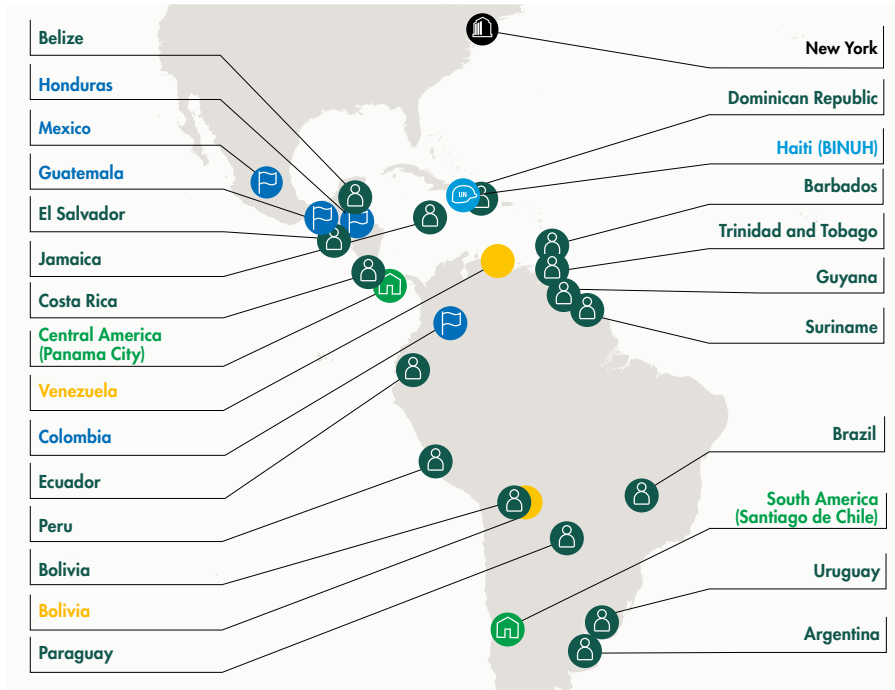


UN Human Rights in the Americas



TYPE OF PRESENCE

	Headquarters
	Country/Stand-alone Offices/ Human Rights Missions
	Regional Offices/Centres
	Human rights components of UN Peace/Political Missions
	Human Rights Advisers*
	Other types of field presences

LOCATION

New York
Colombia, Guatemala, Honduras and Mexico
Central America (Panama City, Panama) and South America (Santiago de Chile, Chile)
Haiti (BINUH)
Argentina, Barbados, Belize, Bolivia, Brazil, Costa Rica, Dominican Republic, Ecuador, El Salvador**, Guyana, Jamaica, Paraguay, Peru, Suriname***, Trinidad and Tobago and Uruguay
Bolivia and Venezuela

* Human Rights Advisers deployed under the framework of the United Nations Sustainable Development Group.

** Senior Human Rights Adviser/Officer linked to the Regional Office in Panama.

*** Approved in late 2021 for deployment in 2022.

LEGEND:

Spotlights:

- Disabilities
- Youth
- Women

Shifts:

- Global constituency
- Prevention
- Civic space
- Climate change
- Corruption
- Inequalities
- New technologies
- People on the move

SDGs:



In 2021, UN Human Rights' work in the Americas region covered 35 countries and consisted of 25 field presences: two regional offices (in Panama and Santiago de Chile); four country offices (Colombia, Guatemala, Honduras and Mexico); one human rights component in a peace mission (United Nations Integrated Office in Haiti (BINUH)); one technical mission (Bolivia); one operation under a Resident Coordinator's Office (RCO) (Venezuela); and 16 human rights advisers (HRAs): three international HRAs in Costa Rica, the Dominican Republic and Jamaica and 13 national HRAs deployed in Argentina, Barbados, Belize, Bolivia, Brazil, Ecuador, El Salvador,¹² Guyana, Paraguay, Peru, Suriname, Trinidad and Tobago and Uruguay.

The Americas region continued to register one of the highest numbers of COVID-19 cases and deaths in the world. The socio-economic effects of the pandemic affecting specific groups, compounded with heavy-handed responses from governments, exposed persistent structural inequalities and fragile democratic systems. Rates of poverty (33.7 per cent) and extreme poverty (12.5 per cent) across the region reached levels that have not been seen for 12 and 20 years, respectively. The Latin America and Caribbean region's economic and social development is projected to decelerate for at least a decade, impacting on populations that were already dealing with the disproportionate impacts of the pandemic, including indigenous peoples, people of African descent, women, persons in detention, persons with disabilities and people on the move.

UN Human Rights led monitoring efforts on the impacts of COVID-19 on

the human rights situation in the region. It conducted advocacy and strengthened its alliances with UN Country Teams (UNCTs) and key partners, focusing on vulnerable populations and highlighting the need to ensure equal participation and access to information, respect for civic space and accountability to guarantee the non-recurrence of human rights violations. The capacities of field presences to support the Common Country Analysis/United Nations Sustainable Development Cooperation Framework (CCA/UNSDCF) processes and Socio-economic Response Plans (SERPs) was enhanced in 2021. This was achieved through the deployment of an economist in Chile and the deployment of a Human Rights Officer with specific expertise on the Sustainable Development Goals (SDGs) in Panama to support the work of the field presences on economic, social and cultural rights (ESCRs), SDGs and the right to development.

Throughout the year, unprecedented social protests erupted across the region. OHCHR strengthened its monitoring and reporting capacities and enhanced dialogue with national authorities to promote protection and accountability and respect for the rights of freedom to peaceful assembly and association.

Human rights defenders (HRDs) and journalists in the region faced some of the highest risks of attacks in the world, including killings and enforced disappearance. Defenders of land and environmental rights and the rights of indigenous peoples were at particular risk. Women human rights defenders (WHRDs) were subject to a differentiated and disproportionate impact of these attacks. There has been an increase in the

adoption of regulations that restrict the rights to freedom of expression, participation, peaceful assembly and association. OHCHR collected human rights data on the situation of HRDs and journalists, including from a gender perspective, and provided technical support to authorities to enhance prevention, protection and accountability mechanisms. It strengthened its strategic partnerships with the Inter-American Commission on Human Rights (IACHR).

The pandemic exacerbated the vulnerable situation of persons on the move. Migrants were hindered from crossing international borders and were strongly affected by the socio-economic consequences of the pandemic and climate change, within the larger context of increasing stigma and discrimination. OHCHR monitored and promoted the protection of migrants' rights in the region, including human mobility in Central America and Mexico through the so-called migrant caravans and in the Caribbean, in cooperation with other UN agencies. For instance, the OHCHR team working closely with the Inter-Agency Coordination Platform for Venezuelan Refugees and Migrants monitored the situation of Venezuelan migrants in the region, addressed protection concerns with other UN agencies through the Regional Protection Sector groups and provided assistance to national human rights institutions (NHRIs) and civil society networks.

Towards the end of 2021, both Regional Offices in the Americas established Emergency Response Teams (ERTs), thereby strengthening OHCHR's capacity to respond to emerging crises within the framework of its early warning and

¹² A senior Human Rights Officer is linked to the Regional Office in Panama, with a technical assistance team in the country supporting the Resident Coordinator and the UN Country Team on human rights mainstreaming.

prevention strategies and in line with the Secretary-General's Call to Action for Human Rights. Field presences in the region strengthened their capacity to identify and respond to risks of violence and human rights violations during electoral processes, including in Honduras, Mexico and Nicaragua.

Surge capacity was provided to Haiti to support the integration of human rights analysis and data into humanitarian action, following the devastating earthquake that hit the country in August, and to develop a Protection Strategy. An internal assessment mission was undertaken in Peru to enhance dialogue and cooperation with authorities and strengthen OHCHR's prevention work in support of the RCO/UNCT. In light of growing demands from States and UN partners, OHCHR increased its engagement in the English-speaking Caribbean.

In 2021, OHCHR strengthened its cooperation with governments in the region by renewing agreements and consolidating its presence in Bolivia, Guatemala and Venezuela. OHCHR engaged with the United States of America on issues relating to racial justice and equality. It also enhanced dialogue with Cuba and provided technical advice on legislative reforms.

OHCHR continued its engagement with Member States and CSOs in relation to Human Rights Council (HRC) mandates on Nicaragua and Venezuela and Security Council mandates on Colombia and Haiti.

OHCHR strengthened its support to CSOs, HRDs and NHRIs across the region.

BOLIVIA (PLURINATIONAL STATE OF)

Population size ¹	Surface area ¹	Human Development Index ²	NHRI (if applicable) ³
11.83 million	1,099,000 km ²	0.718 (rank: 107/189 in 2019)	"A" Status (2017)
Type of engagement		Technical mission (Other type of field presence)/ Human Rights Adviser	
Year established		2019 (technical mission)/2018 (HRA)	
Field office(s)		La Paz	
UN partnership framework		United Nations Development Assistance Framework 2018-2022	
Staff as of 31 December 2021		5	

XB requirements 2021

US\$2,447,000

Key OMP pillars in 2021



^{1,2,3} Please refer to Data sources and notes on p.176

PILLAR RESULTS:

Accountability

A2 – Strengthened independence of the judiciary and increased efficiency and conformity with human rights standards of the Attorney General's Office (AGO), the Protection Programme of Victims and Witnesses and the National Preventive Mechanism (NPM).

10 **16** 

Through advocacy and technical support, OHCHR contributed to the increased conformity of accountability and protection mechanisms with international human rights standards.

Under the leadership of the Resident Coordinator (RC), OHCHR has been a key partner in the implementation of the UN system-wide approach to support a judicial reform initiative proposed by the Ministry

of Justice. More specifically, OHCHR is part of a team of international experts that is advising the Government, providing technical and policy advice and seeking consensus between the Government and civil society-based platforms. It is anticipated that these activities will culminate in a reform package for the judiciary by mid-2022. To this end, OHCHR monitored select legal proceedings, including those related to serious human rights violations that were committed during the 2019-2020 crisis, enabling it to provide the Government with evidence-based analyses that underscored the need for judicial reform. Emphasis was placed on strengthening respect for due process, judicial independence and justice for victims.

