of enforced disappearances, arbitrary detentions and fabricated accusations of innocent people. The case of Corina and Denise is a shocking (but by no means exceptional) example of the routine use of torture, including sexual torture of women, by Mexican security forces, as well as rampant impunity for such grave human rights violations.

Before their detention, Corina and Denise were living together as a same-sex couple in Villahermosa, Tabasco, in the south of Mexico. Both were employed in a commercial company and were active sportswomen, playing baseball and football. On 27 August 2011, their lives changed dramatically. Without any previous warning, a unit of the Mexican Navy broke into their house and detained them, without search warrants or arrest. The Government had given the Marines sweeping powers to conduct public security tasks in order to fight organized crime in the “war on drugs.”

The initial detention was extremely brutal. The Marines threw the women to the ground and kicked them in their faces and bodies. One agent stuck the muzzle of his gun into Corina’s mouth. Another agent fondled the breasts and genitals of Denise before she received a severe blow to her head. Both women were blindfolded, undressed to their underwear, tied by their hands and dragged by the hair outside of their home. Then they were taken to a windowless transport vehicle. The Marines fondled their breasts and genitals repeatedly and once they were inside the vehicle, they raped them.

As a consequence of the rape, both victims suffered from heavy bleeding. Denise had a head injury which has resulted in permanent physical and psychological consequences. Thirty-six hours passed before they were brought before the Federal Public Prosecutor’s Office, inexplicably, in the state of Veracruz. They both reported that they had been subjected to sexual torture, but the prosecutors paid no attention to their claims. Instead, they accused them of being part of organized crime and

placed them in pretrial detention. Their access to adequate legal representation was restricted. Moreover, they were not allowed to contact their families when they were transferred to a distant prison in the state of Baja California, in the north of Mexico.

Corina and Denise remained in pretrial detention for four years. Their torturers were not prosecuted and remained in their jobs, in charge of public security functions.

In July 2015, OHCHR learned about the case of the two women from other victims in the same prison, the Federal Prison in the State of Nayarit, where cases were being documented. At the time, OHCHR’s human rights officers visited Corina and Denise in the Nayarit prison and then in a different prison to which they were transferred in March 2016.

OHCHR met with the judge of the case and outlined international human rights standards on personal freedom and torture, in particular sexual torture. The standards were subsequently integrated into their judicial files. OHCHR is following up on the investigation of their torture with the Attorney General’s Torture Investigation Unit. The Office’s work on the case continues to be undertaken in coordination with a coalition of national and international human rights NGOs that are actively campaigning to eradicate sexual torture in Mexico, as well as with the Federal Institute of Public Defence. The Office also ensured that the relevant special procedures were adequately informed about the case.

On 15 November, Corina and Denise, together with other defendants who were being tried for organized crime and other federal crimes, were acquitted of all charges after having spent over five years in pretrial detention. They now face extensive challenges in trying to heal the psychological and emotional trauma that was caused by the torture and reintegrating into society after five years of being unduly deprived of their liberty. They will seek compensation for the harm they have suffered and will continue to fight for justice so that the perpetrators of the sexual violence they endured are prosecuted. Denise and Corina, who have been reunited with their families, would like to see their cases contribute to preventing, eradicating and sanctioning sexual torture in Mexico.



Human rights officers gather evidence following a violent confrontation between demonstrators and police in Nochixtlán in Oaxaca, Mexico, June 2016. © OHCHR/Mexico

down its decision. In relation to the draft laws on torture and disappearances, OHCHR's recommendations were included, namely to establish that torture, other forms of mistreatment and disappearances will always be investigated by civil authorities. In relation to a bill that would amend the Federal Constitution on the right to seek and enjoy asylum, OHCHR and UNHCR presented some observations in accordance with international human rights standards and international refugee law and met with Senators to lobby for the inclusion of these observations. The Congress approved the amendment, which included the comments provided by OHCHR and UNHCR.

