In 2017, OHCHR continued its engagement with the Americas region from its headquarters in Geneva, the New York Office and 11 field presences. These presences included two regional offices (Panama City and Santiago de Chile); five country offices (Bolivia (until December 2017), Colombia, Guatemala, Honduras and Mexico); three human rights advisers in the Dominican Republic, Jamaica and Paraguay (until February 2017); one human rights component in a peace mission in Haiti (MINUJUSTH) and one national human rights adviser in Barbados. Until the end of March 2017, OHCHR provided substantive and administrative support to the Independent Expert on the situation of human rights in Haiti. During its thirty-fourth session, the Human Rights Council decided not to renew this country mandate and

### UN Human Rights in the field: Americas

<table>
<thead>
<tr>
<th>Type of presence</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country offices</td>
<td>Bolivia**, Colombia, Guatemala, Honduras, Mexico</td>
</tr>
<tr>
<td>Regional offices</td>
<td>Central America (Panama City, Panama), South America (Santiago de Chile, Chile)</td>
</tr>
<tr>
<td>Human rights component in UN Peace Mission</td>
<td>Haiti (MINUJUSTH)</td>
</tr>
<tr>
<td>Human rights advisers in United Nations Country Teams</td>
<td>Barbados, Dominican Republic*, Jamaica*, Paraguay**</td>
</tr>
</tbody>
</table>

instead requested that OHCHR report on the advance-
ment of the National Human Rights Action Plan. OHCHR
also worked with a special project, based in Barbados,
on supporting countries in the English-speaking Eastern
Caribbean to implement recommendations issued by
the international human rights mechanisms, including
the Universal Periodic Review. In 2017, OHCHR stepped
up its engagement, monitoring and reporting capacities
from headquarters to respond to the human rights situ-
ation in Venezuela. OHCHR had to adopt a strategy of
remote monitoring as access to the country was not au-
thorized. In August, OHCHR issued a report document-
ing extensive human rights violations committed in the
context of mass protests in Venezuela from April to July.

The region faces widespread violence and insecu-

rity and reports one of the highest murder rates in the
world. In some countries, complex networks of organ-
ized crime and drug trafficking exacerbate the situation
of violence. Security and justice systems face enormous
challenges in responding to the violence and govern-
ments frequently rely on the military to maintain law and
order, which has serious human rights implications. Im-
punity remains a major concern. Countries in the region
were also marked by challenges in democratic gov-
ernance and increasing political and social tensions,
prompted in part by corruption scandals and the slow
progress made by governments to reduce poverty and
tackle social and economic exclusion. The expansion
of the extractive industries negatively impacted on the
rights of indigenous peoples and peasant communi-
ties, further exacerbating social and economic conflict.
Racial discrimination remained a significant barrier to
the enjoyment of economic, social and cultural rights
and political participation. Violence against women
remained widespread in the region, which has one of
the highest rates of gender-related killings in the world.
Discrimination against lesbian, gay, bisexual, transgen-
der and intersex (LGBTI) persons is an ongoing issue of
concern. Cruel and inhuman treatment, excessive use
of force by law enforcement officials, inhuman deten-
tion conditions and violence in prisons, were a matter of
distress. An increase in hate speech against minorities
and migrants was also reported as migrants and asy-
um-seekers, mainly from Northern Central America, the
Caribbean and Venezuela, continued to be extremely
vulnerable to human rights violations.

OHCHR assisted countries to adopt a human rights per-
spective to combat insecurity and violence, with a spe-
cial focus on the fight against impunity. In 2017, the Of-
cice worked on widening the democratic space with a
particular emphasis on protection mechanisms for jour-
nalists and human rights defenders in Colombia, Guate-
mala, Honduras and Mexico. Work on non-discrimination
issues was carried out, including by strengthening United
Nations local and regional capacities to integrate human

rights into policies, programmes and activities, such as
the 2030 Agenda for Sustainable Development.

In response to the migration crisis in the region,
OHCHR conducted a mission to El Salvador, Honduras,
Guatemala and Mexico to monitor the human
rights situation of migrants in transit and at borders.
The objective of the mission was to strengthen the
capacity of OHCHR field offices to help promote and
protect the rights of migrants and identify opportuni-
ties for implementing technical cooperation strategies
with government and civil society organizations.

To advance human rights in the region, OHCHR main-
tained close contacts with regional organizations, espe-
cially the Inter-American Commission on Human Rights
(IACHR) and the Inter-American Court of Human Rights.
In February, OHCHR submitted a written contribution
to the Inter-American Court of Human Rights on LGBTI
rights. In October, the High Commissioner attended
the 165th session of the IACHR, in Montevideo, and
launched a Joint Action Mechanism to Contribute to the
Protection of Human Rights Defenders in the Americas.

During 2017, OHCHR supported and/or accompanied
the visits of the High Commissioner for Human Rights
to El Salvador, Guatemala, Peru, Uruguay and Wash-
tington D.C., the Deputy High Commissioner to Canada
and the Assistant Secretary-General to Colombia and
Honduras. OHCHR actively participated in Regional
Monthly Reviews under the Human Rights up Front Ini-
tiative, identified situations for potential risks of human
rights deterioration and recommended appropriate
UN integrated responses in the Americas.

Country Offices

Bolivia

<table>
<thead>
<tr>
<th>Year established</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff as of 31 December 2017</td>
<td>- (The field presence closed in 2017)</td>
</tr>
<tr>
<td>Expenditure in 2017</td>
<td>US$1,903,702</td>
</tr>
</tbody>
</table>

Results

Strengthening international human rights mechanisms

A national coordinating body to report to the hu-
man rights treaty bodies, reply to individual com-
munications and enquiries and ensure regular
follow-up to recommendations issued by the inter-
national human rights mechanisms is established
and effectively functioning (EA 6)
In order to fulfill a commitment undertaken during its second cycle of the Universal Periodic Review (UPR), the Government of Bolivia created a mechanism, in 2015, to coordinate its reporting to the international human rights mechanisms and the follow-up to their recommendations. The mechanism held regular meetings between 2016 and 2017 and arranged for the development of a web-based tool (SIPLUS) to facilitate monitoring of the implementation of the recommendations. The Office provided technical support for the development of SIPLUS and the improvement of its functionalities in 2017.

A **National Human Rights Action Plan** integrating follow-up to selected recommendations of the international human rights mechanisms is adopted and a participative coordination mechanism for its implementation is in place (EA 6)

In 2015, the Government of Bolivia approved the Plurinational Human Rights Policy for 2015-2020, which outlines all of the human rights actions to be undertaken by the State. Since then, OHCHR provided the Ministry of Justice with technical and financial assistance in order to disseminate and implement the Policy. The National Human Rights Action Plan for 2014-2018 was also developed with the assistance of the Office although, by 2017, it was still under consideration by different State entities.

**Enhanced equality and countering discrimination**

- **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 continued to disseminate its “Multisectoral Plan of the Plurinational State of Bolivia 2016-2020,” and promote the implementation of the 58 specific actions contained therein. Nonetheless, the limited resources made available to the Committee have had a negative impact on its capacity to carry out its planned activities.

**Combating impunity and strengthening accountability and the rule of law**

- **The Council of Magistrates, the Plurinational Constitutional Court, the Public Prosecutor’s Office and the Ministry of Justice** improve the compliance with human rights standards of their policies and programmes in relation to judicial independence, access to justice, institutional transparency and the criminal justice system (EA 1)

Between February 2016 and December 2017, the Office produced a report with information on all prisoners in Cochabamba and La Paz (about 5,000) that was disaggregated by sex, age, occupation, custodial status and duration of the pretrial detention. The study was presented to relevant authorities of the penal system, judges of the Supreme Court, members of the Constitutional Commission of the Chamber of Deputies of the Plurinational Legislative Assembly, the Ministry of Interior, the Ombudsperson’s Office and civil society organizations. The information provided by the Office served as the basis for holding hearings in the penitentiary centres of La Paz in order to reduce the percentage of prisoners being held in detention without a conviction. In addition, OHCHR’s identification and description of problems in the justice system prompted legislators to review the Penal Code.

- **The School for Judges, the School for Public Prosecutors and the Plurinational Academy of Constitutional Studies** incorporate international human rights law into their curricula (EA 1)

With the support of the Office, the Plurinational Public Defence Service and the Victim Attention Service offered the second version of the postgraduate course in human rights and the administration of justice, which was taken by 50 public defenders from the nine departments of the country. In 2014, the Office provided technical support to the School for Judges and the School for Public Prosecutors for the review of their training programmes. As a result, human rights were substantively incorporated into the training programmes for new judges, prosecutors and public defenders. Currently, the training curriculum for prosecutors has one module that specifically focuses on international human rights law and two others make substantive references to the rights of women and children. The training programme for future judges includes 15 modules on international human rights law. Furthermore, the Office contributed to the development of an online training platform for the School for Judges, which formed the basis for its own e-learning platform. In turn, the adapted platform was used to conduct training courses for university professors on the administration of justice, three postgraduate courses that were developed in cooperation with the Police University, two postgraduate courses that were tailored for the Plurinational Public Defence Service and the Victim Attention Service and two courses on international standards for judges and prosecutors on preventive detention.

- **Transitional justice mechanisms, including a Truth Commission, are in place and functioning** (EA 3)

The Truth Commission of Bolivia was created by Law 879 at the end of 2016 and its commissioners were appointed in August 2017. During 2014, the Office supported the advocacy of victims’ organizations, including two that presented a bill on the Truth Commission to the Plurinational Assembly. The Office provided technical assistance to align the proposed bill with international human rights standards.
A civil society coalition against torture has been established and is functioning (EA 5)

In 2013, Law 474 creating the Torture Prevention Service (SEPRET) was adopted. Since then, the SEPRET has served as the National Preventive Mechanism under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Most local human rights organizations, however, have expressed concern about the mechanism’s independence. With the support of OHCHR, a number of civil society organizations came together in a working group, in 2014, to prepare a legislative proposal to reform Law 474, with the aim of ensuring that SEPRET became a truly independent mechanism. Following a number of meetings with SEPRET, it became clear that a review of Law 474 was unlikely. The working group therefore decided to establish, in 2015, a civil society-led “coalition against torture” aimed at coordinating joint actions to promote the State’s compliance with national and international laws and instruments for the prevention, investigation and sanction of torture. In addition to other activities, the coalition cooperated with OHCHR, in 2017, to hold a two-day local event to discuss topics related to the phenomenon of torture in Bolivia. One of these issues included a proposal on a new formulation for the offence of torture that was to be presented to the Legislative Assembly in the context of the reform of the Penal Code.

Integrating human rights in development and in the economic sphere

An increasing number of State institutions develop and implement human rights indicators according to their areas of competence, in accordance with international human rights standards, taking into account the Sustainable Development Goals (EA 1)

From 2011 to 2017, OHCHR supported approximately 30 State institutions in the development of human rights indicators. As a result of this work, 490 indicators were developed on the following prioritized human 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. These indicators were also included in SIPLUS, the online database established by the Government of Bolivia to systematize all of the recommendations issued by the international human rights mechanisms in relation to the Bolivian State and to monitor relevant follow-up actions. In 2017, a number of meetings, facilitated by OHCHR, were held with approximately 70 focal points, in line ministries and experts from Bolivia’s National Institute of Statistics (INE). The purpose of the meetings was to review and consolidate the human rights indicators developed to date and coordinate the necessary actions to make use of them.

Widening the democratic space

Significant improvement in the compliance of legislation on freedom of opinion and expression and the right to information with relevant international standards (EA 1)

In 2014, the Ombudsperson’s Office requested that the Constitutional Court declare the unconstitutionality of some provisions of Law 351, which regulates the work of national NGOs in Bolivia and imposes excessive restrictions on freedom of association. The Special Rapporteur on the right to freedom of peaceful assembly and of association presented an amicus curiae brief to the Constitutional Court supporting the request for unconstitutionality. In 2015, however, the Constitutional Court issued a decision declaring the constitutionality of the provisions, which did not take into account the inputs provided or the international human rights standards. Following this decision, four national NGOs filed a petition of precautionary measures with the Inter-American Commission on Human Rights, in 2016, which has not yet been considered. At present, although NGOs are reportedly still facing some administrative difficulties arising from Law 351, none have lost their authorization to operate in the country.

Increased participation of indigenous peoples in public life at the national and international levels, in particular through consultation processes and participation in the processes of referenda with regards to indigenous autonomy and international events (EA 5)

The Bolivian Guaraní Indigenous University developed training programmes on human rights for representatives of indigenous populations. As a result of these programmes, 42 representatives increased their knowledge about national and international mechanisms and were able to participate in public life and take steps to protect and promote their rights. Over the past four years, OHCHR provided individuals, groups and communities with technical assistance, offered legal opinions and developed a number of guidelines and other tools, which have contributed to the increased awareness of the general public about the human rights situation of indigenous peoples. The Office also provided expert assistance to indigenous communities regarding free, prior and informed consultation and consent.