With regard to the Protection Programme of Victims and Witnesses, OHCHR conducted a comprehensive analysis about

how it operates and its shortcomings and outlined recommendations, which have not yet been fully implemented.

Furthermore, OHCHR took steps to strengthen the capacity of the NPM by enhancing its ability to act independently and formulate recommendations based on international standards and norms and by carrying out joint visits to places of detention. OHCHR was accompanied by experts of the Subcommittee on Prevention of Torture, who reinforced legal standards and outlined good practices. As a result of these efforts, as well as OHCHR's advocacy, the NPM was moved from the Ministry of Justice and integrated into the NHRI, in November, in accordance with recommendations issued by several international human rights mechanisms.



Participation

P1 – States have adopted laws and taken measures to protect human rights defenders (HRDs).

16

The proportion of human rights violation cases flagged by OHCHR that have been positively addressed has increased.

OHCHR monitored the situation of HRDs and journalists in Bolivia and documented numerous cases of attacks and intimidation. Based on its monitoring, OHCHR issued public statements and brought the incidents to the attention of competent authorities. The police organized a number of subsequent workshops, during which OHCHR informed participants about international human rights standards, including on the use of force and the need to protect the work of HRDs and journalists.

Based on the analysis and data collected, OHCHR initiated a consultative process

with approximately 100 journalists and media workers in the nine departments of Bolivia, with a view to identifying prevention and protection measures for their work. It was concluded that a protection mechanism, including a platform for further and systematic monitoring and reporting of incidents affecting the work of the media, should be created and operated by journalists. OHCHR committed to supporting this mechanism, which should be in place by mid-2022.

Furthermore, the Office engaged with various public institutions to advocate for the key role of HRDs and journalists, in particular by recommending the adoption of relevant legislation, in line with the United Nations Declaration on Human Rights Defenders. Although the Minister of Justice pledged to submit a draft law to the Legislative Assembly, this has not happened.



Non-discrimination

ND1 – State institutions responsible for meeting the needs of vulnerable groups have been strengthened and receive adequate funding and political support.

5 10 16

OHCHR contributed to enhancing the compliance of regulations and practices with international human rights standards by advocating for the rights of persons deprived of their liberty.

OHCHR supported the Penitentiary Regime under the Ministry of the Interior in drafting COVID-19 guidelines to limit its transmission in places of detention, while also protecting the human rights of persons deprived of their liberty. As a result of this work, some categories of prisoners, including persons with

disabilities, prisoners with HIV/AIDS, elderly persons and those with chronic illnesses, were included in the priority list for vaccination. Moreover, resulting from the Office's advocacy efforts, LGBTI inmates were able to change their names in public registries and be treated in a non-discriminatory fashion while in detention.



Peace and Security

PS3 – Strategies to prevent and respond to conflict consistently integrate human rights protection.

3 5 8 10 13 16 17

OHCHR contributed to enhancing the integration of human rights protection into efforts to prevent unrest and conflict in the context of elections.

Within the context of the UN Initiative for the Consolidation of Peace in Bolivia, OHCHR monitored the human rights situation during the subnational electoral process that took place in April. Following a series of incidents of violence and discriminatory speech in the pre-electoral phase, the Office shared its concerns and analysis with the international community and deployed teams to six departments to monitor and report on the situation during the pre-electoral, electoral and post-electoral phases. OHCHR's engagement with several authorities and social actors contributed to the conduct of peaceful elections. No major incidents of violence were reported.

OHCHR monitored at least four major protests and strikes that took place in different parts of the country after the elections. During a nationwide strike, in November, OHCHR monitored and documented more than 125 cases of arrests

and detentions, including of protesters and journalists covering the events, as well as the death of one person. This information was used in public and private advocacy with relevant authorities to recommend preventive measures, which contributed to the release of the majority of persons, without legal charges.

In addition, OHCHR regularly supported victims of serious human rights violations, which occurred from 1964-1982 and during the 2019-2020 crisis, in their pursuit of justice, truth and reparation. The Office engaged in public and private advocacy efforts with the Ministry of Justice, resulting in its decision to initiate a participatory process for victims to access reparations on the basis of international standards. OHCHR is working closely with the Ombudsperson and other government authorities to implement this process.

ENGLISH-SPEAKING CARIBBEAN

Type of engagement	Human Rights Adviser for English-speaking Caribbean
Countries of engagement	Antigua and Barbuda, the Bahamas, Barbados, the Commonwealth of Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago
Year established	2012
Field office(s)	Bridgetown (Barbados), Georgetown (Guyana), Kingston (Jamaica), Port of Spain (Trinidad and Tobago)
UN partnership framework	UN Multi-country Sustainable Development Framework (UN MSDF) in the Caribbean 2017-2021
Staff as of 31 December 2021	4

XB requirements 2021

US\$918,000

Key OMP pillars in 2021



PILLAR RESULTS:

Development

D5 – In at least two countries (Antigua and Barbuda, and Dominica), disaster risk and response strategies and environment and climate change policies safeguard the rights of affected populations, including vulnerable groups.

13 14 15 

With advocacy activities, UN Human Rights sought to encourage the increased compliance of climate-related policies with international human rights norms and standards.

In November, the HRA provided technical and logistical support for the official visit of the Special Rapporteur on the issue

of human rights obligations relating to the enjoyment of a safe, clean and healthy and sustainable environment to **Saint Vincent and the Grenadines**. Following the visit, the Special Rapporteur issued a report emphasizing that climate change is wreaking havoc on farms, forests, fisheries, housing, infrastructure and communities in the country, which negatively impacts on the enjoyment of many human rights. In addition, the report increases the awareness of key stakeholders in the Government about the human rights implications of climate change and the role of the Escazú Agreement in analysing environmental decision-making processes and information.

Non-discrimination

ND1 – In at least three countries (Barbados, Jamaica and Trinidad and Tobago), laws and policies protect the rights of women, persons with disabilities, persons living with HIV, LGBTI persons and religious minorities.

5 10 16 

OHCHR contributed to increasing the level of compliance of legislation and policy with international human rights standards in relation to the rights of migrants and persons with disabilities.

The HRA continued to monitor the situation of Venezuelan migrants in **Trinidad and Tobago**. It issued two public statements expressing its concerns about the deportation of migrants while calling on the Government to provide legal pathways for migrants to regularize their status. The HRA's advocacy resulted in a decision by the Government to allow registered Venezuelan migrants to legally live and work in the country and have access to COVID-19 vaccines, regardless of their status.

With the HRA's support, proposals were submitted to the United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD) Multi-Partner Trust Fund (MPTF) and included initiatives to be implemented in **Antigua and Barbuda, Barbados, Dominica, Saint Kitts and Nevis and Trinidad and Tobago** to improve data collection and support the development of legislation to protect the rights of persons with disabilities. The projects were postponed until 2022 due to COVID-19-related restrictions.

Accountability

A1 – At least three countries (Bahamas, Grenada and Jamaica) have begun to design or have established a national human rights institution (NHRI) that operates in compliance with the Paris Principles.

16

OHCHR contributed to engagement in two Caribbean countries around the establishment of NHRIs that are compliant with international standards.

In **Jamaica**, the HRA, Jamaicans for Justice and UNAIDS undertook analysis and joint advocacy regarding the creation of an NHRI with the Ministry of Justice. This resulted in a written declaration by the Minister, on 23 February, that the Office of the Public Defender would be transformed into an NHRI. The establishment and operationalization of the new institution has been delayed due to budgetary limitations. The HRA continued to engage with the Government of **Trinidad and Tobago** on the transitioning of the country's Equal Opportunity Commission into an NHRI. In **Guyana**, the HRA worked closely with the Government, resulting in a project on strengthening the four existing constitutional commissions (Ethnic Relations, Women and Gender Equality, Rights of the Child and Indigenous Peoples) and drafting of a human rights action plan.

A1 – In at least one country (Jamaica), law enforcement authorities and the judiciary have adopted in-house training on human rights. Barbados, Grenada, Saint Lucia and Saint Vincent and the Grenadines have taken steps to provide human rights training to law enforcement officials.

16

OHCHR's technical assistance contributed to the institutionalization of human rights training in a number of key areas.

In **Jamaica**, the HRA provided technical assistance and advice to the Government in its efforts to introduce criminal justice legislative reforms to address the increase in violent crimes throughout the country. The proposed legislative changes included a new Firearms Act, amendments to anti-gang legislation and regulations for the Major Organized Crime and Anti-Corruption Agency. The Office provided resources and materials on relevant international standards.

Mechanisms

M1 – At least four Caribbean countries (Antigua and Barbuda, Jamaica, Saint Lucia and Suriname) have established mechanisms for human rights reporting and follow-up.

16 17

The Office advocated for the creation of National Mechanisms for Reporting and Follow-up (NMRFs) and the drafting of national action plans for the implementation of recommendations issued by the international human rights mechanisms, including through awareness-raising and capacity-building.

The HRA contributed to a project in **Guyana** that aimed to develop a draft National Human Rights Action Plan focused on the implementation of recommendations issued during the third cycle of the Universal Periodic Review (UPR). The Government is strongly committed to developing such a plan with the engagement of all stakeholders.

CENTRAL AMERICA

Type of engagement	Regional Office
Countries of engagement	Belize, Costa Rica, Dominican Republic, El Salvador, Nicaragua and Panama
Year established	2007
Field office(s)	Regional office located in Panama City (Panama), with Human Rights Advisers in Belize, Costa Rica, Dominican Republic and El Salvador
Staff as of 31 December 2021	25

Total income	US\$2,463,723		
XB requirements 2021	US\$4,149,000		
XB expenditure	US\$1,104,712		
Personnel	Non-personnel	PSC ⁴	
63%	26%	11%	
\$690,748	\$287,088	\$126,876	
RB expenditure	US\$997,200		
Personnel	Non-personnel		
88%	12%		
\$879,824	\$117,376		

Key OMP pillars in 2021



⁴ Please refer to Data sources and notes on p.179

PILLAR RESULTS:

Accountability

A1 – A mobile monitoring team has been established that strengthens OHCHR's capacity to gather information on the human rights situation in countries of the region and report on cases and situations. Its work enables the international community to make more effective representations to the Government on a wide range of concerns.