► *Establishment of a national mechanism to search for disappeared and missing persons (EA 3)*

Although the need to have a specific mechanism to search for disappeared people has been recognized by federal authorities and in several Mexican states, no legislative developments have been undertaken. OHCHR advocated for the approval of legislation which includes search mechanisms and met with authorities in different states to discuss the need for specific search efforts. The authorities have subsequently assigned specific resources to support these efforts.

► *Cases related to violations of human rights raised by OHCHR have had a positive response by authorities (EA 3)*

During 2016, OHCHR documented 56 cases related to torture, disappearances, arbitrary detentions, executions and the right of indigenous peoples to prior consultations. Concerns regarding these cases were conveyed to relevant authorities through meetings and written correspondence which made reference to relevant human rights standards. In more than half

of the cases, a positive reply was received from the authorities and included judicial or executive decisions, protection measures being issued or meaningful information being provided to OHCHR.

► *Mechanisms and initiatives are adopted to increase human rights protection in contexts of conflict, violence and insecurity (EA 3)*

In December, a law was passed by the Coahuila state Congress that establishes the obligations of authorities to identify all human remains. The law recognizes the rights of the families of those who were disappeared to participate in all processes to locate, identify and return all human remains with full respect for their dignity; recognizes the right to determining the identity of the dead; establishes a new approach in forensic services; and regulates the management of information in order to facilitate identifications. This outcome is the result of months of advocacy undertaken by the families who have been demanding the identification of more than 450 bodies buried in mass graves in the state. As part of the steps taken by OHCHR to implement the recommendations issued in 2011 by the Working Group on Enforced or Involuntary Disappearances in relation to Mexico, the Office supported the drafting of the legislation by organizing, together with the International Committee of the Red Cross, a forum with international experts, human rights defenders and families of individuals who had been disappeared in the state, to collect best practices, needs and suggestions. Based on this information and an analysis of relevant Mexican legislation and international human rights standards, a first draft of the law was produced and circulated among families and local authorities for their feedback. Several rounds of consultations were organized in Coahuila to facilitate the participation of all stakeholders and led to the development of a draft law in line with human rights standards.

Mexico: Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	-	1,269,749
Activities and operating costs	-	403,524
Subtotal	-	1,673,274
Programme support costs	-	208,492
GRAND TOTAL	-	1,881,766

Regional Offices

Regional Office for Central America (Panama City, Panama)

Year established	2007
Staff as of 31 December 2016	9
Expenditure in 2016	US\$1,265,059

Results

Strengthening international human rights mechanisms

- *Increased ratification of international human rights instruments, especially CPED and the OPs to CRC (3rd) and ICESCR and increased number of declarations under article 14 of ICERD (EA 2)*

The Ministry of Foreign Affairs of El Salvador informed the Regional Office of its intention to remove its reservations to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). These reservations had been perceived as the primary reason that El Salvador had not ratified the Optional Protocol to the CAT. OHCHR contributed to this achievement through advocacy, including a visit to the country with a member of the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

- *Establish fully functioning participatory standing national coordinating bodies in some of the countries covered by the regional office and strengthening the existing ones in Costa Rica and Panama to report/reply to individual communications and enquiries; Integrated follow-up to recommendations of all human rights mechanisms (EA 6)*

The Regional Office and the United Nations Country Team (UNCT) in Costa Rica supported the national mechanism for reporting and follow-up, through the deployment of a consultant, to enhance its working methods, prepare its 2016 workplan, establish a permanent mechanism for the participation of civil society and prepare two State Party reports under the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, respectively. In Panama, a consultant was also deployed, with the support of OHCHR, to assist the national mechanism for reporting and follow-up in the drafting of overdue reports under CAT and the Convention on the Rights of the Child.