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)
During the reporting cycle, a number of laws were adopted to promote and protect the rights of women, including the Integral Law to Guarantee Women a Life Free of Violence and the Law against Sexual Harassment and Political Violence against Women. The Office provided technical assistance to the Bolivian State regarding the implementation of both Laws. It further supported the Vice-Ministry of Equal Opportunities and the police in the development of a manual to investigate crimes of feminicide, based on the Latin American Model Protocol for the investigation of gender-related killings of women. OHCHR also worked with the Vice-Ministry of Equal Opportunities on the implementation of the Integral System of Prevention, Attention, Sanction and the Eradication of Gender Violence through the development of a curriculum on the subject for the School of Judges and by conducting training on combating violence against women for the Ministry of Justice. The Office trained 90 judges from across Bolivia on implementing a gender approach in the courts. In addition, the technical assistance offered to the judicial Gender Committee led to the development of a protocol for judges, which included a gender-based approach, and the organization of three workshops, which were attended by approximately 200 participants. The protocol was presented to the Congress in 2017.

### Colombia

<table>
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<tr>
<th>Year established</th>
<th>1997</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff as of 31 December 2017</td>
<td>54</td>
</tr>
<tr>
<td>Expenditure in 2017</td>
<td>US$9,786,329</td>
</tr>
</tbody>
</table>

#### Results

**Enhancing equality and countering discrimination**

- **Increased implementation of anti-discrimination legislation and governmental initiatives in accordance with international standards (EA 4)**

  In 2016, the Committee on the Elimination of Racial Discrimination (CERD) reviewed the State Party report of Colombia and issued recommendations which noted the obstacles to economic, social and cultural rights, the right to land and territory and to the participation of discriminated groups. The recommendations remained fully relevant in 2017. In its monitoring of issues such as participation in peace processes, prior consultation and the effective protection of the right to land and territory, OHCHR determined that little progress had been achieved in addressing the areas of concern noted by CERD. In addition, the legislative measures related to access to education, housing and health do not take into account the differentiated approach required to overcome the exclusion of groups in vulnerable situations, such as Afrodescendants, indigenous peoples and lesbian, gay, bisexual, transgender and intersex persons. Law 1482 of 2011, which amended the Criminal Code to include measures against racism and discrimination, represented a positive step in addressing discrimination. The Law focuses on sanctioning acts of discrimination, yet it fails to promote prevention measures or provide reparations to address the impact of discriminatory acts on the rights of victims.

### Bolivia: Expenditure in 2017

<table>
<thead>
<tr>
<th>Category</th>
<th>Regular budget expenditure in US$</th>
<th>Extrabudgetary expenditure in US$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel and related costs</td>
<td>-</td>
<td>1,140,140</td>
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<tr>
<td>Activities and operating costs</td>
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</tr>
<tr>
<td>Subtotal</td>
<td>-</td>
<td>1,684,692</td>
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<tr>
<td>Programme support costs</td>
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<td>219,010</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td>-</td>
<td>1,903,702</td>
</tr>
</tbody>
</table>

OHCHR staff member facilitating an activity with kids in El Bagre, Colombia. © OHCHR/Colombia
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 international human rights standards, norms and principles (EA 1)

Impunity in cases of gross human rights violations remained a significant concern in 2017. The apparent inactivity of the authorities responsible for the investigation and prosecution of cases of serious human rights violations resulted from a number of factors, including extended time spent on building strong cases for prosecution, obstacles to the advancement of certain causes, the prioritization of other, more visible criminal cases, especially those related to the fight against corruption, and the amount of time required to establish and operationalize transitional justice mechanisms, all of which created delays in the administration of justice.

In 2014 and 2015, the State promoted constitutional and legal reforms that sought to broaden the constitutional scope of military and police jurisdiction through provisions that did not correspond to relevant international standards. The Office presented technical documents to the Congress and the Constitutional Court, reiterating the need to respect the limits established by international law in relation to the military justice system and the use of force. It also followed up on the passage of these reforms through the Congress. Moreover, the Office undertook advocacy to ensure that the rulings on reform of the 2016 Constitutional Courts were consistent with Colombia’s international obligations. Specifically, the rulings emphasized the complementarity between international human rights law and international humanitarian law and the restrictive scope of military jurisdiction.

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

With regard to transitional justice, the Office produced a technical document for the Ministry of Justice, which included recommendations on coordination between the Special Jurisdiction for Peace and the Special Indigenous Jurisdiction, in conformity with international norms and standards. This had a positive impact on the recognition of the Special Indigenous Jurisdiction, in accordance with the scope established by international law.

Integrating human rights in development and in the economic sphere

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)

The Administrative Department for Social Prosperity increasingly applied standards of economic, social and cultural rights in poverty eradication programmes and other programmes related to the right to food and water in La Guajira. The Office further observed positive changes in the Department’s guidelines to provide access to education for children with disabilities and efforts to empower women in rural areas. Regarding the implementation of comprehensive solutions to the right to an adequate standard of living, the Department and the Office took steps, in 2017, to establish a mechanism to monitor the programmes that were implemented to guarantee the rights to drinking water and food of the Wayúu indigenous peoples. While these efforts are commendable, more needs to be done to tackle the conditions of poverty and inequality in the rural regions of the country. For its part, the Ministry of Health began to disseminate the Integrated Health Care Model in the department of Chocó, taking into account recommendations issued by the Committee on Economic, Social and Cultural Rights in relation to Colombia. OHCHR also provided support for the development and dissemination of the Health Care Model in Chocó, based on a thorough assessment of the human rights situation in the area, and observed its compliance with international standards, including with regard to the participation of indigenous and Afro-Colombian peoples in its design. While OHCHR’s work with the Ministry of Education has not been as systematic as it was with the Department and the Ministry of Health, the Office facilitated the hiring of 450 teachers in order to guarantee the right to education in Caquetá and encouraged the Ministry to commit to improving the infrastructure,
quality of education and reinforcement of the teaching staff in Buenaventura.

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

As a result of OHCHR’s support and advocacy, article 123 of the Law establishing the National Development Plan, approved in 2015, provides that the 2014-2034 National Strategy to Guarantee Human Rights should include a human rights-based approach and be implemented at the national and regional levels. The Law also required national states to incorporate this approach into their public policies. The Presidential Council on Human Rights, the Ministry of the Interior’s Human Rights Division and the National Planning Department subsequently received training on the incorporation of a human rights-based approach into public policies. OHCHR also supported the development of three brochures providing a practical explanation on how to incorporate a human rights-based approach into local development plans, which were distributed to mayors and governors. In 2016, the Presidential Council on Human Rights made an assessment of the process and reported that nearly 80 per cent of the territorial entities had incorporated a human rights-based approach into their development plans. Finally, a human rights-based approach was incorporated into at least 10 public policy documents in four communities that were prioritized by the Office.

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

Since 2013, the Office has been participating in Guías Colombia, a multi-actor initiative that was created in 2006 to establish due diligence guidelines so that businesses can prevent or mitigate the negative impact of their operations on human rights. The initiative is composed of eight businesses from different economic sectors and includes the National Business Association, two government institutions, the National Ombudsperson’s Office, five civil society organizations and three multilateral organizations.

### Changing lives of women in La Gabarra

In 2014, 54 women from the La Gabarra community in Tibu, who were victims of enforced displacement, enforced disappearance and sexual violence, formed the Asociación de Mujeres Campesinas y Negritudes Em- prendedoras para un Futuro de La Gabarra (AMUCANEFU). They are women heads of household who provide financial support to their 210 children and grandchildren in one of the regions of Colombia with the highest levels of unsatisfied basic needs. The region is also one of the most conflict-ridden in the country due to the continued presence of several armed groups.

At the request of the National Ombudsperson’s Office, UN Human Rights began to support this association in October 2015. The Office facilitated a series of training sessions on a human rights-based approach, gender, project formulation and the understanding and scope of collective reparations. In addition, the Office led the collaborative implementation of advocacy strategies with institutions and international cooperation agencies in order to seek funds for the association.

The implementation of the project provided opportunities for the women from AMUCANEFU to meet, work together and talk about the violence they had suffered. “We already know one another and accept each other as we are. We know that we have support, that we are no longer alone, that we are a family,” said one of the members of the Association.

The members have slowly come to recognize themselves as rights-holders. Discretely and confidentially, they speak about the most terrifying incidents of the past and present and ask questions to reassure themselves that their perceptions are correct. They are very careful with their knowledge because they know that it guarantees their safety, but they do not keep silent. Together, they have learned to develop strategies to protect their lives, including by providing psychosocial care to other women victims of gender-based violence.

New leaders have emerged during this process, such as Isabel, who, like many other women, made the decision to build a life project for her children that is far from violence and illegal activities. In 2016, she began her university studies in business administration, which she in turn taught to the other members of the Association during their monthly meetings. Because she understood the value of education and the transformative power that it brings to women’s lives, she took steps to ensure that the participants in the projects learned to read, write, add and count. This is the best tool for life and overcoming marginality and violence. “I had already given up and believed that I was destined to live in poverty in the countryside, but the workshops made me see that I could study. I now explain to my children that school is a tool to gain knowledge and become independent. It’s not only about receiving a better salary,” said Isabel.
Through its technical advice, the Office contributed to the inclusion of the United Nations Guiding Principles on Business and Human Rights in the Guías Colombia guidelines and participated in the formulation of guides on decent work, land acquisition, supply chains and institutional strengthening by providing information on applicable human rights standards. The Office influenced the adoption of mandatory due diligence standards for the diagnosis, prevention and mitigation of human rights impacts, both in the operations of the Guías Colombia members and the operations of their contractors and suppliers. An evaluation undertaken in 2017 demonstrated that approximately 60 per cent of the businesses reporting to Guías Colombia made significant progress in the implementation of the guides.

The Office achieved significant progress in promoting the incorporation of human rights into business operations by, for instance, facilitating training activities for business personnel who are responsible for making decisions related to environmental, social and labour issues in Miner os S.A., EPM, CENS and Amerisur; reviewing complaints mechanisms and procedures for engagement and the protection of local social leaders with ISAGEN and Miner os S.A.; and promoting the local development initiatives of companies such as ISAGEN, Cerro Matoso, Ecopetrol and Miner os S.A. in their respective areas of influence. In addition, the Office supported companies in the management of social conflicts that arose in the course of their commercial operations in different regions in the country. The establishment of dialogue round-tables, supported by the Office, enabled many relevant stakeholders to discuss solutions to the conflicts that have frequently resulted in protests or blockades.

Less progress was made in relation to the National Action Plan on Business and Human Rights as there was limited scope for the adequate integration of the UN Guiding Principles. In 2017, however, the Presidential Council was able to advance its implementation of the Plan. The Office contributed to the formulation of departmental public policies on business and human rights in Antioquia and Magdalena; the design of mechanisms for non-judicial remedies; and the formulation of a human rights policy for the energy and mining sectors.

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

The territorial development plans, formulated over the reporting period, provided an opportunity for the Office to advocate for and facilitate the engagement of rights-holders in the design of public policies. The Office therefore undertook a number of capacity-building activities with civil society actors to enable them to meaningfully participate in these processes. For instance, members of the National Human Rights Platform, “La Alianza,” received training on how to formulate municipal and departmental public policies that incorporate a human rights-based approach. The participants of the trainings formed a network to further disseminate the information and achieve more effective participation in the formulation and oversight of public policies. In addition, in cooperation with the Presidential Council, the Ministry of the Interior and regional Ombudsperson’s Offices, the Office strengthened the capacity of social leaders and organizations in five prioritized communities to prepare them for the process of public policy formulation deriving from the peace agreement between the Government and the FARC-EP. The objective was to ensure that the communities would be ready for the initial drafting of the “Development Programmes with a Territorial Approach,” in each region, as required by the peace accords, so that they could more effectively participate in and advocate for an improvement of the human rights situation in their respective territories. The same strategy was implemented in Arauca and Serranía del Perijá, where the National Liberation Army (ELN) has greater influence, so as to prepare them for the formulation of public policies before an eventual disarmament agreement between the ELN and the Government.

Increased use of national protection systems to ensure free, prior and informed consultation (EA 5)

While Colombia is one of the Andean countries that conducted a significant number of prior consultation processes with indigenous communities during the reporting period, the majority of these processes did not comply with international standards since they were conducted over very short periods of time and did not allow for internal decision-making processes. This is in violation of the right of indigenous peoples to effective participation in the decisions that affect them. At the same time, some authorities and the media promoted a perception that the right to prior, free and informed consultation was a deterrent to development. In this context, a draft regulatory law, announced in 2016, was introduced with the objective of reducing the scope, cost and duration of prior consultations without guaranteeing the right of communities to prior, free and informed decision-making. Despite these difficulties, prior consultation continues to be claimed by relevant stakeholders as a fundamental right and their use of legal mechanisms has led to 97 Constitutional Court rulings, which have upheld this right.