16 

OHCHR enhanced its capacity to gather information, analyse and report on human rights situations and follow-up on the status of implementation of key recommendations issued by the international and regional human rights mechanisms.

The Human Rights Adviser's team in El Salvador continued strengthening its work to gather information on the human rights situation in the country in order to report on and raise awareness about cases and/or situations of concern.

The HRA collected, analysed and reported information and issued early warnings to prevent human rights violations. The information shared with the special procedures informed and shaped the positions and statements issued by the mandate holders, particularly in relation to the protection of HRDs and journalists. The team also monitored the enjoyment of ESCRs and other pressing issues, such as enforced disappearance, civic space, mobilization, the right to peaceful assembly and the State's response to these issues.

The team provided technical support to the Office of the Human Rights Ombudsperson to ensure the application of a human rights-based approach (HRBA) to investigations in cases of extrajudicial executions and torture. A manual was subsequently developed and disseminated throughout El Salvador to relevant institutions, including the national police and the Institute of Forensic Medicine. NHRI officials received training on the application of the manual and participated in a series of practical workshops to review selected cases on extrajudicial executions allegedly committed by the police and armed forces. The HRA provided technical assistance to the 13 NHRI offices located in the interior of the country, and reviewed cases submitted by each office.

In 2021, the HRA identified a number of human rights issues of concern in El Salvador, including potential constitutional reforms; the discovery of a clandestine grave with more than 30 bodies of disappeared women; the proposal for a general law on water resources; and the draft Foreign Agents Law. These issues were shared with the RCO to inform joint responses from the UNCT, which resulted in early warning alerts for the Office of the Human Rights Ombudsperson and

various special procedures mandate holders.

For the first time, the HRA provided technical support to the Ministry of Foreign Affairs on the review and implementation of recommendations issued by the UPR process in relation to El Salvador. The Ministry is responsible for collecting information from other State entities that have reporting commitments to the international human rights mechanisms. The HRA classified and prioritized 152 recommendations that were issued by the UPR and accepted by the State, along with 50 other recommendations issued by the Inter-American Commission on Human Rights, to develop an implementation strategy, which is expected to be finalized and approved in 2022.

The policy on “Criminal prosecution of war crimes and crimes against humanity” was revised with OHCHR’s technical support. The objective of the revision was to contribute to the improvement of investigative work being carried out by the Office of the Prosecutor on the armed conflict.

A3 – The decisions of judicial institutions increasingly reference international human rights standards and principles of gender equality in cases of femicide and violence against women.



OHCHR contributed to aligning national protection systems with international human rights norms and standards.

The El Salvadoran National Protocol on femicide was updated. It included the incorporation of new criminal categories, such as attempted femicide, and a strong emphasis on securing greater inter-institutional coordination.

The Protocol was validated through extensive consultations with key institutions involved in the investigation of these cases. The HRA will cooperate with UN Women in El Salvador to call for an official endorsement of the Protocol and will continue to advocate for its implementation among key officials dealing with femicide cases.

In December, the HRA, UN Women and the Ibero-American Association of Public Ministries launched a virtual self-learning course on the regional Protocol. The course is a practical tool to strengthen the capacity and improve the practices of justice operators, forensic experts and other specialized personnel who are involved in the various stages of investigating and ruling on femicide cases, including reparations for victims. The HRA contributed to developing the course contents to ensure its alignment with international human rights standards.

The HRA provided support to the Technical Secretariat for Gender and Access to Justice in Costa Rica in the development of draft guidelines on incorporating a gender perspective into sentencing. The guidelines will now be subject to a consultation process before official approval is sought from the Judiciary Commission on Gender in Costa Rica in 2022. The HRA and the Technical Secretariat organized two workshops for judicial officials during the drafting process and stressed the efficacy of the guidelines to address gender stereotypes and ensure that women have access to justice in relation to domestic violence and criminal justice cases, including sexual offence cases. A total of 147 magistrates and judges (102 women and 45 men) from various regions and jurisdictions participated in the workshops.

The HRA delivered a series of four training sessions for key public officials in El Salvador on women’s rights and gender

stereotyping as an obstacle to access to justice and other essential services. A total of 62 officials participated from the Ministry of Health, the Ministry of Education, the Office of the Ombudsperson, the national police, the Institute of Forensic Medicine and the Attorney General’s Office. The training series included theoretical and practical exercises. The practical exercises focused on gender stereotyping related to women who were incarcerated for abortion and had been violated of their right to due legal process. The sessions were positively evaluated by participants, who emphasized the importance of further training on due diligence and gender stereotyping.

Participation

P6 – Individuals that suffer discrimination, including women, LGBTI persons, people of African descent, indigenous peoples and persons with disabilities, have increased their capacity to undertake advocacy and are able to exercise their right to participate in decision-making processes.

In Belize, the HRA facilitated the engagement of indigenous peoples, OPDs, women’s groups and civil society organizations with the UNCT, thus enabling them to contribute to human rights assessments, project development and programme planning. During the year, these actors participated in consultations on the SERP for COVID-19, the CCA and the United Nations Multi-country Sustainable Development Cooperation Framework (UN MSDCF).

The HRA also supported the development and implementation of a workshop for women’s organizations and other organizations working with vulnerable women. The two-day event aimed to develop the capacity of CSO and NGO representatives to fully assess the challenges and level of

discrimination they continue to face, particularly during the pandemic, so that they could increase their advocacy efforts. Women participants also had the opportunity to improve their knowledge about economic and social rights, the COVID-19 recovery process and how this can affect their livelihoods, especially in the tourism sector.

Through a series of webinars, LGBTI defenders enhanced their capacity to use United Nations and Organization of American States (OAS) protection mechanisms and document human rights violations. In addition, the Office organized an academic visit to El Salvador, Guatemala and Honduras, in October, by the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (SOGI). The objective of the visit was to promote the Special Rapporteur's latest reports to the Human Rights Council, engage with local stakeholders, listen to their concerns and increase the visibility of SOGI-related issues in the region.

The Office contributed to the empowerment of LGBTI persons to advocate for legal changes and public policies related to the COVID-19 response in **Panama**. It also underlined the importance of ensuring that the Government's policies and practices are fully aligned with international and regional standards on the promotion and protection of the rights of LGBTI persons. A joint virtual forum entitled "Human rights, equality and non-discrimination towards LGBTI persons as foundations of the rule of law in Panama" was organized on the occasion of International Day against Homophobia, Transphobia and Biphobia, in cooperation with the Office of the Ombudsperson and the Office of the Administrative Procurator of Panama.

In November and December, the Office strengthened the capacity of the Central American Network of Women's NGOs working on sexual and reproductive health and rights (La Sombrilla Centroamericana), to carry out advocacy work in Central America and the Dominican Republic. The Office supported the production and dissemination of radio spots to raise awareness about the negative impacts of the pandemic on sexual and reproductive health and rights and the challenges to overcoming them.

The Office facilitated the participation of the LGBTI community in the Free & Equal global campaign, thereby generating increased visibility of the human rights concerns of LGBTI persons (i.e., same-sex marriage) and supporting the advocacy of LGBTI groups for legislative amendments and more inclusive public policies, particularly in the context of the pandemic.

Non-discrimination

ND6 – Official migration policies and programmes are in place to protect the human rights of migrants, especially those who are in situations of vulnerability.



OHCHR contributed to ensuring the compliance of selected State institutions/programmes with international human rights norms and standards by enhancing the capacity of national and regional CSOs to advocate for the human rights of migrants and conduct systematic monitoring of human rights violations faced by migrants. It also contributed to increasing the knowledge of relevant national and regional actors on international human rights standards and strengthened the

capacity of NHRIs to analyse and monitor human rights violations, trends and concerns related to migration.

The monitoring of migrant human rights violations has developed and evolved due to HRA's recent efforts with NHRIs and CSOs to strengthen their capacity to confront the migration crisis. It also highlighted the actions that States need to take in order to meet their international obligations, particularly demographic groups with pre-existing vulnerabilities. The Office has encouraged the integration of key standards into regional migration policies and programmes.

The Office monitored and analysed **regional migratory trends** throughout 2021, which was converted into an informative bulletin that identified where the most concerning human rights violations against migrants were taking place and outlined a series of recommendations, with the aim of informing decision-makers and promoting the integration of human rights in public policies and migration governance. The bulletin was created during the last semester of the year and was published at the end of December.

In an emblematic migration case before the Inter-American Court of Human Rights, *Velez Lloor v. Panama*, precautionary measures were awarded to the plaintiffs, who were migrants in border areas in the context of the pandemic. Throughout the process, OHCHR delivered technical assistance to the Office of the Ombudsperson in Panama to develop and implement a guide on monitoring the violations of migrant rights and provide information on the migrant population at reception stations in Panama during the pandemic. For the first time, the Office of the Ombudsperson presented its special report on migration to the Congress of Panama, which also served as a key input in the case of *Velez Lloor v. Panama*.

OHCHR supported NHRIs and CSOs to participate in the regional review of the Global Compact for Safe, Orderly and Regular Migration, in April. The Office facilitated the discussions leading to the drafting of a preliminary report on the review of the implementation of the Global Compact, which was published in April.

Peace and Security

PS5 – The Regional Office has increased its capacity to gather, analyse and manage information relevant to early warning, advocacy and response to critical situations of violence and insecurity. As a result, it has significantly contributed to key regional and national processes and discussions. Relevant security institutions receive political and technical advice, enabling them to better protect the security of citizens in a manner that complies with international human rights standards.