- *Increased number of civil society organizations, NHRIs and UN entities making substantial submissions to the international human rights mechanisms (EA 7)*



Meeting with indigenous peoples from Costa Rica for the development of a mechanism to facilitate prior consultation, September 2016. © OHCHR/Central America

With the technical support of the Regional Office, several reports were submitted by civil society organizations from Nicaragua in relation to the review of the country's State Party report by the Committee on Migrant Workers and Members of Their Families. Moreover, NGOs from Jamaica and Trinidad and Tobago submitted shadow reports in relation to the consideration of their respective State Party reports by the Committee on the Elimination of Discrimination against Women and the Human Rights Committee.

Enhancing equality and countering discrimination

- *Public policies, legislative frameworks and practices in the area of non-discrimination (racial discrimination, gender equality) are in compliance with international human rights standards (EA 4)*

In Costa Rica, OHCHR's intervention was critical to facilitating the first meeting of the Inter-Institutional Commission on sexual and reproductive rights. The meeting resulted in the development of recommendations that were taken into account for the elaboration of an action plan within the framework of the National Policy on Sexual and Reproductive Rights 2015-2019. Furthermore, in Costa Rica and Panama, OHCHR established a dialogue with national human rights institutions and Afrodescendant organizations to support the elaboration of national reports on racial profiling.

Integrating human rights in development and in the economic sphere

- *Increased number of consultation processes between States and indigenous peoples in order to obtain the latter's free, prior and informed consent in line with the Declaration on the Rights of Indigenous Peoples (EA 5)*

In Costa Rica, the process for establishing a national mechanism for consulting with indigenous peoples

was initiated in January with the participation of the eight ethnic groups from the 24 indigenous territories of the country. The process is expected to be finalized by March 2017. The Regional Office supported the initial information gathering phase, provided training for the indigenous representatives and the Government's team in charge of the process and provided technical advice to ensure the overall compliance of the process with human rights standards. In Panama, OHCHR contributed to promoting dialogue between the Government and indigenous authorities from the Comarca Ngabe-Bugle to guarantee the participation of indigenous peoples in the decision-making process related to the exploitation of natural resources affecting the Ngabe peoples' rights. The ongoing dialogue aims to revise the agreement that was signed between the Government and the indigenous peoples and includes compensation for the communities affected by a dam as well as measures to reduce the social, economic, cultural and environmental impact of the project.

- *UNDG LAC integrates a human rights-based approach in its support to countries in the context of the Millennium Development Goals and the Post-2015 Development Agenda and implements the "Rights up Front" plan of action (EA 1)*

The Inter-Agency Protection Group was reactivated in 2016 in order to coordinate efforts on the situation of migrants in Central America. With the active participation of OHCHR, a draft workplan for 2017 was prepared. In addition, practical guidance tools to address human rights and protection issues affecting refugees, migrants and returnees were developed and disseminated to UNCTs in the region.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *Measures taken to combat gender-based violence, in particular through the use of the Latin American Model Protocol for the investigation of gender-related killings of women (EA 1)*

As a result of various capacity-building workshops facilitated by OHCHR, judicial officials in Panama are more aware of the applicable international human rights standards related to the investigation of femicide cases. As an example, staff members of the Regional Office participated in two different training programmes of the Public Ministry's Training School: one on the use of the Latin American Model Protocol for the investigation of gender-related killings of women and another on sexual violence crimes and assistance to victims. In both activities, the Regional Office stressed the key role of duty-bearers in providing victims with effective access to justice and guaranteeing the impartiality of judicial operators.

Regional Office for Central America (Panama City, Panama): Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	833,199	206,977
Activities and operating costs	169,977	26,612
Subtotal	1,003,176	233,589
Programme support costs	-	28,294
GRAND TOTAL	1,003,176	261,883

Regional Office for South America (Santiago, Chile)

Year established	2009
Staff as of 31 December 2016	4
Expenditure in 2016	US\$1,077,757

Results

Strengthening international human rights mechanisms

- *At least one international human rights treaty and five optional protocols are ratified (EA 2)*

The Regional Office used every opportunity at its disposal to advocate for the ratification of treaties, including through high-level meetings with government representatives and during capacity-building activities. In 2016, Peru ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and Venezuela ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. In Chile and Peru, OHCHR shared with Members of Parliament a compilation of recommendations issued by international human rights mechanisms that require legislative commitments. It also highlighted the human rights treaties that have not yet been ratified.