With regard to the protection of the right to land, although 122 requests for the protection of territories were presented by indigenous and Afrodescendent authorities over the reporting period, most of these were not processed. This resulted in the denial of
the economic, social and cultural rights of various ethnic peoples, which was manifested in the loss of land and fauna due to the clearing of forests and the contamination of water sources, negatively impacting on food autonomy, child morbidity and mortality. The limited realization of the rights to territorial integrity and participation also affected the exercise of the autonomy and self-determination of ethnic peoples, thereby increasing their vulnerability. After the peace agreements were signed, new displacements and restrictions to the effective enjoyment of the right to land and territory were generated as a result of disputes over land by new actors involved in drug trafficking in areas that were previously controlled by the FARC-EP guerrillas. In 2016 and 2017, there was a marked increase in the number of threats against and homicides of indigenous and Afrodescendant leaders.

In view of this situation, the Office supported the formulation of protocols for interaction with third parties in the post-conflict phase and prior, free and informed consultation and consent with 17 indigenous and Afrodescendent communities based in seven regions of the country. It further supported five indigenous and Afrodescendent peoples in obtaining protection measures in cases of vulnerability and physical and cultural risk.

Widening the democratic space

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

The National Ombudsperson’s Office, the national human rights institution (NHRI) of Colombia, was created 20 years ago and has consistently operated in substantive compliance with the Paris Principles. The Global Alliance of National Human Rights Institutions (GANHRI) reviewed the NHRI in March and, as noted by GANHRI and the same National Ombudsperson’s Office in its annual reports, it has been operating with financial constraints and limited staff. Consequently, the Office advocated with the Government for the provision of additional funding. OHCHR accompanied the staff of the National Ombudsperson’s Office in their field missions to strengthen their monitoring capacities and help improve their relationships with social organizations. Efforts were also undertaken to strengthen the Early Warning System of the National Ombudsperson’s Office by sharing concept notes and findings that were compiled during field missions to rural areas and prioritized communities.

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

In order to develop mechanisms to protect human rights defenders, OHCHR provided technical support and collaborated with various national entities, including the National Army, the National Police, the National Ombudsperson’s Office, the Human Rights Division of the Ministry of the Interior and the National Protection Unit. The National Army, for instance, developed and strengthened the National Immediate Response System to Advance Stabilization to improve the quality of responses to threats and attacks against organizations that advocate for human rights. Specifically, the Response System is triggered when complaints are made regarding alleged threats, displacement, extortion and attacks against human rights leaders, primarily in the departments of Chocó, Antioquia and Cauca. Furthermore, through the development of the National Police’s Protection Strategy for Vulnerable Populations, a new coordination mechanism was created whereby OHCHR informs the police about alleged threats and attacks against social leaders and human rights defenders, which triggers an immediate response by local police forces and judicial investigation groups. OHCHR issued two documents outlining the protection that the State should provide to human rights defenders. These documents contributed to the establishment of parameters for police intervention in cases of threats against human rights defenders, indigenous representatives, social leaders and other groups in vulnerable situations.

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)**

With the technical assistance of OHCHR, the Ministry of the Interior and the National Police developed and implemented the concept of prevention-based security, which includes prevention measures in relation to social, cultural, economic or environmental risk factors that have an adverse impact on levels of violence and criminality. Another significant development in the area of citizen security was the approval and implementation of the National Police and Coexistence Code (Law 1801 of 2016). The Office assisted in drafting the Law and delivered a document, at the request of the legislators who introduced the bill, on the integration of human rights standards into the National Police and Coexistence Code. In relation to the peace accords, OHCHR supported the formalization of the Special Investigation Unit to dismantle paramilitary successor organizations by advising the legislators responsible for introducing Decree 898/2017 and drafting the proposed text. The Office also delivered a technical document on the structure of Decree 299/2017 to the legislators who introduced the Decree. As a result, a representative of OHCHR was invited to participate in the
Security and Protection Technical Round-table. In the 10 sessions of the Round-table that have taken place, OHCHR provided technical inputs to inform decisions related to the protection of members of the new FARC party. The Office produced two other technical documents on the creation of the security and protection sub-section of the National Protection Unit. The documents specifically refer to mechanisms for coordination with public security forces on the implementation of prevention and protection measures, as well as information collection processes that are undertaken by government institutions, the State and the organizations and agencies responsible for prevention and security.

With regard to guarantees for mobilization and peaceful protest, OHCHR is working with legislators in charge of introducing a bill on the application of human rights standards. The draft calls for ensuring full guarantees for peaceful mobilization and protest as part of the constitutional right to freedom of expression, right of assembly and right to opposition; guaranteeing the rights of protesters and other citizens; guaranteeing the right to information during mobilization and protest; and reviewing and amending norms that are applicable to social mobilization and protest.

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).

Advances made in the prevention of human rights violations committed by State agents demonstrate that the application of the human rights standards proposed by OHCHR increased the capacity of State agents to intervene in and investigate complaints of misbehaviour by public security forces. Between 2014 and 2017, 12,150 disciplinary investigations were opened, resulting in 8,800 sanctions. Advances in the prevention of human rights violations also included judicial investigations. With regard to judicial activity, the Office found that inquiries were initiated in 92 cases, 13 arrest warrants were issued, 13 formal investigations were opened and 31 trials were carried out, which resulted in 15 convictions. In the cases of threats against human rights defenders, OHCHR helped to implement protection measures in all of the cases, including by collecting and sharing information that facilitated the protection process, participating in 215 meetings of the Committee to Assess Risk and Recommend Measures (CERREM) and ensuring the implementation of the protection measures for human rights defenders.

Mechanisms for dialogue and negotiation are in place to enable the Government and CSOs to resolve disputes and avoid an escalation of violence, including in the event of a peace agreement (EA 3). OHCHR developed, applied and institutionalized a methodology to prevent violence and reduce the risk of escalating violence during social protests through coordination with State authorities, including public security forces, as well as organizations and communities that had mobilized in different regions. By applying this methodology during 47 demonstrations of peasants and indigenous peoples that took place in 2016, the Office contributed to the de-escalation of violence and the end of strikes. In October 2017, the same methodology contributed to reducing tensions between indigenous communities, which were mobilized in various regions of the country, and public security forces.

The Office also facilitated the establishment of spaces for dialogue between parties in conflict and provided methodological support for the creation of technical secretariats and the settlement of agreements that were reached during the dialogues. This approach was particularly useful in ending the civil strike in Buenaventura, in 2017. In coordination with the Office of the Prosecutor General, OHCHR ensured that the proposals and agreements responded to concrete measures, addressed the principal demands of the strikers and included specific mechanisms to guarantee the fulfilment of agreements. Other relevant examples include the dialogue process facilitated by the Office in La Lengüeta (Santa Marta) to promote respect for the territorial rights of indigenous peoples of the Sierra Nevada de Santa Marta; and the negotiation between peasants and the Government in Catatumbo (Norte de Santander), where agreements were reached on local development projects.

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). OHCHR contributed to improving the alignment of the plans of the United Nations Country Team (UNCT) with international human rights standards. The Office actively participated in the development of the United Nations Development Assistance Framework 2015-2018 and provided technical advice to the UNCT in order to reinforce its capacity to integrate human rights standards into the planning document. The Office also participated in meetings of the Humanitarian Country Team to provide technical advice on human rights standards. As a result, the Humanitarian Country Team’s response plans integrate human rights and gender approaches.

OHCHR also contributed to strengthening the UNCT’s capacity in relation to the internal armed conflict and peace process. In 2016, the UNCT ac-
cepted OHCHR’s technical assistance on the incorporation of a human rights-based approach into its work to support the implementation of the peace accord. OHCHR worked with UNODC, WHO and FAO, as well as the Ministry of Justice and Law, on a road map for the formulation of a public policy on drugs and the implementation of point 4 of the peace accord, “Solution to the Drug Problem,” in accordance with a human rights-based approach.

Furthermore, OHCHR drafted and shared with the Special Political Mission, areas of cooperation and coordination between OHCHR and the Special Political Mission based on UN human rights policies. The document systematized seven key types of human rights complaints that the Mission would need to be prepared to address in its deployment and operations. In addition, OHCHR facilitated briefings on regional and local human rights situations where the Mission will be present. OHCHR also ensured that the Mission was aware of and implemented the obligatory online course on human rights for all of its incoming members and delivered orientation sessions on the human rights responsibilities of UN personnel and the human rights context in Colombia, including the Human Rights up Front Initiative. The Office participated in the Integrated Planning Core Group, which provided visions and strategies for coordination and cooperation between the Mission and the UNCT. Finally, OHCHR facilitated the inclusion of a focus on human rights in all discussions and documents produced by both the Integrated Planning Core Group and the UNCT.

### Colombia: Expenditure in 2017

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### Guatemala

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<td><strong>Expenditure in 2017</strong></td>
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### Results

**Strengthening international human rights mechanisms**

- **State institutions are coordinated to achieve integrated reporting and implementation of recommendations (EA 6)**

Since 2014, OHCHR has been providing capacity-building support to the Presidential Coordinating Commission on Human Rights (COPREDEH) in relation to Guatemala’s reporting obligations. The Office provided technical assistance in the classification of more than 1,000 recommendations issued by the international human rights mechanisms. In 2017, the Office began providing technical assistance to COPREDEH to develop a system to monitor the implementation of recommendations based on the SI-MORE experience in Paraguay.

- **Civil society and the NHRI make increased use of the individual communication procedures of the human rights treaty bodies or UPR follow-up procedures (EA 7)**

The Office continued building the capacity of civil society actors and the national human rights institution (NHRI) to provide them with the necessary tools to submit alternative reports to the human rights treaty bodies, follow-up reports to the Universal Periodic Review (UPR) and communications to the special procedures. Civil society organizations submitted approximately 20 communications to the special procedures during the reporting period.
UN agency plans and programmes deriving from the 2015-2019 UNDAF serve to systematically follow up on recommendations emanating from the international human rights mechanisms (EA 11)

After a year-long negotiation, the United Nations Country Team (UNCT) and the Government of Guatemala signed the 2015-2019 United Nations Development Assistance Framework (UNDAF), which includes an annex with all of the recommendations issued by the international human rights mechanisms in relation to Guatemala, as well as the indicators OHCHR proposed to measure the effectiveness of the UNDAF. To contribute to this result, OHCHR worked closely with the Resident Coordinator’s Office in its discussions with the Government and advocated with other UN agencies on the key human rights aspects to be included in the UNDAF. Following the signature of the UNDAF, OHCHR developed a matrix for the UN agencies to report on what human rights recommendations they could help to implement. In 2017, OHCHR continued working with UN agencies and supporting them on the follow-up to the relevant recommendations under their responsibility.

Enhancing equality and countering discrimination

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

The results achieved through the Maya Programme far exceeded initial expectations. One of the litigation cases, for example, led to the establishment of a State policy that recognizes traditional territories within protected areas. In one case, indigenous communal property rights were recognized in relation to over 4,000 hectares that a Maya-Kaqchikel community had occupied since pre-Columbian times. In another case, the Supreme Court urged the Congress to legislate a norm that would recognize indigenous community radios. Through this Programme, OHCHR provided technical assistance to indigenous rights-holders and Government duty-bearers on the application of relevant international standards in the litigation cases. The Office also implemented a training programme on strategic litigation, which was attended by almost 100 persons, most of whom were representatives of indigenous organizations. This contributed to strengthening their knowledge and capacity to claim their rights before the judiciary. In 2016, within the framework of the national dialogue on justice reform, OHCHR promoted and facilitated the participation of at least 225 indigenous Mayan, Garifuna and Xinka authorities in seven regional dialogue events. The process enabled them to discuss and articulate their proposals on the general content of constitutional reforms and highlight the scope and limitations of the recognition of indigenous jurisdiction in the Constitution.

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 into their policies and decisions (EA 1)

A series of tailored activities that were undertaken by the Office for the judiciary, prosecutors and legal clerks strengthened their knowledge regarding the practical application of international human rights standards. The Constitutional Court issued important decisions based on international human rights standards on the protection of the rights of indigenous peoples, in particular regarding the recognition of indigenous jurisdiction, the right to prior consultation and to collective property and the unconstitutionality of lowering the minimum wage in some municipalities and of the application of the death penalty in the case of murder. Moreover, sentences handed down by judges and magistrates, including in the high-risk court and the Supreme Court of Justice, were increasingly based on human rights standards. This was particularly evident in decisions regarding transitional justice, indigenous peoples, women and the abusive use of criminal charges against human rights defenders. In the emblematic Sepur Zarco Case, the Court condemned two army officers for crimes against humanity that were committed during the armed conflict in the form of sexual violence, murder and enforced disappearance. The Office also supported the Attorney General’s Office to strengthen their capacities to facilitate access to justice for indigenous peoples. The Office helped to develop guidelines for the design of a policy on access to justice for indigenous peoples.
and a protocol on cultural expertise. Both documents were used to elaborate the policy, which was developed through a participatory process with indigenous representatives. The policy was presented in May 2017 and the Attorney General created the position of Secretary for Indigenous Peoples to ensure its implementation. The Attorney General’s Office has demonstrated significant progress in the fight against corruption and impunity, including in the investigation of past crimes. The so-called CREOMPAZ case is the first transitional justice case at the national level, which led to the arrest of military officials at all levels in the chain of command.