OHCHR contributed to the integration of human rights information and analyses into early warning and analysis systems. It also influenced policymaking, strategies and operations to prevent, mitigate or respond to emerging crises, including humanitarian crises and conflicts.

In **Costa Rica**, the HRA contributed to the development of a UNCT prevention strategy on land access rights for indigenous leaders that was included in the CCA. The HRA coordinated the Prevention Group that drafted the CCA chapter on prevention. The prevention strategy was built around five key areas related to economic, political, social, environmental and security risks. Going forward, it will be implemented in coordination with the recently established ERT.

In **Nicaragua**, the Office's early warning activities drew international attention to the political repression that occurred in the context of the elections, including the detention of 39 HRDs, political opponents and journalists. In its report to the Human Rights Council and the oral updates it delivered in June, September and December, OHCHR warned that an increasing number of human rights violations were inhibiting the free exercise of civil and political rights during the electoral process. These reports provided relevant information to the international community, which took actions such as international sanctions and statements by Member States and international organizations that condemned the Government's actions and demanded the liberation of imprisoned social and political leaders.

As a result of its analysis and public statements, the Office became the leading early warning voice in the international community on the deteriorating human rights situation in Nicaragua. The Office submitted more than 23 daily internal reports in 2021, including legislative developments, announcements of international sanctions, arrests of political leaders, journalists and HRDs, to the UNOCC. The reports highlighted cases that demonstrated a deterioration of the human rights situation in the country, with particular emphasis on the electoral process. OHCHR's early warning work provided valuable inputs and proposed further action that should be taken by the UN system.

In **El Salvador**, the HRA provided technical support to the Office of the Human Rights Ombudsperson in preparation for an evaluation of the Office of Attention to Victims and its subsequent restructuring. It also reviewed and provided inputs during the drafting of the country's

UNSDCF, ensuring that the HRBA was integrated into each of its pillars, including peace and security.

Due to severe governmental reactions in **El Salvador** and **Nicaragua** to pandemic-related protests, the Office organized a forum with security and human rights experts to develop practical guidance for governments and authorities on responding to protests in accordance with international human rights standards. As a result, a new initiative was developed on aligning protest responses with international instruments and standards, which will be implemented in 2022.

An ERT was fully operational in November. With the establishment of the ERT, the Office began taking initial steps towards creating a tracking system in prioritized countries that can produce risk analysis and feed into the UN early warning system. The new response team will also strengthen the capacity of NHRIs to develop their own emergency response systems. To date, the ERT has created infographics and charts to illustrate the human rights situation in Nicaragua. Some of these charts were disseminated, in November, alongside a statement from the Office to raise international awareness about the human rights violations that took place during the elections in Nicaragua.

The HRA also prioritized human rights analysis in relation to **El Salvador** due to the increased risk of human rights violations resulting from the concentration of power in the executive branch. The HRA increased its monitoring and follow-up in the wake of unconstitutional events that took place in May, when the pro-Government majority in Parliament removed, without due process, the Attorney General and all of the magistrates of the Constitutional Chamber.

The HRA worked towards developing and operationalizing a monitoring system that can inform early warning actions. It is anticipated that a preliminary system will be in place in 2022.



Mechanisms

M1 – Structures to report to the international human rights mechanisms and follow up on their recommendations have been established or strengthened. They are equipped to manage information and consult and engage with these mechanisms and relevant national actors, including authorities and the public. National Preventive Mechanisms have been established and are effectively fulfilling their mandates. Countries have ratified some outstanding international human rights treaties.

16 | 17

OHCHR contributed to the establishment and functioning of mechanisms for integrated reporting and the implementation of outstanding recommendations issued by the human rights treaty bodies, the special procedures, the Human Rights Council and the UPR.

In **Belize**, the Government maintained its commitment to developing and submitting its reports to the human rights treaty bodies. Government officials sought clarification and assistance from the HRA in the preparation of the Government's State Party reports. State Party reports. To build national reporting capacities, the HRA provided thematic support, training and technical assistance. A webinar was held on the drafting and presentation of the Government's State Party report under the simplified reporting procedure.

A training for public officials and CSOs was delivered on CAT. Following the training, a technical working group was established to draft and submit the State Party report under the Convention. The Office also responded to a request from the Parliament to deliver a presentation on the requirements, procedures and obligations of reporting to the UPR and supported the Ministry of Foreign Affairs to lead the Government's response to the recommendations. Belize is working towards the creation of an NHRI, in compliance with the Paris Principles, with support from the HRA. Once approved by the Parliament, Belize will have fulfilled one of the key recommendations issued by the UPR and a number of the human rights treaty bodies.

In **Panama**, the Office supported the preparation of the Government's periodic report to CRPD. OHCHR organized two meetings and a webinar for members of the NMRF. The State requested OHCHR to provide inputs before its final submission.

In **El Salvador**, the HRA assisted officials at the Ministry of Foreign Affairs in analysing and systematizing UPR recommendations. The HRA organized three workshops to develop the workplan of the Ministry of Foreign Affairs Human Rights Directorate in order to follow up on recommendations issued by the UPR, the human rights treaty bodies and the Inter-American Commission on Human Rights. Moreover, the HRA helped the Human Rights Ombudsperson and CSOs to build their capacity to collect and record evidence-based information for their alternative reports.

The Office systematized recommendations issued in relation to migrant populations as a tool to help strengthen the capacity of States to respond in accordance with international human rights standards. The tool was provided to Belize, Costa Rica, the Dominican Republic, El Salvador, Nicaragua and Panama. It was also converted into a digital publication that covers all specific recommendations and observations issued by the international human rights mechanisms on human mobility in relation to these countries. This publication will serve as a key input to improve the engagement of governments and other stakeholders with the international human rights mechanisms and enhance follow-up to their recommendations.

COLOMBIA

Population size¹	Surface area¹	Human Development Index²	NHRI (if applicable)³
51.27 million	1,142,000 km ²	0.767 (rank: 83/189 in 2019)	"A" Status (2017)
Type of engagement	Country Office		
Year established	1997		
Field office(s)	Bogotá, with field presences in Arauca, Barranquilla, Cali, Cúcuta, Medellín, Neiva, Pasto and Villavicencio		
UN partnership framework	United Nations Sustainable Development Cooperation Framework 2020-2023		
Staff as of 31 December 2021	65		

XB income	US\$9,220,552	
XB requirements 2021	US\$12,326,000	
XB expenditure	US\$8,239,630	
Personnel	Non-personnel	PSC ⁴
69%	20%	11%
\$5,708,755	\$1,595,601	\$935,274

Key OMP pillars in 2021



^{1,2,3,4} Please refer to Data sources and notes on p.176 and p.179

PILLAR RESULTS:

Participation

P1 – Relevant regional, national and local institutions apply a human rights-based approach to public policies and programmes related to the implementation of the Peace Accords and emphasize participation and accountability.

16

OHCHR continued to support the enhanced compliance with international human rights standards of the policies of national and local institutions through technical assistance, guidance and monitoring of activities.

OHCHR observed during the national strike, which began on 28 April, that dialogue between authorities, protesters and other actors was the most effective practice to prevent, avoid or neutralize situations of violence, including in response to roadblocks. OHCHR participated in seven working groups to promote dialogue between protesters and local authorities, specifically in the district of Bogotá and the municipality of Cali. Furthermore, OHCHR worked with the NHRI, the National Protection Unit and the Attorney General's Office (AGO) to strengthen their capacities to prevent violations and protect HRDs.

On 10 December, the Ministry of the Interior presented the "Public policy on guarantees and respect for the work of human rights defenders and social leadership." Before its publication, the Office shared with the Ministry its observations and recommendations, some of which were taken into account, in particular those related to the incorporation of an HRBA.

OHCHR provided national authorities and social actors with ongoing assistance for the preparation of the National Action Plan on Human Rights. The Office shared its comments on the document and facilitated 10 meetings between the parties to promote dialogue, which contributed to the Government's document entitled "Government guidelines and actions to ensure respect for and guarantees of human rights in Colombia 2021-2022." According to the Office of the Presidential Adviser, the document has two objectives. The first objective is to provide the Government with a road map to ensure that human rights in Colombia are respected, protected and guaranteed and the second is to outline a proposal for the joint formulation of the National Action Plan on Human Rights.

P1 – Strengthened laws, policies and practices protect the right to participate and civic space, including online, and the environment for civil society is increasingly safe and enabling.

16

OHCHR continued to support national authorities in their efforts to comply with international human rights standards related to the protection of civic space.

The AGO continued to apply Directive No. 002, which establishes guidelines

for the investigation of crimes committed against HRDs and assigned special officials to cases of attacks against defenders. OHCHR exchanged information with the AGO in relation to specific cases and ensured the protection of witnesses who provided testimony. This contributed to promoting the investigation of crimes against HRDs and violations of other rights, such as those that occurred during national strikes. The establishment of a group of prosecutors that is responsible for investigating threats against HRDs was an important step in the fight against impunity. OHCHR is planning joint activities with this group of prosecutors in 2022 to further clarify these violations.

P6 – Victims, indigenous peoples and women participate more fully in decisions that concern them.



Through technical assistance and capacity-building, OHCHR advocated for the expansion of civic spaces for the meaningful participation of rights-holders, especially women, in various public processes.

In 2021, OHCHR delivered 21 workshops to 237 women from 118 organizations in Bogotá, Bolívar, Caquetá, Cesar, Huila, Magdalena and Nariño to increase their knowledge about their rights and how to claim them. More specifically, the workshops focused on international standards on gender-based violence in the context of the armed conflict, the right to health, women's right to participation, self-care and self-protection for WHRDs, international standards for the protection of indigenous WHRDs and international mechanisms to defend women's human rights. As a result of these activities, for

example, a Bogotá-based organization of internally displaced survivors of CRSV was able to draft and present a report to the Special Jurisdiction for Peace (JEP) describing these violations.