- *Improved timely submission of treaty bodies and UPR national reports in compliance with the reporting guidelines (EA 6)*

Support was provided by OHCHR for the development of national mechanisms for reporting and follow-up to recommendations issued by international human rights bodies. In Argentina, the Regional Office provided technical assistance to the Federal Human Rights Council to strengthen a mechanism that is in place to monitor reporting to the human rights mechanisms. The Government of Chile is establish-



UN experts, civil society and private sector representatives participate at the regional consultation for Latin America and the Caribbean on the implementation of the UN Guiding Principles on Business and Human Rights, Santiago, Chile, March 2016. © OHCHR/South America

ing a mechanism to follow up on recommendations issued by the Committee on the Rights of the Child and the Office is advocating for a more integrated approach to include recommendations emanating from all international human rights mechanisms. In Ecuador, the Regional Office is providing technical advice to the Government in relation to implementing its online platform, SIDERECHOS, which is being used to draft the State report for the Universal Periodic Review (UPR). In Uruguay, the Regional Office is supporting the implementation of SIMORE, the follow-up database that was developed in Paraguay with the assistance of OHCHR, as well as the establishment of a national mechanism for reporting and follow-up.

- *CSOs and NHRIs, when applicable, make substantive submissions to treaty bodies, special procedures and the UPR in Argentina, Brazil, Chile, Peru, Uruguay and Venezuela (EA 7)*

The Regional Office contributed to the increased engagement of civil society organizations in Ecuador, which resulted in the submission of reports to the UPR by 13 of these organizations.

Enhancing equality and countering discrimination

- *Improved legislative and policy anti-discrimination frameworks in all countries in the region (EA 4)*

In Peru, advocacy undertaken by the Regional Office contributed to the adoption of a technical instruction guide on reasonable accommodations for persons with disabilities in the workplace. It also contributed to the approval, in July, of the National Development Plan for Afrodescendants.

Combating impunity and strengthening accountability and the rule of law

- *National Preventive Mechanisms against torture (as per OP-CAT) are functioning in conformity with international human rights standards in at least three countries (EA 3)*

While most of the countries covered by the Regional Office have established National Preventive Mechanisms (NPMs), their mandates and resources are generally limited. In this regard, the Office worked to strengthen the mandates and overall capacities of NPMs so that they can work in accordance with international human rights standards. It did so through the promotion of laws establishing strong NPM mandates and the adequate allocation of resources as well as through workshops and various high-level meetings. For instance, OHCHR and the Ministry of Justice of Peru co-organized a high-level regional meeting to discuss progress made and challenges faced in relation to prison systems in the region. The meeting was attended by several NPMs of the region.

Integrating human rights in development and in the economic sphere

- *Constitutions, laws and policies increasingly protect human rights, especially land and housing rights, with particular attention to non-discrimination and gender equality, in the context of development and exploitation of natural resources (EA 1)*

In collaboration with the Working Group on the issue of human rights and transnational corporations and other business enterprises, the Regional Office organized a Regional Consultation on Business and Human Rights in the Framework of the 2030 Agenda on Sustainable Development. The consultation contributed to, among other issues, the identification of the main challenges in the region, in particular conflicts related to the operation of the extractive industries and the negative impact of business enterprises on the human rights of indigenous peoples. In addition, a discussion was held on the development of a road map on how to move forward in the region. Following the event, and with the support of OHCHR, initial steps have been taken toward the preparation of national action plans on human rights in Chile and Uruguay.