Integrating human rights in development and in the economic sphere

- Selected policies related to the exploitation of natural resources and rural and local development incorporate human rights standards into their design and implementation (EA 1)
  A number of policies on the use of natural resources and rural development, which were drafted with the support of OHCHR, incorporate applicable human rights standards. Through the development of several workshops for the Ministry of Environment and Natural Resources, the Office was able to influence the design of policies on environmental issues. The Ministry committed to developing a guidance document for consultation with indigenous peoples during the initial phase of environmental impact studies related to the exploitation of natural resources. In 2015, OHCHR supported the Ministry of Labour in developing and approving a protocol on the verification of labour law violations in accordance with a human rights-based approach. In 2016, the Ministry adopted the Single Protocol of Procedures for the General Inspectorate of Labour, which contains a specific section on agricultural workers. As a result of the implementation of the Protocol, labour inspectors are more aware of the issues faced by agricultural workers, most of whom are indigenous peoples. With the technical assistance of ILO and OHCHR, the Ministry is developing a policy to monitor and report on urgent cases of human rights violations and the lack of implemented institutional reforms to incorporate business and human rights standards into relevant State policies. OHCHR facilitated discussions and conducted training activities with State representatives on the Guiding Principles on Business and Human Rights. As a result, COPREDENDEH expressed its intention to develop a policy on business and human rights.

- A national network of NGOs monitors the implementation of public policies, including budgets, related to the right to food, land and housing and engages with government institutions in these areas (EA 5)
  In 2014, a national network of NGOs working on economic, social and cultural rights was established. The network held regular meetings to exchange information and drafted a shadow report to the Committee on Economic, Social and Cultural Rights. Several of the issues addressed in this report, prepared with the technical assistance of OHCHR, were incorporated into the final report and recommendations issued by the Committee. With the support of the Office, these organizations increased their knowledge in relation to international standards on human rights, the justiciability of economic, social and cultural rights and access to information, all of which significantly helped them in their monitoring and auditing of the State’s budget.

Widening the democratic space

- The NHRI fulfils its mandate in accordance with international human rights standards in investigating human rights abuses (EA 1)
  The NHRI strengthened its capacity to undertake the investigation and documentation of human rights violations in a number of different settings, including prisons, situations of social conflict and elections. The NHRI also improved its instrument on early warning, resulting in the increased capacity of its regional offices to monitor and report on urgent cases of human rights violations. OHCHR contributed to these results by conducting joint monitoring missions and exchanging information with the NHRI. With the technical support of OHCHR, the NHRI issued thematic reports and studies on pretrial detention and vio-
Increased advocacy and awareness of national protection systems by the general public, particularly youth and women (EA 5)

The Office continued promoting the debate on human rights issues of particular concern through press conferences, press releases, meetings with opinion leaders, social media platforms and networks and interviews. Through these means, the Office increased the awareness of the general public on critical human rights issues, including the situation of human rights defenders and journalists, insecurity, justice, transitional justice, the situation of indigenous peoples and economic, social and cultural rights. In the area of human rights education, the Office worked with institutions and relevant actors, such as teachers, students and community leaders, to promote practical methodologies for human rights education. Through assistance provided to the Board of Education for Peace, Human Rights and Memory (composed of over 35 civil society organizations), the Office and other UN agencies contributed to the design of the National Strategy for Citizenship Education, which includes practical pedagogical guidelines for teachers of primary and secondary education and focuses on five thematic axes, namely, human rights, democracy, historic memory, multiculturalism and a culture of peace. Launched by the Minister of Education in 2016, the Strategy 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)

During the reporting cycle, a number of laws and policies were developed or amended in line with international standards. The Migration Code, which incorporates a human rights-based approach as a result of the Office’s joint work with the UNCT and civil society, was adopted in September 2016. A proposal for amendments to the Law that regulates private security services, which would align it with international human rights standards, was presented to the Congress. The proposal was made after OHCHR facilitated a visit to Guatemala of a member of the UN Working Group on the use of mercenaries, who interacted with the Congress, civil society and the private sector. Furthermore, State security institutions made good progress in incorporating human rights into their policies. For instance, the police improved their internal procedures to limit the use of force against civilians, particularly in the context of judicial evictions. In addition, the unit within the Ministry of Interior that regulates private security services adopted internal manuals and protocols. OHCHR played an important role in this result.

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

In cooperation with the School of Judicial Studies and the Supreme Court of Justice, the Office presented a toolkit, in 2016, for the incorporation of a human rights-based approach and a gender perspective into sentences of feminicide and other forms of violence against women. The toolkit is based on a 2014 study, supported by OHCHR, which analysed how the specialized tribunals incorporated international standards into their rulings and applied a gender perspective. Further, the study also assessed the impact of the training curriculum of the School of Judicial Studies in relation to gender matters. The toolkit has now been disseminated to all judges of the specialized and ordinary tribunals across the country. It has also been shared with other Latin American countries as a good practice.
Guatemala:
Expenditure in 2017

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<th>Regular budget expenditure in US$</th>
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<td><strong>GRAND TOTAL</strong></td>
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</tr>
</tbody>
</table>

Honduras

- Year established: 2015
- Staff as of 31 December 2017: 9
- Expenditure in 2017: US$1,957,777

Results

**Strengthening international human rights mechanisms**

- Optional Protocols to ICESCR and CEDAW ratified and declarations made recognizing the competence of CERD, the Human Rights Committee, CAT, CED and CMW to handle individual complaints (EA 2)
- Honduras has ratified the core human rights treaties but no progress has been achieved in the ratification of their optional protocols, in spite of the targeted recommendations issued by the international human rights mechanisms.
- Establishment of a participatory standing national coordinating body on reporting on/replying to individual communications and enquiries; and integrated follow-up to recommendations issued by the international human rights mechanisms (EA 6)

A national mechanism for reporting on and following-up to recommendations from the international human rights mechanisms is not yet in place. OHCHR provided inputs to the draft decree that would create such a mechanism. It is anticipated that the draft decree will be submitted to the Council of Ministers for approval in 2018. In the meantime, an ad hoc inter-institutional mechanism will follow up on the implementation of recommendations accepted by Honduras.

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

With OHCHR’s guidance, NGO submissions were made, in 2017, in anticipation of the review of Honduras by the Human Rights Committee, the Committee on the Rights of Persons with Disabilities and the Universal Periodic Review (UPR). The Office also supported submissions by the national human rights institution to the two previously mentioned human rights treaty bodies.

**Combating impunity and strengthening accountability and the rule of law**

- National justice systems, including military justice, increasingly conform to human rights principles and standards in their institutional setup and decisions (EA 1)

OHCHR sought to promote the adoption of a legal framework for the establishment of a judicial council and to strengthen the selection process of justice operators, in compliance with human rights standards. On several occasions, the Office met with a judge of the Supreme Court who is in charge of the commission that is tasked with reviewing relevant legisla-
tion. The Supreme Court submitted a formal request for technical assistance from the Office. The Office also engaged with the Judiciary School to develop capacity-building trainings on human rights for justice operators. It is expected that a memorandum of understanding will be signed in 2018. A technical collaboration agreement has been struck with the Office of the Attorney General to develop and implement a protocol for the investigation of crimes against human rights defenders. Since September 2017, six working sessions of the drafting team have taken place.

- National protection mechanisms, in particular the CONAPREV, are strengthened to monitor, investigate and redress acts of torture and ill-treatment and violations of the rights of persons deprived of their liberty (EA 3)
- OHCHR provided support to the National Committee for the Prevention of Torture, Inhuman or Degrading Treatment (CONAPREV), established in 2016, aimed at strengthening its mandate, structure and visibility. The Office offered technical assistance during several of CONAPREV’s planning meetings and discussions around legislative reforms and also advocated with institutions of the penitentiary sector for their increased engagement with CONAPREV. Furthermore, OHCHR engaged with the Director of the Penitentiary Institute to promote the Institute’s compliance with the recommendations of CONAPREV. Due to its weak institutional framework and limited resources, the Office undertook advocacy with national authorities to strengthen that framework.

Integrating human rights in development and in the economic sphere

- National protection systems related to the right to participation and free, prior and informed consent are developed/strengthened (EA 1)
- Over the last two years, OHCHR advocated for the respect of international and regional human rights standards during the development of the draft law on prior consultation. The Special Rapporteur on the rights of indigenous peoples also provided comments, in 2016, on the process to legislate free, prior and informed consultation. In April 2017, during her visit to Honduras, the Special Rapporteur noted that her comments on the legislation had not been observed and, subsequently, provided further observations. The draft law has not yet been approved.
- Increased integration of human rights standards into development legislation and policies, including with regard to business operations (EA 1)
- The Honduran National Association of Industries developed an initiative to promote human rights among their members and created the Industrial Committee on Human Rights. In 2016, it signed an agreement on technical cooperation with the Vice-Ministry of Justice and Human Rights to provide human rights training to business operations. The Office held meetings with the main Honduran business associations in order to raise their awareness about the UN Guiding Principles on Business and Human Rights, as these associations have decisive influence over governmental decisions and policies in the development sphere.

Widening the democratic space

- Respect and exercise of the right to freedom of opinion and expression, assembly and participation in political life are promoted, including in the context of elections and public protest (EA 1)
- Through a number of advocacy efforts, OHCHR sought to promote respect for the freedoms of opinion and expression. The Office actively advocated with the Congress for the decriminalization of the so-called honour crimes that were outlined in the proposed Criminal Penal Code. While the approved Code maintains the crime of defamation, it is now punishable with a fine, rather than imprisonment. The Office also issued a joint press release with the Inter-American Commission on Human Rights expressing concern over the adopted reforms in the Honduran Penal Code, which may negatively impact the legitimate exercise and enjoyment of freedom of expression in the country.
- The Ombudsperson’s Office works in conformity with international standards (EA 1)
- In 2010, after the 2009 military coup, the status of the national human rights institution (CONADEH) was downgraded from ‘A’ to ‘B’ by the Global Alliance of National Human Rights Institutions. Following several failed efforts by CONADEH to regain an ‘A’ status, the last of which was in 2016, the Global Alliance issued a series of recommendations to help CONADEH operate in compliance with the

Children in conflict with the law

In May 2017, as part of its response to violence and insecurity in the country, the Honduran Executive launched a proposal to reform the Children and Adolescents’ Code to increase the detention sentences for children in conflict with the law to up to 20 years. In coordination with the United Nations Country Team and the Organization of American States, UN Human Rights promoted a debate on the rights of the child by engaging a wide constituency, including civil society actors, State institutions and the international community. This contributed to the abandonment of the proposal by the Executive. Luis Pedernera, Member of the UN Committee on the Rights of the Child, who visited Honduras to support the debate, highlighted the value and impact of the efforts of UN Human Rights.
Paris Principles. In 2016, OHCHR and UNDP agreed to support CONADEH through a capacity assessment. The final report contained 22 recommendations to strengthen the institution. In February 2017, OHCHR and CONADEH began to develop a plan to implement the findings of the assessment.

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

The National Protection Mechanism (NPM) continued to work in overall compliance with international standards. The Office provided technical support to the NPM on the operationalization of its structure and follow-up to individual cases. The Office also participated in at least 35 meetings of the technical committee that is tasked with risk assessment and the provision of protection measures. At a structural level, the Office provided guidance in relation to the interpretation of the Law on Human Rights Defenders and to fact-finding missions conducted to assess community-level risks.

In September, the Office began cooperating with the Office of the Attorney General to provide technical assistance on the elaboration of a protocol for the investigation of crimes committed against human rights defenders. With the assistance of OHCHR, the protocol is being developed on the basis of international norms and the experiences of neighbouring countries. The Office also maintained constant communication with a wide network of national human rights organizations and human rights defenders and provided guidance on available protection mechanisms at the regional and international levels. In 2017, at least 50 human rights organizations and defenders participated in trainings organized by the Office to strengthen their capacity to use regional and international human rights mechanisms.

- Rights-holders, including women and discriminated groups, meaningfully participate in the design and monitoring of the implementation of at least three key human rights laws and policies (EA 5)

In the context of the review of the Criminal Code Bill and the security sector reform, the Office facilitated meetings between the Congress and civil society organizations and provided expertise on relevant international human rights standards. The Criminal Law, adopted in 2016, is not in full compliance with international human rights standards.