In addition, women who participated in the municipal roundtables of Tumaco, Barbacoas and Bajo Mira y Frontera (Nariño) improved their access to justice through the presentation of a report by the JEP on the differentiated impact of the armed conflict on women's rights, including as a result of SGBV. In addition, OHCHR provided technical assistance regarding the identification, documentation and systematization of cases of CRSV.

Development

D2 – The National Action Plan on Business and Human Rights (PNA) is fully implemented. The institutions responsible for economic and investment policies and for departments, districts and municipalities, including indigenous territories, are more fully engaged.

1 2 3 5 8 9 13 16 17

OHCHR contributed to improving the compliance of State institutions and programmes with the UNGPs and other international human rights standards.

During the year, the Presidential Council on Human Rights promoted the implementation of the second PNA on business and human rights, which was approved in December 2020. The Presidential Council requested OHCHR's support with the implementation of the PNA in 2021, in particular regarding training on the international normative framework on business and human rights. Due to the national strike, the timeline was

delayed and the agreed activities will be carried out in 2022. The PNA's baseline on business and human rights, which was developed by OHCHR and two universities (Universidad Javeriana and Universidad del Rosario), will feed into the development of the third PNA. It is anticipated that this will begin in 2022.

With regard to human rights due diligence, OHCHR provided technical assistance to the Ministry of Mines and Energy in the development of a strategy that aims to protect social leaders in the areas of influence of mining and energy projects. The strategy, including some comments from OHCHR, was approved and is being piloted by the Ministry in two communities in Magdalena Medio.

D2 – Business actors effectively implement the UNGPs.

1 2 3 5 8 9 13 16 17

The Office provided technical assistance regarding international standards on business and human rights to all parties in the context of consultation and mediation processes.

During the 2021 national strike, peasant communities affiliated with the Ríos Vivos community organization blocked the entrance of the tunnel to the Ituango Dam engine room, in Antioquia Department. The Commander of the National Army and the departmental police asked the Office to intervene. OHCHR initiated mediation talks between the Mayor's Office of Medellín, Empresas Públicas de Medellín (EMP) and the Ríos Vivos community organization. During nine meetings, the community presented its petitions, most of which were addressed by EMP in the course of the negotiations.

D4 – The policies and programmes of the comprehensive health assistance system (MIAS) and the comprehensive indigenous intercultural health system (SISPI) increasingly comply with international human rights standards.

3 5

OHCHR continued to support the Government's efforts to increase the compliance of policies on sexual and reproductive health and rights (SRHR) with international human rights standards, including through technical advice and advocacy.

OHCHR participated in eight meetings of the sub-Cluster on maternal health, sexual and reproductive health and gender-based violence to discuss strategies with the Ministry of Health that were implemented to tackle sexual and reproductive health care. The Office prepared a document on SRHR in Colombia and the impacts of the pandemic and measures that restricted access to the enjoyment of these rights. This document will serve as a tool for engaging with the Ministry in 2022.



Peace and Security

PS1 – All actors involved in peace operations increasingly recognize and comply with international human rights standards and international humanitarian law and enhance the protection of civilians.

5 16



By documenting and analysing human rights violations, the Office was able to identify the structural factors that are driving violence and provide technical assistance to relevant national institutions that are tackling these violations.

In 2021, OHCHR documented 78 massacres, a number that is similar to 2020. In most cases, the alleged perpetrators were non-State armed groups or criminal groups fighting for the control of illicit economies.

The Office provided technical assistance to the National Security Guarantees Commission (CNGS) on the draft design of a policy and action plan to dismantle the criminal organizations that are responsible for massacres and the murder of HRDs, social leaders and persons participating in the implementation of the Peace Agreement. The Office accompanied the CNGS to 11 technical roundtable sessions, including those carried out in the regions, and advocated for the equal participation of women and men and the inclusion of gender, ethnic and age-related approaches in the discussions. The policy has yet to be approved.

PS4 – Transitional justice mechanisms increase accountability for conflict-related violations of international human rights law and international humanitarian law.

16

OHCHR contributed to strengthening the capacity of transitional justice mechanisms to incorporate international standards on the participation of victims into their rules of procedures.

The Constitutional Court extended the mandate of the Commission for the Clarification of Truth, Coexistence and Non-recurrence (CEV) for an additional nine months, which includes two months for the dissemination of its final report to be published in June 2022. OHCHR contributed to strengthening the capacities of the CEV to enable it to incorporate

international standards into its final recommendations, including in relation to security, justice, extrajudicial executions, education and culture, State presence, corruption, victims and land. The Office also increased the understanding of regional and national officials of the CEV about human rights violations, with a territorial perspective, by facilitating 35 technical assistance sessions on international norms and standards. In addition, OHCHR provided technical assistance to the CEV to facilitate the organization of regional truth-seeking dialogues and consultations with communities and victims. The CEV held 13 such events in 2021.

The Unit for the Search of Disappeared Persons (UBPD) received 19,608 search requests and determined that the total number of victims who have been disappeared is 99,235. The Unit recovered 337 bodies and five people were found alive. In a noteworthy accomplishment, the second phase of the National Search Plan was developed and 20 regional search plans were implemented. OHCHR helped to strengthen the UBPD's coordination strategy with regional institutions in order to contribute to the search for disappeared persons. The Office also provided technical and methodological assistance to the UBPD and sponsored the realization of two regional pacts, in which 1,000 people participated, including relatives of victims and State officials. It also monitored the impact of two of the regional plans (Antioquia and Buenaventura).

Finally, in January, the Government sanctioned the legislation that extends the duration of the Victims' Law (Law No. 1448 of 2011), thereby guaranteeing the reparation and land restitution processes for the next 10 years. The Office contributed to its extension, including through its participation in a public hearing at the

Constitutional Court, in 2019, in which it reiterated the international norms and standards on victims' rights. The Court subsequently determined that the law should be extended.



Accountability

A1 – The Government adopts or strengthens policies that prevent human rights violations from occurring in the context of the justice system. For instance, it limits military criminal jurisdiction in cases of gross human rights violations, limits the selection and accumulation of cases by the AGO and orients prosecutorial policy to strengthen the operations of the JEP.

16



Through technical assistance, OHCHR aimed to support the increased compliance of selected policies with international human rights norms and standards.

OHCHR provided technical guidance to a magistrate of the JEP through a document that addresses the participation of ethnic peoples in the territorial macro-cases of northern Cauca and the Pacific coast of Nariño and outlines how to incorporate an ethnic approach into protection measures for victims and their communities. OHCHR also provided technical cooperation to the JEP's Section of Acknowledgment of Truth on the incorporation of standards on the prosecution of international crimes in macro-case 003, on extrajudicial executions, thereby contributing to the first decisions made, in line with international standards, in relation to the determination of facts and conduct in such cases.

A2 – The Government strengthens the mechanisms for collective reparation and land restitution.

10 16

With OHCHR's support, accountability and protection mechanisms functioned in conformity with international human rights standards.

In 2021, the Office worked on four priority cases with the Land Restitution Unit, namely, the case of the Hitnü in Arauca, the Jiw and the Nukak in Guaviare and the Barí in Norte de Santander. OHCHR supported indigenous authorities in the preparation of two petitions related to the Hitnü case that were presented to the Land Restitution Unit and the National Land Agency. The petitions requested an update on the processes being carried out and the implementation of precautionary measures that were ordered by a land restitution judge in Norte de Santander. The National Land Agency responded positively to this request and solicited support from OHCHR to hold four meetings with the authorities of the Hitnü people. The Office made further progress on the delimitation of the territory, including the indigenous reservation that is being expanded by the Hitnü people and the installation of fences and boundary stones as requested by the Land Restitution Unit.

With regard to the Barí case, OHCHR participated in the only territorial roundtable session that was held in 2021 between Barí indigenous representatives, the National Land Agency and National Natural Parks of Colombia. The National Land Agency shared the progress made in the production of the socio-economic, legal and land ownership study, yet to be finalized, and the Office monitored compliance with the commitments undertaken.

GUATEMALA

Population size¹	Surface area¹	Human Development Index²	NHRI (if applicable)³
18.25 million	109,000 km ²	0.663 (rank: 127/189 in 2019)	"A" Status (2018)
Type of engagement	Country Office		
Year established	2005		
Field office(s)	Guatemala City		
UN partnership framework	United Nations Sustainable Development Cooperation Framework 2020-2024		
Staff as of 31 December 2021	33		

XB income	US\$4,483,875		
XB requirements 2021	US\$6,542,000		
XB expenditure	US\$4,036,113		
Personnel	Non-personnel	PSC ⁴	
74%	15%	11%	
\$2,978,195	\$626,051	\$431,867	

Key OMP pillars in 2021



^{1 2 3 4} Please refer to Data sources and notes on p.176 and p.179

PILLAR RESULTS:

Non-discrimination

ND1 – Indigenous peoples, women and others who are subject to discrimination make use of strategic litigation to demand their rights and hold individuals and institutions to account for human rights violations.

5 10 16 

OHCHR provided methodological and legal support to enhance the knowledge of CSOs and human rights defenders working on the rights of indigenous peoples, thereby increasing the use of national protection systems in compliance with international human rights standards.

OHCHR collaborated with the University of San Carlos' Western University Centre and the Izabal University Centre to deliver a training programme on strategic litigation related to the rights of indigenous peoples. The programme incorporated a gender-based approach and was attended by 125 people (73 women, 52 men), including indigenous leaders, lawyers, students and teachers. All participants completed 140 hours of online classes and 21 students completed 500 hours of internships. They have continued to provide support to rights-holders in defining strategic litigation road maps regarding their respective cases. As a result of the

training programme, a judicial process related to the denial by the authorities to use development funds at the community level was raised by students and the University's Law Faculty and the District Court decided in favour of an indigenous community against the municipality of Momostenango in Totonicapán. This was the first time that a public university presented a case through the Court supporting the collective rights of indigenous peoples.