- *UNDAFs of Argentina, Brazil, Chile, Peru, Uruguay and Venezuela incorporate a human rights-based approach (EA 11)*

The Regional Office supported the United Nations Country Teams (UNCTs) in Brazil and Peru in aligning their respective United Nations Development Assistance Frameworks (UNDAFs) for 2017-2021 with the Sustainable Development Goals (SDGs). The UNDAFs integrate human rights principles and include a matrix matching each strategic component of the

UNDAFs with relevant SDGs and recommendations issued by the international human rights mechanisms.

Widening the democratic space

- *Increased interventions of the international community to promote and protect civil society actors, including against reprisals (EA 10)*

The Regional Office prepared an analysis of the legal, institutional and public policy framework in Brazil in relation to human rights defenders in the country and the challenges that they face. The analysis also included a set of recommendations to encourage a more active role of the UN system in Brazil, particularly in relation to cases of reprisals.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *Intervention protocols and internal instructions of security forces are in line with human rights standards in Brazil and Chile (EA 1)*

In relation to the excessive use of force applied in public demonstrations in some countries of the region, OHCHR has been working with authorities to draft legislation, police protocols and internal instructions for police officers in accordance with human rights standards. To contribute to this objective, the Regional Office has collaborated with the national human rights institutions (NHRIs) of Argentina, Brazil, Chile, Costa Rica, Ecuador, Panama, Peru and Uruguay to develop guidelines on monitoring social protests. These guidelines will constitute a tool for monitoring cases of excessive use of force in the context of social protests. This is a role that is often undertaken by NHRIs in the region.

Regional Office for South America (Santiago, Chile): Expenditure in 2016

	Regular budget expenditure in US\$	Extrabudgetary expenditure in US\$
Personnel and related costs	484,208	228,020
Activities and operating costs	186,000	140,888
Subtotal	670,208	368,908
Programme support costs	-	38,641
GRAND TOTAL	670,208	407,549

Human Rights Component in a UN Peace Mission

United Nations Stabilization Mission in Haiti

Year established	2004
Staff as of 31 December 2016	32

Results

Strengthening international human rights mechanisms

- *Fully functioning and effective participatory standing national coordinating body on reporting/replying to individual communications and enquiries; and integrated follow-up to recommendations of all human rights mechanisms (EA 6)*

Following the non-renewal of the designated human rights focal point at the end of 2014, the Interministerial Committee on Human Rights continued to work, albeit at a slow pace. The Human Rights Section (HRS) of the United Nations Stabilization Mission in Haiti continued to advocate for the reinstitution of a high-level governmental focal point on human rights. The Human Rights Council reviewed Haiti's human rights record in November 2016 as part of the Universal Periodic Review (UPR) process. At the end of the session, 213 recommendations were made by Member States. Haiti accepted 175 of these recommendations, noted 33 and deferred five. On 21 December, the Haitian delegation that had attended the UPR in Geneva held a workshop with Members of Parliament and the Senate, the diplomatic corps, civil society and UN agencies to discuss follow-up to the recommendations.

Enhancing equality and countering discrimination

- *Increased openness to recognizing equal treatment for LGBTI persons and discussing legislation for the recognition of their rights (EA 4)*

In 2016, the Masi Madi Festival, a cultural gathering related to the conditions and rights of lesbians, gays, bisexuals and transgender people was cancelled due to political pressure and an interdiction from the Prosecutor of Port-au-Prince. The HRS denounced the prohibition as a restriction of the freedom of speech and association, guaranteed in the Haitian Constitution.

Widening the democratic space

- *NHRIS established and functioning in accordance with Paris Principles (EA 1)*

With OHCHR's technical support, the Office de la Protection du Citoyen (OPC) is on the path to becoming an independent and reliable mechanism. In 2016, the OPC developed a plan of action to strengthen its presence in all 10 departments of Haiti and reinforce its capacity and resources.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *Mechanisms and initiatives are adopted to increase human rights protection in contexts of conflict, violence and insecurity (EA 3)*

After hurricane Matthew hit Haiti in October, the HRS supported the Directorate for Civil Protection in the implementation of protection measures in line with international standards, which led to the coordinated provision of humanitarian assistance, especially to groups in vulnerable situations.