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

- Public policies and regulatory frameworks in the security sector increasingly incorporate human rights standards, including in relation to citizen security and the use of force (EA 1)

Limited progress has been achieved on the integration of a human rights-based approach into security policies by national authorities. In 2017, the Office presented its written observations regarding a number of legislative proposals, including the Penal Code and the Law on the strengthening of the security sector. It also held meetings with the Congress and its committees and with governmental focal points in charge of security. Nevertheless, OHCHR’s recommendations were seldom considered and the adopted legislation could potentially have a negative impact on the rights to freedom of expression and peaceful assembly. Furthermore, the weak implementation of the National Policy on Citizen Security reflected the larger problem of an absence of financial resources for the implementation of local security plans.

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

OHCHR promoted the application of the Human Rights Due Diligence Policy by the United Nations Country Team in Honduras, including by gathering information on projects that appeared to fall within the purview of the Policy, sharing the Standard Operating Procedures and the General Preliminary Risk Assessment with the UN Inter-Agency Human Rights Working Group, the Inter-Agency Standing Committee’s Gender Reference Group and the Inter-Agency Support Group on Indigenous Peoples’ Issues, and undertaking a risk assessment for the first project identified under the scope of the Policy.

<table>
<thead>
<tr>
<th>Honduras: Expenditure in 2017</th>
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Mexico

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<td>Expenditure in 2017</td>
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Results

Strengthening international human rights mechanisms

The competence of CESCR, CRC and CED to receive and consider individual communications is recognized and reservations or interpretative declarations to international human rights treaties are withdrawn (EA 2)

During the reporting period, OHCHR carried out a campaign, with the participation of victims, activists and experts, for the recognition of the competence of the Committee on Enforced Disappearances to receive and consider individual communications. The Office also advocated with relevant authorities for the recognition of the competence of the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child to also receive individual communications. Moreover, several international human rights mechanisms issued recommendations in that regard to Mexico. In response, the Mexican Government noted that it will undertake internal consultation processes to decide on appropriate follow-up action, but none of the ratifications has occurred so far.

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)

No new legislation on anti-discrimination was adopted and the proposal for a law on same-sex marriages was defeated in Congress. However, two landmark laws were adopted in 2017, with major input from OHCHR, including the General Law on Torture and the General Law on Disappearances, both of which include non-discrimination and gender principles. Moreover, the legislations establish aggravating causes when the crimes are committed against individuals and groups in vulnerable situations, such as children, women, persons with disabilities, elderly persons, migrants and Afrodescendant and indigenous peoples. Also in 2017, the new Criminal Code of the state of Coahuila was adopted, which decriminalizes abortion in cases of risk to the health of the woman and/or when the pregnancy results from a sexual crime and establishes the obligation of the state to provide health care services where abortion is not penalized.

Combating impunity and strengthening accountability and the rule of law

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 issued by the international human rights mechanisms (EA 1)

OHCHR participated in the development of indicators for Mexico’s plans to implement the 2030 Sustainable Development Agenda, resulting in the development of indicators with a human rights and equality perspective, and promoted the disaggregation of data by sex, age, ethnic origin and vulnerability factors. A National Information System on Human Rights was designed by OHCHR and the National University’s Human Rights Programme for use by the Ministry of Interior. The content and variables of the system are based on OHCHR’s indicators framework, which were established through a participatory process involving the Supreme Court, the National Human Rights Institution, the National Statistical Institute, the National Council for Social Policy Evaluation, civil society and academia.

OHCHR also supported the adoption of a methodology for following up on the implementation of local human rights plans in the states of Mexico, Oaxaca and Coahuila and of the National Human Rights Action Plan. The indicators elaborated by those institutions, which were validated by all relevant actors, focused on the rights to health, to a fair trial, life, liberty and security of the person and the human rights of prisoners.

An increasing number of judicial institutions and universities formally incorporate human rights into their curricula (EA 1)

One of the outcomes of the 2011 constitutional reform was the recognition that international human rights standards need to be incorporated into do-
mestic legislation. To this end, OHCHR cooperated with the Supreme Court of Justice, the Human Rights Commission of the Federal District and some academic institutions to develop the “Reforma DH” tool. Reforma DH is a virtual human rights training tool, available to the general public, which details each of the elements related to human rights that are included in the constitutional reform and promotes its implementation according to the highest standards of the promotion and protection of human rights. The tool has been widely used by various judicial schools in Mexico, becoming mandatory for judges in several states. It has also been used in several private and public universities and educational centres across the country and has been formally adopted as part of their human rights curricula.

By the end of 2017, the National Mechanism for the Prevention of Torture will have established an annual programme of training for relevant authorities on the application of the Istanbul Protocol (EA 3).

In 2017, the Congress adopted the long-awaited General Law on Torture to which OHCHR contributed by ensuring the incorporation of relevant international standards. The law provides for the creation of a National Programme for the Prevention of Torture and the strengthening of the National Preventive Mechanism (NPM). Over the period under review, OHCHR has supported several institutions that play a key role in the prevention of torture and the application of the Istanbul Protocol, including the National Human Rights Commission, within which the National Preventive Mechanism (NPM) is located. OHCHR carried out trainings on the application of the Protocol for relevant authorities, including judges and magistrates, public prosecutors, public defenders, federal police forensic officials and staff of local human rights institutions. OHCHR also trained independent experts, members of academia and NGOs, physicians and psychologists from six states on the same subject. As a result of these and other capacity-building activities, a group of stakeholders from different branches of government, academia, NGOs and independent experts have the knowledge and skills to implement the Istanbul Protocol.

Integrating human rights in development and in the economic sphere

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

Although a constitutional amendment provides for the adoption of legislation on the rights to food and water and the right of indigenous peoples to prior consultation, and that there were several legal initiatives in that direction, the Congress has not adopted such laws in the present legislative period. In terms of prior consultation of indigenous peoples, OHCHR has prioritized work on specific cases of large-scale projects with an impact on the rights of indigenous communities (e.g., Maya communities in the state of Campeche affected by a project for transgenic soy, and the right to freedom and not to be tortured. These standards were integrated into the judicial file and were used as the basis for the ruling that was issued, in August 2017, which acquitted her of the charges as a result of violations of her right to due process, in particular her illegal detention and torture. The Office also worked with the NGO which provided her with legal assistance and other civil society organizations to highlight this case as part of a nationwide campaign on the eradication of sexual torture in Mexico.

Although Marisol has been acquitted of all of the charges, she is now facing the emotional and physical scars of the torture and the more than five years that she spent in detention without cause. While seeking justice and reparations for the violations committed against her, Marisol has been vocal about her case and has publicly spoken out about what she endured in order to raise awareness about the use of sexual torture, especially against women, as a method of investigation.

Acquittal of an illegally detained woman in Mexico

On 26 October 2012, María del Sol Vázquez Reyes (Marisol, 31 years old) was arrested in Córdoba, Veracruz, by members of the State investigation agency. She was falsely accused of kidnapping and theft and not shown an arrest warrant at the moment of her detention or afterwards.

Following her arrest, members of the investigation agency tortured Marisol over a period of 14 hours. The agents applied electric shocks to her abdomen and pelvis and she suffered injuries to various parts of her body after being beaten as they tried to force her to accept responsibility for the kidnapping of a woman she did not know. They also threatened to rape her and harm her family if she did not confess to the crimes. Although she refused to confess, the agents extracted her signature on blank pages, which they then used to prepare a false declaration admitting her guilt. From the time of her arrest, she was held in pretrial detention.

In December 2016, UN Human Rights approached the judge in her case and shared international standards
Yaqui communities in Sonora affected by megaprojects, indigenous communities in the state of Mexico affected by highway construction, communities in Oaxaca affected by industrial-scale construction of wind turbines, communities in Yucatan affected by massive solar energy projects). OHCHR has accompanied the communities in the consultation processes, provided training to public authorities and organized seminars on the subject, with the aim of developing good practices before actual legislation is proposed. Furthermore, the outcomes of the 2016 visit of the Working Group on Business and Human Rights, published in 2017, and of the 2017 visit of the Special Rapporteur on the rights of indigenous peoples, have been highly relevant in terms of guidance.

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 from authorities (EA 3)

During the reporting period, 30 per cent of the cases of violations of economic, social and cultural rights that were documented by the Office received a positive response from relevant authorities. OHCHR has documented many cases related to the right to water, environmental rights and business and human rights and shared its findings with all of the relevant stakeholders involved, including representatives of the Government, civil society organizations and private companies.

Widening the democratic space

By the end of 2017, federal or local legislation will be adopted in compliance with international human rights standards in order to safeguard the exercise of freedom of expression (EA 1)

Mexico is one of the most dangerous countries in the world for journalists and human rights defenders (with at least 12 journalists assassinated in 2017). OHCHR has worked with the National Protection Mechanism for Human Rights Defenders and Journalists to ensure that adequate protection measures are in place for persons at risk. Also, the 2017 visit of the Special Rapporteur on human rights defenders and the subsequent joint visit of the Special Rapporteurs on freedom of expression of the UN and the Inter-American Commission on Human Rights provided strong messages to the authorities to address the structural causes of risk, particularly the prevalent impunity. Moreover, OHCHR has consistently advocated for the derogation of crimes that restrict freedom of expression on the level of individual states and for the regulation of official advertising, both on federal and on state level. In addition, three Mexican states (Baja California, Tlaxcala and Tabasco) derogated so-called honour crimes in their legislation. OHCHR undertook several missions to lobby state congresses to encourage such amendments. OHCHR also identified that 26 states in Mexico regulate the crime of insults against authorities in different ways, thereby having a potentially negative impact on freedom of expression. In 2017, the Supreme Court established that the crime of insults against the authorities contravenes the Constitution.

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 is in line with international human rights standards (EA 1)

Following the 2014 amendment to the Military Justice Code, all human rights violations against civilians allegedly perpetrated by military personnel were removed from military jurisdiction, although violations committed against military personnel by military personnel remained under military jurisdiction. Furthermore, the fast-track adoption of a controversial Law on Internal Security, in December 2017, was challenged by OHCHR as it provides sweeping authorization of the role of the armed forces in law enforcement, which had been going on de facto since 2006, and because in doing so it does not create adequate safeguards. OHCHR’s arguments were widely publicized, and although they did not prevent the adoption of the Law, they were echoed by a number of other actors, including the National Human Rights Institution and a representative group of members of Congress who are challenging the Law before the Supreme Court as unconstitutional. The outcome of the constitutionality review is still pending. With regard to legislation on the use of force, a law that was approved by the State of Mexico was challenged before the Supreme Court, with OHCHR inputs, in order to align the legislation with international standards. In 2017, the Supreme Court issued a resolution which declared several sections of the law to be unconstitutional.
Establishment of a national mechanism to search for disappeared and missing persons (EA 3)

In 2015, the Constitution was amended to enable the Congress to enact a general law on enforced disappearances. The adoption process lasted approximately two years. During that time, OHCHR was in regular communication with the Executive Branch and the Congress to advocate for the approval of a bill that incorporated provisions on the rights of victims, in accordance with international standards. The Office further supported victims’ organizations in their advocacy activities. In November 2017, the Law on Enforced Disappearances Committed by Private Persons entered into force and many of OHCHR’s recommendations were incorporated, notably the recommendation to establish a mechanism to search for disappeared persons. Moreover, OHCHR has supported the establishment of the Specialized Office on Disappeared Persons in the state of Jalisco. As a result of OHCHR’s training activities, 160 police officers and prosecutors in Jalisco increased their knowledge about human rights, including the norms and standards relating to enforced disappearances, as well as investigation methodologies, women’s rights and gender perspectives. OHCHR further engaged with families of disappeared persons in several states to strengthen their advocacy capacities and knowledge of international human rights standards and support them in meetings with local and federal authorities. For example, OHCHR accompanied victims of disappeared persons in their meetings with local and federal authorities in Veracruz and Tamaulipas and drew the attention of the authorities to the key role of victims in the search and investigation activities being developed.

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)


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 on/reply to individual communications and enquiries; Integrated follow-up to recommendations issued by the international human rights mechanisms (EA 6)

In Belize, the Government maintained the existing ad hoc collaboration between the Ministry of Foreign Affairs and the other line ministries to follow up on recommendations issued by the international human rights mechanisms. In Costa Rica, OHCHR supported the inter-institutional mechanism for reporting and follow-up by developing a matrix with recommendations received from the international human rights mechanisms.
rights mechanisms. During the second review of the Universal Periodic Review (UPR), El Salvador committed to establishing a coordinating body for reporting and follow-up, which has not yet been created. In Panama, OHCHR provided support to the existing inter-institutional mechanism with emphasis on bringing up to date their reporting obligations to the treaty bodies, with the submission of reports to CRC and CAT, and strengthening of the capacity to coordinate with civil society actors.