In addition, OHCHR provided technical assistance to seven national counterparts that received favourable judgments in their cases before the Constitutional Court. More specifically, the Office supported the development of road maps, timelines and tools for the implementation of the rulings. Further, OHCHR supported the definition of the territorial governance and revised community regulations for the management of communal lands with San José Poaquil Ancestral Authorities; the validation and dissemination of a tool to carry out a community cadastre of the Maya indigenous community of Sierra Santa Cruz; and the development of protection protocols for social communicators facing stigmatization.

Indigenous women leaders developed a draft bill on intellectual property and the rights of indigenous peoples to culture and self-determination. OHCHR engaged the World Intellectual Property Organization (WIPO) and an international expert to review, revise and provide commentary on the bill, with reference to international human rights standards. In May, OHCHR and WIPO organized an online regional seminar to enable the exchange of experiences on the drafting and practical application of collective intellectual property laws for the protection of traditional knowledge and cultural expressions of

indigenous peoples. This seminar aimed to provide the Guatemala National Weavers Movement with relevant inputs in the preparation of a final version of the draft bill to protect indigenous intellectual property rights.

ND6 – Institutions that implement migration policies adopt a human rights-based approach. CSOs, State institutions, UN agencies and other relevant actors cooperate to monitor, ensure and enforce respect for the human rights of migrants.



OHCHR contributed to strengthening oversight, accountability and protection mechanisms to identify, address and defend the human rights of migrants.

The UN Humanitarian Inter-Cluster Coordination Group addressed the situation of the January 2021 migrant caravan and OHCHR, as a member of the Protection Cluster, advocated for the incorporation of an HRBA into the humanitarian response. The Office also finalized a regional monitoring strategy, being implemented by four OHCHR field presences in Central America, regarding the human rights situation of people on the move which includes, among other activities, the provision of technical assistance to the Guatemalan Migration Institute.

ND7 – The general public speaks out on critical human rights issues, reports abuses, demands necessary changes and participates in decision-making processes.



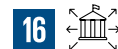
Selected national actors developed the capacity, with OHCHR's support, to improve the narrative on human rights issues.

As a follow-up to the capacity-building process carried out by the Office in 2020, 12 new workshops were held for communications officers working for indigenous organizations (15 women, 11 men). The workshops focused on international human rights law, the design of communications campaigns, international human rights protection mechanisms, the preparation of press releases and access to information. As a result of these activities, participants produced more strategic and focused communications, campaigns and press releases.

In addition, the Office provided technical assistance to organizations of indigenous peoples to enable them to update their communications strategies and effectively implement specific communications campaigns highlighting indigenous rights, particularly regarding the implementation of judicial sentences regarding the rights of indigenous peoples.

Participation

P2 – Institutional mechanisms to protect HRDs are robust, comply with international standards and are appropriately sensitive to gender and culture.



OHCHR contributed to strengthening the compliance of oversight, accountability and protection mechanisms with international human rights standards, including those aimed at protecting HRDs and journalists.

The Office documented 103 new cases of attacks against HRDs and continued to follow up on and advocate for protection measures with relevant authorities in relation to 100 cases (73 from 2019-2020 and 27 from 2021). The Office also documented 33 new cases of attacks against journalists and violations of the right to freedom of expression, representing a significant increase over previous years. The Office further reported an increase in online attacks and threats directed against HRDs during the pandemic.

In January, OHCHR launched an online educational platform (www.participa-promueveprotege.org), which seeks to strengthen the knowledge of State institutions and civil society actors on the promotion and protection of human rights. This platform has enabled OHCHR to facilitate six training workshops in 2021. The Office also facilitated a six-week workshop on the Declaration on Human Rights Defenders for 20 officials (14 women, six men) from the Attorney General's Office (AGO), the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Energy and Mining, the National Civilian Police, the General Procurator's Office and the judiciary. Through two virtual sessions, the Office strengthened the knowledge

of 16 staff (nine women, seven men) of the Presidential Commission on Human Rights (COPADEH) on the Declaration on Human Rights Defenders and the right to defend human rights. At the regional level, OHCHR and the IACHR worked closely to strengthen the capacities of 25 people (12 women, 13 men) from CSOs and State institutions from El Salvador, Guatemala, Honduras and Nicaragua on the protection of HRDs.

P6 – Rights-holders, especially women, youth, indigenous peoples and other underrepresented groups, defend human rights and make their voices heard.



Through training and awareness-raising activities, OHCHR built the capacity of young people to support their meaningful participation in public processes.

In March, OHCHR and DEMOS co-produced and published communications products concerning human rights, with a focus on young people and the right to defend human rights. Six posters were created to promote human rights for young people, in five Maya languages and Spanish, and two videos were produced on the Declaration on Human Rights Defenders.

The Office provided guidance to the Young HRDs Network for the development of their annual workplan and extended technical assistance to five organizations from the Network through a workshop for 75 members (57 women and 18 men) on the implementation of a HRBA. In addition, the Office connected with the Network of Young Communicators of Polochic and invited them to participate in the Young HRDs Network. Some of them joined the Network.

In May, the Office enhanced the knowledge of 62 young people (46 women, 16 men) at a virtual forum on the Escazú Agreement, with an emphasis on the environment, access to information and the defence of human rights. A total of 10 visual materials portraying key messages from the forum were created by young artists and distributed among youth organizations supporting the Escazú Agreement.

Accountability

A1 – The AGO, the Public Defence Institute, the judiciary, the Constitutional Court, the Congress and State institutions increasingly integrate human rights standards into their policies and decisions. National and international CSOs, Congress and other actors advocate for the abolition of the death penalty and the ratification of ICCPR-OP2.



OHCHR contributed to improving the compliance of State institutions with international human rights norms and standards.

With technical assistance from OHCHR, the Constitutional Court published a compilation of judgments on the rights of indigenous peoples; a pedagogical mediation of four rulings on the rights of indigenous peoples; and a child-friendly version of the Constitution in the indigenous Xinka language. These publications were launched through hybrid events with in-person attendance of 47 people (25 women, 22 men) including magistrates from the Constitutional Court, the Ministers of Health and Education, representatives of the NHRI, members of the diplomatic community, indigenous authorities and Maya women's organizations.

Furthermore, the Office developed the capacity of prosecutors (14 women, 16 men) on international human rights standards and mechanisms and on transitional justice and 50 judges, prosecutors and members of the Institute of Criminal Public Defence (25 women, 25 men) were trained on the international mechanisms for the protection of the human rights of indigenous peoples.

Development

D3 – State institutions more consistently incorporate international human rights standards into their interventions and policies on land, housing, poverty and related rights.



OHCHR contributed to improving the incorporation of international human rights standards into the policies and practices of State institutions on land, housing and work.

The Ministry of Energy and Mines coordinated with authorities of the Xinka People's Parliament to develop the pre-consultation process related to the extractive activities of the San Rafael Mine, in accordance with the September 2018 judgment of the Constitutional Court. The Ministry of Culture and Sports, the Ministry of Environment and Natural Resources, the Presidential Commission for Dialogue, the University of San Carlos, the NHRI and community and municipal authorities are participating in the process. OHCHR is closely monitoring the consultations and is in regular contact with the parties. The Office strengthened the knowledge of 24 stakeholders (14 women, 10 men) on free and informed consultation to enable them to meaningfully participate in the process.

In addition, OHCHR concluded the consultation process in selected municipalities (Santa Apolonia, Santa Cruz La Laguna, Santa Maria Chiquimula, Santa Lucia la Reforma, San Gaspar Ixchil and San Bartolomé Jocotenango) on the Social Registry of Households (SRH), during which rights-holders presented their recommendations. This information was sent to the Ministry of Social Development and will be incorporated into the SRH. The Office also strengthened the capacities of 34 ministry officials (10 women, 24 men) to incorporate a gender approach into the SRH.

D3 – Rights-holders, especially rural dwellers, women, indigenous peoples, persons with disabilities and groups affected by discrimination, actively participate in preparing laws, policies and strategies related to food, housing and land.



OHCHR contributed to improving the capacity of rights-holders to meaningfully participate in selected public processes.

The Office conducted three focus groups with 36 Mayan people (22 women, 14 men) from the towns of Q'anjob'al, Kaqchikel and Ixil, where information was collected on various good practices employed by indigenous peoples to address the COVID-19 pandemic, including traditional medicine, health measures and management of water and food supplies. The information was incorporated into a final document and video, which will be disseminated to various stakeholders in the country. Moreover, OHCHR field presences in Latin America and the Caribbean held a virtual forum, in March, on the needs and contributions of indigenous peoples in the region during the

pandemic. The inputs gathered were used to produce a final document and a video.

OHCHR prepared a toolbox with printed and digital information materials with the aim of disseminating the international standards on ESCRs in a pedagogical manner. The toolbox includes six brochures on the rights to food, water, social protection, decent work, the rights of persons with disabilities and business and human rights. The toolbox will be used to raise awareness and strengthen knowledge among State entities, CSOs, HRDs, academic institutions, the business sector and research centres, among other stakeholders.



Peace and Security

PS3 – The policies and practices of State institutions that are responsible for the security of citizens increasingly comply with international human rights standards and pay special attention to the rights of indigenous peoples, women, children, migrants and others who are subject to discrimination, including CSOs.



OHCHR increased the capacity of State institutions to comply with international human rights standards by providing technical assistance and documenting human rights concerns.

The Office monitored, documented and followed up on 33 cases of human rights violations committed by public security forces, including reported cases of excessive use of force, extrajudicial executions and torture. In January, the Office participated in a technical roundtable, convened by the National Civilian Police, to begin work on updating the protocols for police action during demonstrations and ensuring their alignment with international standards. During the year, OHCHR monitored 105 demonstrations (seven in situ, 98 remotely). During the monitored in situ demonstrations, the Office provided technical assistance to the National Civilian Police regarding the implementation of the protocols.