- *Increased number and variety of stakeholders engaged in conflict prevention, peace building and other violence-reduction processes (EA 5)*

Concerning the deportation of Haitian migrants or citizens of Haitian descent, including unaccompanied minors, from a neighbouring country, the HRS and civil society organizations conducted regular monitoring and documented a number of allegations of violations of international human rights standards during the deportation process. The findings were used in advocacy activities with the Government and other UN entities.

Human Rights Advisers in UN Country Teams

Dominican Republic

Year established	2014
Staff as of 31 December 2016	1

Results

Strengthening international human rights mechanisms

- *By the end of the period, the Dominican Republic has a National Human Rights Action Plan as well as a permanent, participatory and strengthened human rights mechanism within the Executive to effectively engage with international human rights*



Members of the UN Task Force on Migration and Statelessness undertake a mission to a border crossing point between the Dominican Republic and Haiti. © OHCHR/Dominican Republic

mechanisms, including by fulfilling reporting obligations, as well as follow-up and implementation of their recommendations (EA 6)

The launch of the National Human Rights Action Plan, originally planned for December, was postponed until the first quarter of 2017. The engagement of the Human Rights Adviser (HRA) with high-level Government authorities was key in reactivating the development of the Plan. The Ministry of Foreign Affairs further requested that the HRA facilitate a meeting with civil society organizations in 2017 in order to begin discussions on the development and adoption of the mechanism that will be used to monitor the implementation of the Plan.

- *Increased number of submissions by civil society organizations, NHRI and UN entities to international human rights mechanisms (EA 7)*

A coalition of civil society organizations submitted an alternative report to the Committee on Economic, Social and Cultural Rights (CESCR) in the context of the review of the fourth periodic report of the Dominican Republic in September. The HRA facilitated the engagement of the coalition with the Secretariat of the CESCR to ensure the timely submission of the report.

- *Recommendations from human rights mechanisms have been integrated by the UNCT in at least three of its programmes (EA 11)*

The roll-out exercise for the United Nations Development Assistance Framework (UNDAF) was initiated in 2016. The HRA trained the United Nations Country Team on the human rights-based approach and shared a compilation of the main recommen-

dations issued by the international human rights mechanisms in relation to the Dominican Republic, some of which were included in the draft UNDAF.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *Mechanisms and initiatives are adopted to increase human rights protection in the contexts of conflict, violence and insecurity (EA 3)*

The new Law for the Police was approved in 2016. Although the HRA did not play an active role during the final phase of approval, he provided technical advice, in 2014 and 2015, to the Legislative Commission on Justice and Security on key aspects of human rights and security sector reform. Some of the recommendations made at that time were taken into account during the development of the law, particularly in relation to the need to establish independent and robust external and internal oversight mechanisms.

Human Rights Adviser to the Regional UN Development Group for Latin America and the Caribbean

Year established	2014
Staff as of 31 December 2016	- (The field presence closed in 2016)

Results

Integrating human rights in development and in the economic sphere

- *Human rights standards and principles are integrated into UN development frameworks and the work of UN agencies, particularly on housing, water, sanitation and land (EA 11)*

The Common Country Assessment and United Nations Development Assistance Framework documents of Argentina, Brazil, El Salvador and Uruguay have integrated a human rights-based approach as a result of support provided by the Human Rights Adviser (HRA). The HRA was actively engaged in the preparation of documents, delivered training sessions on the human rights-based approach for United Nations Country Teams (UNCTs) from Costa Rica, Guatemala and Haiti and contributed to the planning of a number of UNCTs in the region by providing information on recommendations issued by the human rights mechanisms. The HRA also contributed to the implementation of the Human Rights up Front Action Plan by increasing the awareness of UNCTs about the initiative.