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

In Belize, Costa Rica, El Salvador, Nicaragua and Panama, UPR submissions were prepared by several stakeholders as a result of OHCHR briefings, trainings and advocacy. In El Salvador, four of the 12 NGO submissions were from NGOs that attended an OHCHR training workshop. A specific training for representatives of indigenous traditional authorities in Panama resulted in several individual and joint submissions to the international human rights mechanisms, including the Special Rapporteur on the rights of indigenous peoples. Several reports were also submitted by civil society organizations from Nicaragua prior to the review of the country’s initial report by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

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 December 2016, Panama adopted the Law to establish the National Secretariat for the Development of Afro-Panamanians, which is tasked with designing and implementing initiatives to achieve the full inclusion of Afrodescendants in Panamanian society. Within the context of the International Decade of African Descent, OHCHR published its Guidelines to elaborate reports on racial profiling, in 2015. The Guidelines represent an important tool to promote the elaboration of thematic reports and studies on racial profiling cases and to demonstrate and document the racial profiling that is carried out by the security forces against the Afrodescendant population. The newly created National Secretariat for the Development of Afro-Panamanians has shown an interest in conducting the study, which is planned for 2018.

Combating impunity and strengthening accountability and the rule of law

- Judicial operators increasingly apply international and regional human rights standards in their work regarding women’s rights and the rights of indigenous peoples, anti-discrimination, the rule of law and impunity (EA 1)

During the reporting cycle, the technical assistance provided by OHCHR to institutionalize training of trainers courses on human rights at the Judicial and Public Prosecutor’s Academies in Costa Rica, El Salvador and Panama contributed to significantly strengthening the capacity of the judicial sector. Furthermore, in El Salvador, OHCHR promoted the discussion on impunity and transitional justice through the organization of high-level meetings and tailored trainings addressed to prosecutors. In March, OHCHR organized a high-level forum, entitled “Impunity, past and present,” with the goal of sharing good practices and lessons learned in the region on addressing impunity in relation to past violations of human rights. The Of-
The UN Human Rights Office also organized a second high-level public forum under the title “Why transitional justice?” The event was attended by more than 130 participants, including members of the judiciary, representatives of the diplomatic community, UN agencies, academics, civil society organizations and journalists.

**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)**

Progress in the establishment of consultation processes between indigenous peoples and authorities is uneven among countries of the region. In Costa Rica, the creation of a consultation mechanism was initiated in 2016 and included the participation of the eight ethnic groups from 24 indigenous territories across the country. In 2017, after more than 120 meetings and activities throughout the country, a national meeting was held, in May, during which 96 indigenous delegates from the 24 indigenous territories met with representatives from the Government, the national human rights institution and UN agencies. At the meeting, a draft proposal was discussed and indigenous delegates requested additional time to revise a final proposal regarding the consultation mechanism within their respective territories. Consequently, the Government undertook a new cycle of consultations within each territory to clarify doubts and collect more inputs for the draft proposal. In 2018, the Government will hold a second national meeting in order to conclude the process.

In Panama, the indigenous round-table, established in 2012, continued meeting to discuss the ratification of ILO Convention No. 169 and the adoption of the National Development Plan for Indigenous Peoples. The ratification of ILO Convention No. 169 is still under discussion while the implementation of the National Development Plan began in 2017 after concrete actions were included in the annual plans of relevant public institutions. Furthermore, OHCHR facilitated the dialogue between the Government and indigenous authorities from the Comarca Ngabe-Bugle region to guarantee the participation of indigenous peoples in the decision-making process related to the exploitation of natural resources in the Barro Blanco hydroelectric project. The dialogue contributed to ending violent confrontations between indigenous peoples and security forces and led to a negotiated agreement between indigenous authorities and the Government. The draft agreement included compensation for the communities affected by the project as well as measures to reduce its social, economic, cultural and environmental impact. Nonetheless, the General Congress of the Comarca Ngabe-Bugle rejected the agreement and no further progress has been achieved since that time.

Over the last four years, OHCHR continued to work with State institutions and indigenous peoples to promote their dialogue on issues such as land tenure, consent, self-determination and self-governance. Through its work, OHCHR aimed to assist States in putting in place the necessary conditions to initiate consultation processes, upon their request, enhance the negotiating skills of the representatives of indigenous peoples, and liaise with extractive companies to ensure the adoption of policies and practices that are respectful of the rights of indigenous peoples.

- **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 Human Rights up Front Action Plan (EA 11)**

With the support of a regional human rights adviser, between 2014 and 2016, OHCHR actively participated in meetings of United Nations Country Teams.
The Central American migration route: The fate of migrants

In February 2001, two major earthquakes struck El Salvador, destroying more than 100,000 houses and taking the lives of nearly 1,000 people. Immediately after the earthquake, Luis’ older brother, “Calin” (24), made a difficult decision to leave his family behind and begin a journey to the United States in search of better opportunities for himself and his family and in order to secure the means to rebuild the house they had lost.

After promising his 21-year-old brother that he would send for him after a year, Calin left his home on a breezy morning, riding on the steps of a bus heading to Guatemala with a small bag and a heart full of hope. He travelled the 425 kilometres from San Salvador (El Salvador) to Tecun Uman, situated on the Guatemala-Mexico border, to join a group of migrants that was led by a “coyote” (smuggler of migrants), to whom they entrusted their lives. Upon his arrival, Calin rushed off of the bus to phone his mother and tell her that he would cross the border that very night. “She was devastated,” Luis later recounted. “She prayed that he would change his mind and return home…That was the last we heard from him.”

Seventeen years have passed since that phone call and Luis still feels that Calin just left home. “My father, my mother and my grandmother have all passed away hoping to see my brother’s face one last time. I witnessed their suffering and despair from not knowing if my brother was even alive,” remembered Luis. “This indescribable feeling of uncertainty forced me to step up and take action, together with a promise to my family that I will find him and bring him home.”

Luis Alberto López is one of the leaders of the Committee of Families of Deceased and Disappeared Migrants of El Salvador (COFAMIDE), an NGO created in 2006 by a group of families with the sole purpose of finding and returning the relatives they have lost along the migration route from Central America to the United States.

COFAMIDE, along with similar organizations in the region, organize search tours, provide psychological counseling and legal support to the families and create local and regional actions to advocate for stronger commitments from the involved States to facilitate the search and identification of deceased and disappeared migrants along the migration route. The work of these organizations has resulted in their identification of an alarming list of obstacles, ranging from government bureaucracy to a lack of political will and commitments from the States to guarantee appropriate forensic investigations and stronger legal frameworks to enable better search mechanisms.

The story of Luis’ brother and the efforts undertaken by organizations such as COFAMIDE, is just one example of the countless stories encountered by a joint mission organized by the UN Human Rights Regional Office for Central America, the country offices of Guatemala, Honduras and Mexico and the headquarters in Geneva to assess the human rights situation of migrants, their families left behind and the challenges that they face once they are forcibly returned to their countries.

The 17-day joint mission that toured El Salvador, Guatemala, Honduras, Mexico and the border with the United States collected a vast amount of data from government authorities, local NGOs, international organizations, the United Nations System, families of migrants, shelters and migrants. This data will be used to design a regional action plan aimed at guaranteeing that the human rights of migrants and their families are respected and protected from the moment they leave their homes until they reach their destination, including if they are returned. The action plan will be drafted in 2018 for its subsequent implementation across the region.

(UNCT) in Central America and contributed technical advice, trainings and the dissemination of recommendations issued by the international human rights mechanisms to the mainstreaming of human rights into UN development programmes. By delivering targeted trainings on a human rights-based approach for UNCT members and being actively engaged in the preparation of programing documents, such as road maps, common country assessments (CCAs) and United Nations Development Assistance Frameworks (UNDAFs), OHCHR ensured that human rights were mainstreamed. Following the adoption of the Secretary-General’s Human Rights up Front Action Plan, OHCHR supported the implementation of the Action Plan in the region in order to strengthen the ability of UN agencies to prevent and respond to human rights violations and crises. In this context, the Office reviewed the contents of the online human rights course for UN staff and provided relevant examples from the region to illustrate good practices on human rights protection. The Office also ensured the translation of the course into Spanish. The Office played an active role in a number of UN regional working groups, including the Regional Human Rights Group, the Regional Inter-Agency Group on Indigenous Peoples and the Inter-Agency Regional Group for Gender Equality and the Empowerment of Women, through which it pursued efforts to main-

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stream human rights into the regional and national programmes and activities of other UN agencies.

**Widening the democratic space**

- **National human rights institutions established and functioning in accordance with the Paris Principles (EA 1)**

  In 2017, the ‘A’ status of national human rights institutions (NHRIs) in Costa Rica, El Salvador, Nicaragua and Panama was reviewed and confirmed by the Global Alliance of National Human Rights Institutions (GANHRI). OHCHR continued supporting NHRIs of the region to implement their mandates in accordance with the Paris Principles through a number of activities. For instance, in 2016 and 2017, the Office supported the meetings of the network of Central American Ombudsperson Offices in the region, during which NHRIs discussed their work on monitoring and actions with regard to the situation of migrants and the protection needs of human rights defenders in the region. The Office also supported the work of the NHRI in Costa Rica on issues related to lesbian, gay, bisexual, transgender and intersex (LGBTI) persons and of the NHRI in Panama on its engagement with the Special Rapporteur on human rights defenders and civil society actors with regard to practices on the protection of human rights defenders in the region.

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

  The protection of human rights defenders was identified as a thematic priority for the joint work of OHCHR and the Inter-American Commission on Human Rights (IACHR). In December 2016, in the framework of the IACHR 159th regular session, OHCHR organized a working session and a public event with the Special Rapporteur on human rights defenders and the IACHR Commissioner on Human Rights Defenders. The forum sought to examine the situation of human rights defenders in the region and analyse measures required to protect them. Participants included high-level officials from American countries, civil society organizations and Ombudspersons from Central America.

**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)**

  OHCHR, together with UN Women, developed the Latin American Model Protocol for the investigation of gender-related killings of women, which was released in 2014. The Model Protocol has been recognized as a valuable tool for strengthening the capacities of judicial operators tackling the investigation, prosecution and judgment of gender-related crimes. The Model Protocol was presented at a number of regional and international events and has been applied in some countries in Latin America. The Public Prosecutor’s Office of Panama adopted the Model Protocol and it has been included in the curricula of the Attorney General’s Office’s Training School. Similarly, in Argentina, the Protocol was endorsed by the Attorney General’s Office of La Pampa province. Following requests by different Attorney Generals in the region, OHCHR provided advice for the implementation of the Model Protocol as a tool to guide the action of prosecutors in their criminal investigations at the national level. OHCHR also developed an online self-training course on the Model Protocol directed at relevant judicial officials and has promoted its use in countries throughout Latin America. In 2017, the online course was administered to 72 judges, public prosecutors and police officers in Argentina. The virtual course was also implemented in Central American countries and reached almost 200 judicial officials and other key actors dealing with the investigation of femicide cases. Furthermore, the first official visit by the High Commissioner to El Salvador raised the need to combat violence against women, and in particular around the need to establish a moratorium on the criminalization of women for obstetric emergencies.

- **A human rights-based approach is increasingly incorporated into the implementation of the Central American Security Strategy at both regional and national levels (EA 11)**

  In the area of citizen security, the Regional Office reinitiated its cooperation with the Inter-American Commission on Human Rights (IACHR) and the Central American Integration System (SICA) and provided capacity-building and technical assistance to public forces in El Salvador and Panama. In cooperation with the IACHR, OHCHR followed up on the implementation of the recommendations related to the modernization of police forces, as outlined in the IACHR Report on Citizen Security and Human Rights. With the support of OHCHR, the report was published in 2009. Six years later, in 2015, a regional consultation was held in Panama, with the participation of approximately 40 experts from Central and South America, to analyse the status of police reform. The Directorate of Security of SICA’s General Secretariat actively participated in the event, which opened avenues of collaboration for OHCHR. In El Salvador, in 2017, OHCHR held a training workshop for police forces on the human rights standards that are applicable to policing. Moreover, during his official visit to El Salvador, the High Commissioner raised concerns around the implementation of security policies in the country and its negative impact on the enjoyment of human rights.
Regional Office for Central America (Panama City, Panama):
Expenditure in 2017

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<th>Regular budget expenditure in US$</th>
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Regional Office for South America (Santiago, Chile)

- **Year established**: 2009
- **Staff as of 31 December 2017**: 9
- **Expenditure in 2017**: US$1,355,982

Results

Strengthening international human rights mechanisms

- At least one international human rights treaty and five optional protocols are ratified (EA 2)
  - OHCHR used every available opportunity to advocate with governments for the ratification of optional protocols. For example, the Office held a number of trainings for civil society organizations regarding the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. High-level discussions were also organized on the ratification of the instrument in Argentina, Chile and Peru. The Optional Protocol was ratified by Argentina in 2014, and in 2015, by Chile, Peru and Uruguay.