HAITI: UNITED NATIONS INTEGRATED OFFICE IN HAITI (BINUH)

Population size¹	Surface area¹	Human Development Index²	NHRI (if applicable)³
11.54 million	28,000 km ²	0.510 (rank: 170/189 in 2019)	"A" Status (2013)
Type of engagement	Special Political Mission		
Year established	2004 as MINUSTAH; as MINUJUSTH since 2017; BINUH since July 2019		
Field office(s)	Port-au-Prince		
UN partnership framework	United Nations Development Assistance Framework 2016-2021		
Staff as of 31 December 2021	6		

XB requirements 2021 **US\$1,136,000**

Key OMP pillars in 2021



^{1,2,3} Please refer to Data sources and notes on p.176

PILLAR RESULTS:

Accountability

A1 – The Inspectorate General for Police and the Conseil Supérieur du Pouvoir Judiciaire (CSPJ) functions effectively and consistently investigates and prosecutes serious violations.

16

OHCHR supported the Haitian National Police (IGPNH) to improve the compliance with international human rights standards of its investigation procedures and prosecution of human rights violations.

BINUH's Human Rights Service (HRS) held regular meetings with the IGPNH and shared information on cases of human rights violations attributed to members of the police. From January to November, the HRS reported 189 cases

to the IGPNH, 53 of which were investigated. The IGPNH recommended 34 cases for disciplinary measures and forwarded seven cases to the judiciary. The justice system failed to investigate these cases due to institutional dysfunction and insecurity caused by criminal violence in a number of jurisdictions.

In Haitian prisons, approximately 82 per cent of the prison population is composed of pretrial detainees and the occupancy rate is 343 per cent of its capacity. The HRS conducted 12 visits to detention facilities across the country, including a prison for women and girls and a detention centre for boys. In the course of these visits, the HRS conducted 229 individual interviews. This led to the publication, in June, of a report on detention conditions in Haiti, which notes the widespread

prevalence of illegal and arbitrary arrests and detention and situations of extreme overcrowding, resulting in serious human rights violations. Following the release of the report, the HRS assisted the Ministry of Justice to develop a strategic plan to reduce illegal and arbitrary detention in Haitian prisons. The HRS is part of a steering committee that was established to implement the strategic plan.

**Participation**

P1 – The Office de la Protection du Citoyen (OPC) retains its legal standing and receives the necessary resources to operate independently in all departments.

16

OHCHR contributed to the effective functioning of the OPC, in conformity with international standards, by providing technical assistance and training.

The HRS continued to monitor the human rights situation in Haiti, either directly or through the OPC and other civil society partners. To enhance its reach, and in response to prevailing insecurity, the HRS reinforced its remote monitoring approach and established seven networks among HRDs, journalists and police officers. The objective of the networks is to facilitate the collection and verification of information, particularly in hard-to-reach areas under gang control.

Regarding civic space, the HRS worked with journalists, civil society associations and UNESCO to advocate for the safety of journalists and promote freedom of expression and the independence of the press in Haiti. From September to December, the HRS collaborated with Combite pour la Paix et le Développement and the Haitian online Media Association

to co-organize four training sessions for 80 online journalists. The trainings focused on monitoring and documenting human rights violations, including violations of the right to freedom of expression, and liaising with the special procedures and human rights treaty bodies on cases related to the protection of journalists. Furthermore, in November, the HRS and UNESCO launched an awareness-raising campaign aimed at sensitizing national stakeholders, in particular the Haitian National Police, State authorities, press associations, HRDs, students and researchers, on prevailing impunity for crimes against journalists.



Non-discrimination

ND1 – Laws criminalize sexual and gender-based violence. No laws are discriminatory with respect to LGBTI persons. Incidents of SGBV and acts of violence against LGBTI persons are investigated and prosecuted. Women’s groups and associations that represent LGBTI persons and children are entitled to advocate on behalf of those they represent.

5 10 16

Through advocacy and technical cooperation, OHCHR sought to support the increased compliance of legislation and policy, as well as UN programmes, with international human rights norms and standards, in particular to uphold the rights of the most vulnerable.

In cooperation with the RCO, UNFPA, IOM and the Union of Women with Reduced Mobility of Haiti, the HRS organized a workshop to assess the implementation of the recommendations issued by CRPD in relation to Haiti in 2018. The workshop, which was held on 3 December, brought together associations

of persons with disabilities and State representatives and provided an opportunity for the development of an action plan to follow up on these recommendations and uphold the civil and political rights of persons with disabilities and their right to education.

As co-leads of the Protection Sector, the HRS and the OPC ensured that protection was upheld in the humanitarian response to the earthquake that hit the country, in August. Particular emphasis was placed on the human rights of the most vulnerable categories of the population, including women and girls, IDPs, persons living in remote areas, persons with disabilities and older persons. Following this coordination effort, victims received a wide range of assistance, such as psychosocial, medical and housing support, through programmes that were implemented by the Protection Sub-Sectors (Migrants and Internally Displaced Persons, Child Protection and Gender-Based Violence).

Furthermore, the HRS supported UNCT members to integrate a human rights-based approach (HRBA) and the Leave No One Behind (LNOB) principle into their work and programming. The HRS delivered three online training sessions for UNCT members and representatives of the Government and civil society. The objective of the training was to equip participants with the necessary tools to prepare targeted contributions for the draft UNSDCF for the period 2023-2027.

ND6 – Steps have been taken to ensure that the rights of Haitian migrants are protected, in particular during deportation cases and when persons of Haitian descent become stateless in the Dominican Republic.

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13 16 

OHCHR contributed to efforts of relevant actors to monitor and follow up on cases of violations of the human rights of migrants.

Together with IOM and CSOs, the HRS monitored and reported on the human rights situation of migrants and returnees at the Port-au-Prince airport and the border with the Dominican Republic. In November, in response to the mass expulsions of hundreds of vulnerable women, including those who were pregnant and nursing, from the Dominican Republic, the HRS conducted an emergency field mission to monitor the protection situation of expelled individuals and to assemble human rights organizations at the border. Furthermore, in December, the HRS participated in a hearing by the Inter-American Commission on Human Rights regarding the human rights situation of Haitian returnees. The HRS advised the Service Jesuite aux Migrants on requesting the hearing and preparing their statement. The HRS also supported the OPC in its advocacy efforts with the Ministry of Foreign Affairs in order to ensure respect for the rights of returnees and migrants.

Mechanisms

M1 – The Inter-ministerial Committee meets regularly and based on a national action plan, takes action to implement recommendations issued by the international human rights mechanisms.

16 17

OHCHR provided support to NMRF on the implementation of outstanding recommendations issued by the human rights treaty bodies, the special procedures, the Human Rights Council and the UPR.

The HRS provided technical support to the Office of the Prime Minister and the Inter-ministerial Committee on Human Rights (CIDP) to prepare and submit the national report for Haiti's third UPR cycle, which is scheduled to take place in 2022. As part of this process, the HRS provided technical and financial assistance to the CIDP to organize a consultation workshop to seek feedback from civil society actors on the implementation of recommendations accepted by Haiti during its first and second UPR cycles. The consultation resulted in the establishment of a connection between the CIDP and CSOs and a meaningful discussion on human rights challenges facing the country.

HONDURAS

Population size¹	10.06 million	Surface area¹	112,000 km ²	Human Development Index²	0.634 (rank: 132/189 in 2020)	NHRI (if applicable)³	"B" Status (2016)
Type of engagement	Country Office						
Year established	2015						
Field office(s)	Tegucigalpa						
UN partnership framework	United Nations Development Assistance Framework 2017–2021						
Staff as of 31 December 2021	18						

XB income **US\$3,444,992**

XB requirements 2021 **US\$6,271,000**

XB expenditure **US\$3,760,742**

Personnel	Non-personnel	PSC ⁴
68%	21%	11%
\$2,560,278	\$787,362	\$413,102

Key OMP pillars in 2021



^{1,2,3,4} Please refer to Data sources and notes on p.176 and p.179

PILLAR RESULTS:

Accountability

A1 – Laws, policies and practices on security, including the participation of military forces in citizen security tasks, comply more fully with international human rights standards.

16 

OHCHR continued to advocate for the increased compliance with international human rights standards of legislation and policy on security.

In the context of the general elections that were held in Honduras, in November, OHCHR implemented a strategy that

contributed to achieving an overall peaceful and participatory election. This was due in part to the deployment of teams, in cooperation with over 40 NGOs, security forces and the NHRI, to monitor the human rights situation on the ground and identify trends that informed early warning and advocacy actions. In addition, the Office provided technical assistance to electoral institutions and the Attorney General's Office (AGO). This resulted in the nationwide deployment of more than 400 prosecutors to prevent and prosecute electoral crimes, including the use of excessive force by security agents. Furthermore, OHCHR developed several

tools to monitor human rights violations during the elections, which enabled OHCHR to carry out a comprehensive evaluation of the security sector and yielded analytical information that was used by other stakeholders.

As part of its efforts to encourage the compliance of the penitentiary system with international human rights standards, OHCHR provided technical cooperation to the NPM, CONAPREV. As a result, CONAPREV increased its capacity to respond to complaints of torture, ill-treatment and other human rights violations in an effective and more proactive manner. OHCHR also opened channels of communication with military authorities and the Security and Defence Secretariat, paving the way for future work on the progressive demilitarization of citizen security tasks and detention centres and the design and implementation of a public policy on security.

A2 – The Supreme Court and the AGO strengthen their technical and institutional capacity to prosecute human rights violations promptly, impartially and effectively.



OHCHR continued to work with authorities to ensure that oversight, accountability and protection mechanisms were in place and functioning, in conformity with international human rights standards.

In May, the Office signed a Memorandum of Understanding (MoU) with the AGO to facilitate the provision of technical support. This led to close technical collaboration and the AGO's development and implementation of strengthened prosecution strategies in relation to prioritized

cases, including through the incorporation of relevant international human rights standards. Moreover, technical assistance and tools provided to CSOs on access to justice increased their capacity to bring claims before national courts and international human rights mechanisms, in particular on cases involving women, HRDs, LGBTI persons, persons with disabilities, environmental justice and indigenous peoples and Afro-Honduran peoples.