Jamaica

Year established	2014
Staff as of 31 December 2016	1

Results

Strengthening international human rights mechanisms

- *Establishment of a participatory standing national coordinating body on reporting/replying to individual communications and enquiries; and integrated follow-up to recommendations of all human rights mechanisms and timely submission of reports to treaty bodies and UPR (EA 6)*

The Interministerial Committee for Human Rights, led by the Ministry of Foreign Affairs and Foreign Trade, is an ad hoc committee that was established for reporting to the Universal Periodic Review (UPR) and under the International Covenant on Civil and Political Rights, yet bears the reporting obligations under all ratified treaties. The Human Rights Adviser (HRA) facilitated training activities for the Committee, including a mock session, and engaged in discussions on the implementation of a database, currently under development, for following up on the recommendations issued by the international human rights mechanisms.

Integrating human rights in development and in the economic sphere

- *Common country programming documents, namely the 2012-2016 and 2017-2021 UNDAFs developed and implemented in line with a human rights-based approach (EA 11)*

The six Caribbean United Nations Country Teams (UNCTs) agreed on a Multi-Country Sustainable Development Framework (MSDF), signed by Jamaica in November, which integrates a human rights-based approach. In addition, the evaluation of the 2012-2016 United Nations Development Assistance Framework (UNDAF) highlights the contribution of the HRA to the UNDAF principles and programmes. The HRA participated in all of the regional thematic inter-agency groups that designed the monitoring and evaluation framework of the MSDF and reviewed the narrative of the document. The HRA also provided guidance on follow-up to recommendations and a table with all of the recommendations that have been issued by the international human rights mechanisms in relation to Jamaica that fit within the MSDF outcome areas.

Widening the democratic space

- *The Government and the Office of the Public Defender, in consultation with civil society stakehold-*



Jamaica's Chief Justice addresses participants of a seminar with judges from the Supreme Court and the Appeal Court on the implementation of the International Covenant on Civil and Political Rights that was convened by the Government and OHCHR, October 2016. © OHCHR/Jamaica

ers, implement the road map for the establishment of a NHRI compliant with the Paris Principles (EA 1) During its 2015 UPR, the Government of Jamaica pledged that it would establish a national human rights institution that is compliant with the Paris Principles. A change in the ruling party following the general elections in February, however, delayed the process. The HRA advocated for the necessary legislative changes by preparing a document to support the reform of the legislation and meeting with the Minister of Justice.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *National Strategic Action Plan for Ending Gender-Based Violence is implemented (EA 1)*

The National Strategic Action Plan for Ending Gender-Based Violence was finalized in June and submitted to the Cabinet for approval in November. The HRA provided inputs to the monitoring and evaluation framework, in particular on human rights indicators, and compiled the international recommendations relevant to the Action Plan.

Paraguay

Year established	2010
Staff as of 31 December 2016	3

Results

Strengthening international human rights mechanisms

- *Increased compliance and engagement of the State in the follow-up to international recommendations (EA 6)*

The Government of Paraguay prepared its reports for the Universal Periodic Review (UPR) second cycle, the Committee on the Elimination of Racial

Discrimination (CERD) and the Committee on the Elimination of Discrimination against Women, based on the information available in SIMORE, an online database that was developed for following-up on the recommendations issued by international human rights mechanisms. Furthermore, Paraguay has been actively sharing its experiences on follow-up mechanisms at the request of other governments, including Chile, the Dominican Republic, Honduras and Uruguay. The Human Rights Adviser (HRA) provided technical assistance to the Government to update the SIMORE with the latest recommendations.

- *Increased number of rights-holders and civil society actors acting on their behalf making use of UN special procedures and UPR (EA 7)*

With technical advice from the HRA, at least 20 reports were prepared by NGOs for the second UPR of Paraguay, one report was submitted to the CERD and three communications were sent to the special procedures.