- Improved timely submission of national reports to the human rights treaty bodies and the UPR in compliance with the reporting guidelines (EA 6)
  - Since 2014, OHCHR has strongly promoted the establishment of permanent national mechanisms for reporting to the international human rights mechanisms and monitoring the implementation of their recommendations. In this regard, regional workshops were held in Argentina, Brazil and Peru to exchange good practices in this area, which contributed to strengthening such mechanisms in a number of countries in the region. The Office also advised on the development of databases for following up on recommendations in Argentina, Chile, Ecuador, Peru and Uruguay. OHCHR provided technical support to States in the preparation of their reports to the human rights treaty bodies and the Universal Periodic Review (UPR) and for engaging with civil society on these processes.

- CSOs and NHRIs, when applicable, make substantive submissions to the human rights treaty bodies, special procedures and the UPR in Argentina, Brazil, Chile, Ecuador, Peru and Uruguay (EA 7)
  - The Office worked to strengthen the capacity of civil society organizations in Argentina, Brazil, Chile, Ecuador, Peru and Uruguay regarding the use of international human rights mechanisms through a large number of workshops and trainings on how to effectively engage with these mechanisms and develop strategies to follow-up on the implementation of recommendations. In Ecuador, OHCHR’s efforts led to 13 submissions to the UPR by local civil society organizations. Similar results were seen in Argentina, Brazil and Uruguay in relation to other international human rights mechanisms.

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)
  - The establishment of National Preventive Mechanisms (NPMs) has been key to reporting serious human rights violations against persons who have been deprived of their liberty. In recent years, the Office has significantly invested in ensuring that such mechanisms are created and have the adequate resources and independence to implement their mandates. Results in the region have been uneven, as most of the NPMs have been situated within national human rights institutions (NHRIs) and lack the adequate resources and political weight to work alongside authorities to improve detention condi-

Indigenous representative presents his concerns to the High Commissioner during his visit to Peru, October 2017. © OHCHR/South America
tions and rehabilitation measures. In Chile, the Office participated in several meetings with authorities to advocate for the adoption of the law that establishes the NPM. To date, however, the NPM does not have a robust legal framework or the necessary financial resources to implement its mandate. In Peru, the Regional Office promoted the adoption of a law designating the NHRI as the NPM through workshops and various high-level meetings. In Argentina and Brazil, the Office assisted with the institutionalization of the National and Local Mechanisms for Preventing and Combating Torture to function in compliance with international human rights standards. The Office also advocated for torture to be typed as a crime in accordance with the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Almost all of the countries in the region now have relevant legislation.

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 paid to non-discrimination and gender equality, in the context of development and the exploitation of natural resources (EA 1)

In 2017, with the support of OHCHR, the Government of Chile developed and launched a National Plan on Business and Human Rights. In Peru, the Office trained the staff and commissioners of the NHRI on the UN Guiding Principles on Business and Human Rights, resulting in the adoption of a strategy for the monitoring of cases of human rights violations in the context of business activities. In collaboration with the UN Working Group on Business and Human Rights, the Office organized regional consultations on business and human rights in the framework of the 2030 Agenda on Sustainable Development. This contributed to the identification of gaps and a discussion on the development of a road map to facilitate implementation of the Guiding Principles in the region.

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

United Nations Country Teams (UNCTs) in the region have generally demonstrated a strong commitment to support the promotion and protection of human rights through their programmes, in close cooperation with the Office. While providing advice and technical cooperation, OHCHR has promoted the inclusion of a human rights-based approach and recommendations issued by the international human rights mechanisms into the UNCT’s planning documents. In 2017, the Office developed a matrix linking the 17 Sustainable Development Goals (SDGs),
its targets and indicators with the recommendations issued by the UPR, special procedures and human rights treaty bodies in relation to the countries of the region and shared it with UNCTs. As a result, the United Nations Development Assistance Frameworks 2017-2021 of Brazil and Peru incorporate a matrix that matches each strategic outcome of the plan with relevant SDGs and recommendations emanating from the international human rights mechanisms.

**Widening the democratic space**

- Civil society, in particular youth and women, increasingly advocate for and claim their rights; and protect themselves more effectively from reprisals (EA 5).

In view of the increasing number of reported killings and threats against human rights defenders in the region, the Office continuously advocated with States and supported civil society organization initiatives to promote the establishment of NPMs for human rights defenders. In relation to national initiatives, Peru drafted a National Action Plan for the Promotion and Protection of Human Rights, which includes human rights defenders as one of the priority thematic areas.

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

- 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 responses to human rights violations in situations of conflict, violence and insecurity (EA 1)

OHCHR carried out a number of missions to Brazil to meet with relevant authorities and shared an analysis of legislative and policy initiatives on security issues that could have a negative impact on human rights, including the use of force by the police. Unfortunately, such efforts have not resulted in new or improved legislation or changes to the behaviour of police forces. In Peru, following the adoption of Legislative Decree 1186/2015 on the use of force by law enforcement agencies, OHCHR organized a series of activities to support the preparation of the regulation of this Decree, which was adopted in 2016. Furthermore, while laws and policies regulating freedom of assembly have become stricter during the reporting period, the Office’s work with civil society organizations contributed to their increased awareness about human rights standards and corresponding State obligations.

- Legal frameworks, public policies and institutions are in place and functioning to combat all forms of human exploitation, including trafficking and sexual and gender-based violence (EA 1)

In Chile, OHCHR provided inputs to the draft law on violence against women. In relation to the adoption of legislation decriminalizing abortion under specific circumstances, the Office cooperated with UNFPA and WHO to promote several meetings with national stakeholders, including civil society organizations, the NHRI, parliamentarians and government officials to discuss the contents of the law. In Uruguay, a new bill on human trafficking and exploitation is currently under discussion in the Parliament, which would provide comprehensive rights to victims, including specialized services. The draft legislation includes all of the recommendations issued by the international human rights mechanisms and guiding principles on the protection of trafficked persons. The Regional Office collaborated with IOM in commenting on a preliminary draft of the law, in line with the recommendations issued by the human rights mechanisms.

The Regional Office also promoted and supported the national adaptation of the Latin American Model Protocol for the investigation of gender-related killings of women. Brazil was the first country in the region to adapt the Model Protocol, following efforts led by UN Women and the Regional Office. OHCHR is supporting the adaptation of the Protocol in Argentina, jointly with UN Women, at the request of the Prosecutor’s Office.
Human Rights Component in a UN Peace Mission

United Nations Mission for Justice Support in Haiti (MINUJUSTH)

- Year established: 2004 (as MINUSTAH; as MINUJUSTH since 2017)
- Staff as of 31 December 2017: 21

Results

Strengthening international human rights mechanisms

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

While Haiti improved its reporting to the human rights treaty bodies, no progress was achieved in the preparation of a national plan of action to implement the recommendations accepted by the Government following the second cycle of the Universal Periodic Review (UPR), in March 2017, and recommendations from the Independent Expert on Haiti and the human rights treaty bodies. The Human Rights Services (HRS) of the United Nations Mission for Justice Support in Haiti (MINUJUSTH) provided technical assistance to State authorities and civil society organizations for the implementation of the recommendations emanating from the first cycle of the UPR, which primarily focused on strengthening the Haitian national police and reform of the justice system. At the same time, the HRS continued to advocate with national authorities for the development of an action plan.

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)

The Haitian Senate passed a draft law that discriminates lesbian, gay, bisexual, transgender and intersex persons in the work place and public offices and another draft law to prohibit advocacy for the rights of same sex couples. Neither of the two drafts were submitted to the Lower Chamber for ratification. The HRS consistently advocated for the approval of non-discriminatory laws and worked with national partners to this end.

Combating impunity and strengthening accountability and the rule of law

- International community raises key rule of law-related human rights concerns in a cohesive fashion (EA 10)

A wide range of human rights issues were brought to the attention of the diplomatic community by the HRS through regular meetings, including on human rights and elections, access to justice, the rights of migrants and discrimination on the basis of sexual orientation. In November 2017, the HRS briefed the diplomatic corps on the situation of the national human rights institution (NHRI), including on the appointment of the new Ombudsperson and the upcoming review by the Global Alliance of National Human Rights Institutions.

Integrating human rights in development and in the economic sphere

- The ISF or UNDAF fully integrates human rights standards and principles (EA 11)

In December 2017, the United Nations Country Team (UNCT) and the Haitian Government signed the joint Action Plan for the period 2017-2021. The Action Plan integrated human rights concepts and approaches to a significant extent and established indicators to measure the achievement of the Sustainable Development Goals. The HRS participated in regular meetings within the UNCT to ensure the integration of human rights standards into relevant planning documents and related activities. It also participated in regular Humanitarian Country Team meetings and activities, to ensure the mainstreaming of human rights into the Humanitarian Action Plan.

Widening the democratic space

- Appointment of an independent and qualified Protector and establishment of a functional and independent “Protecteur du Citoyen” (EA 1)

Following the termination of the Ombudsperson’s seven-year mandate in October 2016, the Parliament launched a public call for candidates, in February, and a new Ombudsperson (the Protector) was appointed in October after a protracted and controversial process. The HRS supported the NHRI in order to contribute to a sustainable national protection framework, met with the new Protector and shared recommendations focused on maintaining the ‘A’ status of the NHRI. The review of the status of the NHRI by the Global Alliance for National Human Rights Institutions, initially scheduled for early 2018, was postponed to 2019 to have more time to assess the performance of the new leadership.
Human Rights Advisers in UN Country Teams

Dominican Republic

Year established 2014
Staff as of 31 December 2017 1

Results

Strengthening international human rights mechanisms

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

The dialogue between State institutions and civil society organizations regarding the development of the National Human Rights Action Plan has been stalled since December 2016. OHCHR provided assistance to facilitate the approval of the Plan and coordinated advocacy activities with civil society organizations. In terms of the follow-up to recommendations issued by the international human rights mechanisms, the Ministry of Foreign Affairs launched a web-based tool to facilitate the monitoring of their implementation, representing the first tool of its kind in the Caribbean. The system was developed and implemented with the cooperation of the Government of Paraguay, which shared its expertise on the development of a similar tool (SIMORE), and technical advice provided by OHCHR. The system will also facilitate the elaboration of periodic reports to the UN human rights mechanisms and allow civil society and human rights organizations to monitor the actions undertaken by the Government to comply with its international obligations.

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

During the reporting period, the country’s human rights performance was reviewed by different human rights treaty bodies, such as the Human Rights Committee (2017), the Committee on Economic, Social and Cultural Rights (2016), the Committee on the Rights of the Child (CRC) (2015), the Committee on the Rights of Persons with Disabilities (2015) and the Universal Periodic Review (2014). Civil society organizations submitted alternative reports to some of these bodies, with technical support from OHCHR.

Recommendations issued by the international human rights mechanisms have been integrated by the UNCT into at least three of its programmes (EA 11)

The United Nations Development Assistance Framework (UNDAF) roll-out process was used as an opportunity to integrate recommendations issued by the international human rights mechanisms into the new planning cycle 2018-2022. In particular, recommendations made by the CRC, the Committee on the Elimination of Discrimination against Women and the Human Rights Committee were fully integrated into the new UNDAF. OHCHR advocated for the integration of recommendations of the international human rights bodies into the UNDAF and other programmes and facilitated training for the United Nations Country Team (UNCT) on the human rights-based approach.

Integrating human rights in development and in the economic sphere

Human rights standards and principles are increasingly integrated into CCAs/UNDAFs/CAPs and the work of UN agencies (EA 11)

As co-leader of one of the UNDAF strategic areas (Institutional strengthening and human rights), OHCHR provided training and continuous advice and support to both the UNCT and the Government to ensure that a human rights-based approach is integrated into the UNDAF and other programmes. As a result, the UNDAF 2018-2022 is a rights-based document that is closely aligned with the 2030 Agenda for Sustainable Development.

Widening the democratic space

A national human rights institution is established and functioning in accordance with the Paris Principles (EA 1)

The national human rights institution (NHRI) was created in 2001 but it was only formally established in 2013. OHCHR provided technical cooperation and capacity-building activities to increase the NHRI’s capacity to promote and protect human rights, in compliance with the Paris Principles. For instance, an independent assessment was initiated in March 2017 and will be finalized in 2018 to analyse the gaps in the NHRI’s structure, legal framework and working methods. During a workshop that was held to launch the assessment, a set of preliminary recommendations were shared and discussed with the NHRI. In addition, a number of positive changes have been noted, particularly in the areas of human rights protection and education. A second workshop was held, in December, which focused on the accreditation process with the Global Alliance of
National Human Rights Institutions. The NHRI is expected to submit a formal request for certification in 2018. In June 2017, a draft bill was presented to the Congress to revise the law that established the NHRI and it is anticipated that it will be discussed in 2018. OHCHR provided inputs to the draft.

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 context of conflict, violence and insecurity (EA 3).

The Law of the National Police was approved in 2016. As recommended by OHCHR, the Law includes provisions for the establishment of both internal and external oversight mechanisms to investigate allegations of abuse and human rights violations committed by members of the National Police.