Enhancing equality and countering discrimination

- *Civil society supports participatory mechanisms to enhance equality and counter discrimination, particularly against indigenous peoples, women, persons with disabilities and LGBTI persons (EA 5)*

The first national seminar on human rights defenders was jointly organized by the HRA and a group of NGOs, bringing together more than 200 human rights defenders to discuss the challenges related to their work. The event also provided participants with an opportunity to enhance their capacities to document and analyze cases and identify potential joint advocacy strategies.

Combating impunity and strengthening accountability and the rule of law

- *Functioning protection and accountability mechanisms to prevent and monitor the investigation of allegations of torture and ill-treatment and violations of the rights of persons deprived of their liberty (EA 3)*

The General Prosecutor's Office prepared a set of indicators on the right to a fair trial. The indicators were developed with the technical support of the HRA and drew on the previous experience with the Supreme Court of Justice. The upcoming selection process for a new General Prosecutor, among other challenges, will determine when the indicators will be formally approved and implemented.

Integrating human rights in development and in the economic sphere

- *Development and poverty reduction policies increasingly promote and protect human rights, especially those relating to land, education, non-discrimination and gender equality (EA 1)*

From adversity to empowerment: The history of a human rights defender in Paraguay

Mario Rubén Marecos is 37 years old. He was born with a physical disability. Since 96 per cent of his physical functions are limited, he needs someone to do most things for him. He grew up in an institution for children with disabilities and at 18 years of age, he was adopted by a family. He also defied the doctor's sentence of a very short life expectancy.

Rubén Marecos lives in Paraguay and is a human rights defender, working tirelessly for the rights of persons with disabilities. He is one of the civil society representatives for the National Commission for the Rights of Persons with Disabilities. The Commission is a political decision-making body that enables the State and civil society to jointly develop public policies linked to the sector.

His active participation in the elaboration of the National Action Plan for the Rights of Persons with Disabilities progressively demonstrated his leadership. He is proud of

being a protagonist of the first public policy for the sector, which was approved by presidential decree in 2016. The same year, Rubén began participating in new working spaces with other human rights networks, served as the voice of the persons with disabilities and therefore enriched the traditional spaces of debate and advocacy of civil society organizations. His leadership was recognized by civil society organizations for his evident commitment to the defence and promotion of human rights and by overcoming the barriers and discrimination which he faces each day.

Through his knowledge, experience and a strong sense of empowerment that he gained in participating in various activities and spaces, Rubén Marecos is providing a critical and constructive view of the challenges faced by persons with disabilities in order to ensure that their rights are fully guaranteed and respected and that they have the possibility to live an independent life.

Human rights indicators related to the rights to education, health, food, adequate standards of living, which were developed with the technical support of the HRA, were included in poverty eradication programmes implemented by Paraguay's Secretariat for Social Action. This enhanced the State's capacity to monitor the impact of its social policies and programmes.

Widening the democratic space

- *Policies, particularly of the National Secretary for the human rights of persons with disabilities, the National Institute for Indigenous Issues and the Ministry of Education increasingly respect, protect and guarantee human rights standards (EA 1)*

The National Action Plan on the Rights of Persons with Disabilities, adopted in November 2015, was formally endorsed by the Government through a Presidential Decree in June. The Plan was designed with the active engagement of civil society and the technical support of the HRA, in particular for the development of human rights indicators to monitor its implementation.

Early warning and protection of human rights in situations of conflict, violence and insecurity

- *Legal frameworks, public policies and institutions are in place and functioning to combat sexual and gender-based violence, trafficking and related exploitation (EA 1)*

A law protecting women from all forms of violence, including the crime of femicide, was approved by

the Congress. The HRA supported this development by organizing a series of meetings and activities with national stakeholders to promote the Latin American Model Protocol for the investigation of gender-related killings of women. Advocacy activities, jointly held with UN Women and civil society organizations, contributed to ensuring that the legislation was more closely aligned with international standards. For instance, the mandatory conciliation envisaged in the early drafts was eventually removed. Other recommendations, such as the inclusion of references to gender, were not taken into account.



OHCHR workshop for persons with disabilities in Paraguay. © OHCHR/Paraguay