Jamaica

Year established 2014
Staff as of 31 December 2017 1

Results

Strengthening international human rights mechanisms

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

Limited progress has been achieved in terms of Jamaica’s reporting as its ad hoc Inter-ministerial Committee on Human Rights, which was created in 2012 to report to the Universal Periodic Review (UPR) and the Human Rights Committee, has not been converted into a standing entity. In 2017, OHCHR took steps to support the Government in establishing a database to monitor the implementation of recommendations issued by the international human rights mechanisms. Limited progress was also made in this respect.

- Positive response to special procedures mandate-holders requests to visit the country (EA 6)

Over the past four years, the Government failed to issue a standing invitation to the special procedures and decided to only accept visit requests from international experts on a case-by-case basis. Although Jamaica approved a visit of the Working Group on People of African Descent in 2016, no dates have been agreed upon.

Enhanced equality and countering discrimination

- A human rights-based approach is incorporated into the National Strategic Plan on HIV/AIDS (EA 4)

Jamaica’s National Family Planning Board produced policy briefs on Recommendations to address discrimination based on health status with a particular focus on HIV and HIV-sensitive social protection, which will be used in their advocacy efforts with the Parliament and government entities. In 2016, OHCHR was asked by the National Family Planning Board to be a member of its Legal and Policy Review Committee and participated in the drafting and review of the two policy briefs. The Office provided substantive inputs on applicable human rights standards.

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)

Six Caribbean United Nations Country Teams (UNCTs) agreed on a Multi-Country Sustainable Development Framework (MSDF), which was signed by Jamaica in 2016. The MSDF integrates a human rights perspective and a monitoring and evaluation framework with human rights indicators. In the case of Jamaica, an overview of recommendations that were issued by the UPR and the human rights treaty bodies under all four MSDF outcomes was also integrated. The MSDF was drafted during four regional UN working groups in accordance with the four outcome areas. OHCHR participated in each of the working groups by contributing human rights information and reviewing the different drafts of the document.

Widening the democratic space

- The Government and the Office of the Public Defender, in consultation with civil society stakeholders, implement the road map for the establishment
of a NHRI that is compliant with the Paris Principles (EA 1)
During the year, OHCHR supported the development of a proposed structure for the conversion of the Office of the Public Defender into a national human rights institution (NHRI), in full compliance with the Paris Principles. The proposal was shared with the Cabinet and the Ministry of Justice. OHCHR provided detailed information on the structures of various NHris and comparative analyses on related legislation. The Office also worked with civil society partners to strengthen their advocacy for the creation of a NHRI and assisted them in their submissions to the Public Defender and the Ministry.

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)
In December, the national Strategic Action Plan for Ending Gender-Based Violence was launched. The Action Plan integrates a human rights perspective into its narrative part and throughout its monitoring and evaluation framework. It also includes an annex of relevant recommendations issued by the human rights treaty bodies and the UPR in relation to Jamaica. OHCHR, together with UNDP, provided assistance in reorganizing the monitoring and evaluation framework to reflect a results-oriented matrix that addresses the capacity gaps of duty-bearers and rights-holders in the prevention of gender-based violence and in the protection of victims, investigations, prosecutions, enforcement, data collection and coordination. Most of the indicators recommended by the Special Rapporteur on violence against women were integrated into the framework.
► Commission of inquiry is established and functions in line with international human rights standards (EA 1)
The West Kingston Commission of Inquiry was active between 2014 and 2016. In June 2016, it presented its report to the Governor General of Jamaica. The Commission was established following the recommendation of the Public Defender in his report on the 2010 events in Tivoli Gardens, a garrison neighbourhood in West Kingston, where more than 60 individuals were killed by security forces in an attempt to detain a known criminal gang leader for his extradition to the United States. The UN in Jamaica offered its support to the Government and the Commission on a wide range of matters, including logistics, but the Government only requested assistance and support in the funding of services for victims and the community of Tivoli Gardens, which UNDP implemented. OHCHR held several informal meetings with Commissioners to provide information about international legal standards related to transitional justice and victim support as well as the experiences of similar commissions in investigating human rights violations and follow-up on recommendations. In parallel, OHCHR cooperated with the Independent Commission of Investigation on the organization of a Regional Use of Force Conference in 2017, which included the participation of police oversight entities from 12 Caribbean countries, and was aimed at developing a regional policy model on the use of force. In December, the Independent Commission prepared a draft that will be shared with the participating oversight entities for approval by relevant government entities.

Paraguay

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<td>Staff as of 31 December 2017</td>
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Results

Strengthening international human rights mechanisms
► Increased compliance and engagement of the State in the follow-up to international recommendations (EA 6)
In 2014, the Government of Paraguay launched SIMORE, an online database for following up on the recommendations issued by the international human rights mechanisms. It is also accessible to the wider public, thereby contributing to increased transparency and accountability. Developed with the technical support of OHCHR, SIMORE has been used to facilitate the development of State reports to the international human rights mechanisms, including the Committee on the Elimination of Discrimination against Women and the Universal Periodic Review (UPR). In December 2017, a revised version of the tool (SIMORE Plus) was launched, which enables users to link and monitor the implementation of the recommendations issued by the international human rights mechanisms with the relevant Sustainable Development Goals and Paraguay’s achievement of those Goals.
► Increased number of rights-holders and civil society actors acting on their behalf making use of the special procedures and the UPR (EA 7)
With the technical support of OHCHR, civil society organizations submitted approximately 20 reports in anticipation of Paraguay’s second cycle of the UPR. NGOs also submitted eight shadow reports to the human rights treaty bodies and 25 communications to the special procedures. During the reporting period, OHCHR trained NGOs on the reporting guidelines of the international human rights mechanisms.
and promoted their engagement with the special rapporteurs on mission to Paraguay.

Enhanced systematic engagement by the UNCT with international human rights mechanisms (EA 11)

With OHCHR’s technical assistance, the United Nations Country Team (UNCT) submitted reports to the human rights treaty bodies, to the UPR and addressed the special procedures on several occasions. During the past four years, OHCHR undertook advocacy and provided assistance to the UNCT through trainings and the sharing of relevant documents and reports, which enhanced its capacity to promote human rights and integrate a human rights-based approach. Moreover, the United Nations Development Assistance Framework 2015-2019, which the UNCT designed with OHCHR’s support, was structured in areas related to civil and political rights; economic, social and cultural rights; and environmental rights, all of which included relevant human rights indicators.

Enhancing equality and countering discrimination

Legislation and policies against all forms of discrimination increasingly comply with international standards, particularly in relation to women, LGBTI persons, persons with disabilities and indigenous peoples (EA 4)

In line with various recommendations issued by the human rights treaty bodies, the Congress adopted a comprehensive law protecting women against all forms of violence, including femicide, in 2016. OHCHR supported the development of the Law through a series of actions and activities, including the dissemination of the Latin American Model Protocol for the investigation of gender-related killings of women. Despite several recommendations issued by the international human rights mechanisms, the Bill to Eliminate All Forms of Discrimination, intended to regulate article 46 of the National Constitution (which establishes the principles of equality and non-discrimination), has not yet been approved. The discussions for a friendly settlement agreement between the Paraguayan State and the Ayoreo Tobiegosode People began in February 2017, within the framework of their petition to the Inter-American Commission on Human Rights. Specifically, the indigenous community is calling for their ancestral rights to be returned, for the establishment of health and education programmes and the protection and promotion of other human rights. In November, the Government initiated discussions on a draft agreement. OHCHR participated in this process as an observer and facilitator until November 2017.

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

Throughout the reporting cycle, OHCHR carried out various activities to strengthen the capacities of civil society actors and empower them to participate in public processes that affected their rights. For example, a series of workshops on rights-based communication were held to enhance the advocacy skills of organizations and ensure inclusive communication without discrimination. The capacity of persons with disabilities was also strengthened, through a series of trainings and workshops, leading to the development by NGOs of a draft law for the establishment of a National Independent Mechanism for the Human Rights of Persons with Disabilities. Furthermore, in 2016, OHCHR organized the first seminar for human rights defenders to strengthen the coordination and
Combating impunity and strengthening accountability and the rule of law

The national justice system, particularly the Supreme Court of Justice, increasingly applies international human rights norms and standards, especially in relation to torture and ill-treatment and the deprivation of liberty (EA 1)

OHCHR provided trainings on the rights of persons with disabilities and the prevention of torture. As a result, the capacity of approximately 150 judges and staff of the judiciary to implement Paraguay’s commitments in relation to the recommendations issued by the international human rights mechanisms was improved. Their capacity to combat violence against women was also enhanced, particularly regarding the investigation of cases of gender-based violence, through targeted training and dissemination of the Latin American Model Protocol for the investigation of gender-related killings of women.

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)

In 2015, OHCHR worked with the National Preventive Mechanism to raise awareness about the follow-up to international recommendations related to the protection of victims of torture. This cooperation included the presentation of a joint publication on the realities of confinement in Paraguay, which provided an assessment on the abusive use of preventive detention.

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)

With the technical support of OHCHR, the Secretariat for Social Action designed a set of human rights indicators related to poverty, economic, social and cultural rights and social protection, which were linked to the social programmes implemented by the Secretariat and included in a publication launched in October 2017. This represents the first national experience on the development of human rights indicators linked to the Sustainable Development Goals. In addition, the Office facilitated a training of trainers programme on human rights and poverty eradication strategies and developed a trainer’s manual. In total, 28 staff members of the Secretariat followed this programme, who have in turn trained more than

Fighting for the rights of indigenous women in Paraguay

Faustina Alvarenga, known as Tina, is an indigenous woman from the Guaraní people and one of the founding members and leaders of the Articulation of Indigenous Women of Paraguay (MIPY). She is an expert in the indigenous issues of Paraguay, specifically in relation to a practice known as “criadazgo.” Under this practice, poor families send their children to work as servants in the homes of families with more economic resources in exchange for taking charge of the child’s basic needs, including their education.

At only 10 years old, Tina’s parents sent her to live with a wealthy family in Asunción, the capital of Paraguay, about 800 kilometres from her family home, where she lived for eight years. Tina recalls that she “felt discriminated against, excluded, isolated and lonely in many moments. The uprooting was very strong in my case, because I was told I was going to be treated as a daughter, but they made me work as a maid, an unpaid one.”

“Criadazgo” is considered one of the worst forms of child labour and a contemporary form of slavery. According to official figures, it is estimated that there are some 47,000 children and adolescents living in such situations in Paraguay.

In 1993, Tina was elected as a counsellor of the Central Department of Paraguay and in 2013 she ran for the Senate. She has been a teacher at the primary, secondary and university levels for more than 20 years and is currently a consultant for various UN bodies and other international organizations. She had an active role in the development of dialogues with indigenous women, which was an initiative of UN Human Rights and other UN agencies in Paraguay. The results of those dialogues were documented in a publication containing relevant proposals made by indigenous women on participation, citizenship and non-discrimination, land rights and prior, free and informed consultation and consent. These activities contributed to strengthening the dialogue between authorities and indigenous women and making their rights more visible.
400 public servants and families on poverty eradication strategies since 2015.

► Increased participation of rights-holders in the design and monitoring of public policies, budgets and other initiatives in development and in the economic sphere (EA 5)
The Network of Human Rights Organizations (CODEHUPY) continued to publish its annual reports on the human rights context in Paraguay, which included some sections on the situation of economic and social rights. The support provided by OHCHR during the reporting cycle enabled CODEHUPY and its member organizations to enhance their monitoring advocacy skills. Furthermore, due to the support received from OHCHR, the online database, SIMORE Plus, which links the recommendations issued by the international human rights mechanisms in relation to Paraguay with the Sustainable Development Goals has been made available to civil society organizations, which are also able to use this tool to monitor their implementation.

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, developed with the active participation of civil society and the technical support of OHCHR, was approved by the National Commission for the Rights of Persons with Disabilities (CONADIS), in 2015, and endorsed through a Presidential Decree, in 2016. Furthermore, based on OHCHR’s methodology and with the active participation of civil society actors, a set of human rights indicators on persons with disabilities was developed, in October 2017, and linked to the Action Plan and the Sustainable Development Goals.

► Increased participation in public life of discriminated groups, particularly women, indigenous peoples and persons with disabilities (EA 5)
A bill for the establishment of a National Independent Mechanism for the Human Rights of Persons with Disabilities, which was developed by civil society organizations and CONADIS over a two-year process and supported by OHCHR, was submitted to Congress for review. Regarding indigenous populations, between 2014 and 2015, OHCHR facilitated a series of dialogues with leaders of 19 indigenous communities, enabling them to come up with proposals on land, prior consultation and participation, which were shared with relevant Government authorities. In addition, consultations with indigenous women were organized by OHCHR, in collaboration with the National Institute for Indigenous Issues, the Ministry of Women and a number of UN agencies, in order to document proposals from indigenous women on issues such as participation, citizenship and non-discrimination, land and free and informed consent. The outcomes of the consultations were included in a publication that was launched in December 2017 and handed to relevant authorities by indigenous women.