In the case of the 2016 murder of environmental activist and human rights defender, Berta Cáceres, OHCHR engaged with the AGO, the judiciary, victims, the UNCT and the special procedures to advocate for an access to justice strategy and the implementation of relevant international human rights standards. The Office presented legal opinions and promoted the participation of victims in the trial of David Castillo, the person who was responsible for the Agua Zarca hydroelectric project and convicted as a co-author of the murder of Berta Cáceres. This judgment was an important step towards achieving truth, justice and reparation.

A2 – As part of its strategic working plan, the Supreme Court adopts and implements strategies that improve the access to justice of marginalized groups, including migrants, women victims of violence, indigenous peoples, members of the LGBTBI community and persons living with disabilities.



OHCHR continued to provide technical assistance and tools to duty-bearers, rights-holders and CSOs working with marginalized groups to improve their access to justice.

OHCHR provided technical assistance to the AGO in the case of the extrajudicial execution of Keyla Martinez, which occurred while she was being detained at a police station. OHCHR engaged with prosecutors and investigators on the procedures, protocols and international obligations related to the investigation of extrajudicial executions and violent deaths of women to ensure the integration of a gender perspective. This engagement resulted in the AGO's indictment of a police officer for aggravated femicide, representing the first such case in the country. In its public statement announcing the indictment, the AGO recognized OHCHR's assistance in incorporating the Latin-American Model Protocol for the Investigation of Gender-Related Killings of Women into its investigative procedures. OHCHR simultaneously carried out a review of its current guidelines for the investigation of femicide cases, which will inform technical assistance that will be provided in 2022 and ensure its alignment with international standards.



Participation

P2 – Legal frameworks, public policies and institutions and the NPM increasingly apply international standards and practices that protect HRDs, including from intimidation and attack.



Through advocacy and technical assistance, OHCHR supported the functioning of protection mechanisms in conformity with international human rights standards.

The Office participated in sessions of the NPM that undertook decisions regarding protection measures for HRDs. OHCHR reviewed a number of cases to ensure that

each step of the process, from the submission of a protection request to the risk analysis and subsequent establishment of measures, was compliant with international standards. These initiatives contributed to the strengthening of capacities of public institutions to adequately protect HRDs and served to significantly increase trust between OHCHR and the NPM. This openness enabled OHCHR to analyse its functioning, including through several meetings with CSOs, members of the NPM and other institutions. As a result of this process, OHCHR will present a comprehensive report to the new government in 2022. The content to the report will be used to develop a strategic plan for the institutional strengthening of the NPM.

P5 – By 2021, relevant authorities are taking effective action to investigate and sanction attacks or reprisals against HRDs in cases raised by OHCHR.



Through its monitoring and reporting work, OHCHR brought cases of human rights violations to the attention of relevant authorities. The Office advocated for them to be positively addressed.

The Office implemented a monitoring and documentation protocol to register and analyse attacks and grave violations against HRDs, journalists and demonstrators. OHCHR used the new system to register 362 victims of attacks during 2021, including 10 violent deaths. It also intervened in many of these cases and facilitated contact between victims or their families and the NHRI or the NPM and provided NGOs with support in bringing cases to the attention of the international human rights mechanisms.

One example of the comprehensive support that OHCHR provided to HRDs was evident in the emblematic “Nueva Esperanza” case, wherein two indigenous HRDs were accused of forced displacement and sent to pretrial detention. The Office conducted two visits to the prison and three to their community, observed five trial hearings, developed a legal analysis of the case, facilitated the indigenous community’s engagement with the special procedures, shared a legal brief with relevant Courts and publicly expressed its concern about the use of the penal disposition on forced displacement to criminalize the defence of human rights. In addition, an allegation letter was sent to the Court by a number of special procedures mandate holders, including the Special Rapporteurs on the human rights of internally displaced persons, on extrajudicial, summary or arbitrary executions, on the rights of indigenous peoples and on the situation of human rights defenders. The HRDs were finally released after more than 300 days in pretrial detention.

P6 – Rights-holders, especially women, indigenous peoples and underrepresented groups, participate in selected public processes at the local and national level.

Rights-holders have the knowledge and skills to meaningfully participate in selected public processes.

The Office created three permanent joint working groups with CSOs. The first relates to the protection of the right to defend human rights, the second is dedicated to the protection of freedom of expression and the third focuses on the protection of the freedoms of peaceful assembly and association. These working groups, which collectively include 50 organizations, met periodically during the

year to exchange issues of concern and facilitate the development of a joint strategy with concrete actions and activities.

The working groups also provided the Office with the ability to coordinate activities with civil society actors on a wide variety of issues. For example, in October, Congress approved reforms that restricted a number of rights. In response, OHCHR assisted 23 CSOs in communicating their concerns in a joint letter to special procedures mandate holders and the Inter-American Commission on Human Rights. It also provided CSOs with technical assistance in documenting cases of human rights violations, nine of which were the subject of subsequent communications sent by the special procedures to the Government. The Office also facilitated a meeting of more than 30 organizations to discuss early warning measures for human rights violations committed during the electoral process.

Throughout the year, the Office conducted several activities to increase awareness about the role of HRDs in Honduras. As part of ongoing efforts of civil society representatives to ensure that the NPM maintains a preventive approach in its work, the NPM and civil society representatives cooperated to facilitate the simultaneous broadcast of a message on 27 November, across all TV and radio stations in Honduras, calling for the protection of HRDs and respect for the right to freedom of peaceful assembly. The message also reminded all authorities of their obligations as established by the Declaration on Human Rights Defenders. This initiative, supported by OHCHR, was the first of its kind and represents a major event in Honduras regarding the protection of HRDs.



Development

D3 – Rights-holders enjoy improved protection of their rights with regard to land, territory and natural resources.



OHCHR advocated for the improved compliance of relevant legislation and policy with international human rights norms and standards.

OHCHR set up strategic actions to improve the respect, protection and guarantee of lands, territories and natural resources of rights-holders. The Office implemented a coordinated strategy with relevant stakeholders to monitor specific cases of discrimination against indigenous peoples, people of African descent and members of the Campesino communities, negatively impacting on the enjoyment of their economic, social and cultural rights. OHCHR closely monitored situations of social unrest that were caused by forced evictions, a lack of consultation concerning large-scale development projects and the dispossession of ancestral lands. Documented information was crucial to ascertaining patterns of discrimination and developing advocacy plans to promote and protect the rights of these communities.

OHCHR promoted the integration of standards related to the human rights of indigenous peoples into legislation, policies and the State's response to COVID-19 and humanitarian emergencies. For example, OHCHR shared its concerns regarding the human rights of the Tolupán indigenous community and suggested proactive measures to better respect, protect and fulfil their rights. The Office continues to advocate for the adoption and implementation of the revised legislation.

Five awareness-raising and capacity-building activities were held for indigenous and Afro-Honduran peoples, CSOs and other key actors regarding international human rights obligations and standards on free, prior and informed consultations. As a result, indigenous and Afro-Honduran peoples enhanced their knowledge about how to claim their rights and, in particular, the Lenca indigenous community is working on preparing a protocol for informed consultations.

MEXICO

Population size¹	Surface area¹	Human Development Index²	NHRI (if applicable)³
130.26 million	1,964,000 km ²	0.779 (rank: 74/188 in 2019)	"A" Status (2021)
Type of engagement	Country Office		
Year established	2002		
Field office(s)	Mexico City		
UN partnership framework	United Nations Sustainable Development Cooperation Framework 2020-2025		
Staff as of 31 December 2021	28		

XB income	US\$2,238,898		
XB requirements 2021	US\$3,504,000		
XB expenditure	US\$2,387,378		
Personnel	Non-personnel	PSC ⁴	
76%	13%	11%	
\$1,813,315	\$307,398	\$266,665	

Key OMP pillars in 2021

^{1,2,3,4} Please refer to Data sources and notes on p.176 and p.179

PILLAR RESULTS:

Accountability

A3 – Relevant authorities take account of international human rights norms and standards in at least four prosecutions related to violence against women, femicide or denial of sexual and reproductive health and rights.



OHCHR contributed to increasing the capacities of members of the judiciary, public prosecution and the executive branch to address cases of gender-based violence and sexual and reproductive health and rights and incorporate a human rights and gender perspective.

OHCHR continued working with prosecutors, judges and litigating CSOs on the integration of international human rights standards into five cases being prosecuted (four femicides and one tentative femicide). The Office accompanied victims throughout the process, particularly with regard to measures for their protection. In one case monitored by the Office, for example, a new risk analysis was developed leading to the adoption of revised protection measures for a victim.

OHCHR also provided technical assistance to relevant authorities to enhance their capacity to integrate international human rights norms and standards

more broadly into their work. The Office developed a methodology for specialized prosecutors working on femicide cases to ensure that the due diligence principle includes a gender and human rights perspective. In accordance with an agreement with the General Prosecutor of Mexico City, the methodology will be implemented in 2022. A two-week online training on the methodology was rolled out to 50 multidisciplinary staff members from the Specialized Gender Prosecutor's Offices in Chihuahua and Estado de Mexico.

Furthermore, OHCHR delivered a six-month seminar for staff members of the Specialized Prosecutor's Office for the Investigation of Femicide of Mexico City on women's rights and gender integration in order to strengthen their investigation capacity to better address the high levels of impunity in femicide cases. In addition, OHCHR provided advice to the Special Unit on the Investigation of Transfemicide and drafted guidelines for the ministerial investigation of transfemicide cases from human rights and gender perspectives.

The Office also contributed to strengthening the Gender Alert Mechanism (GAM) of the National Commission for the Prevention and Eradication of Violence against Women (CONAVIM). OHCHR provided technical assistance in developing human rights indicators to measure the impact of the mechanism and guidelines for the drafting of state and municipal plans to implement protection measures and reporting on the effectiveness of the mechanism.

Finally, the Office contributed to the psychosocial well-being and support of the Specialized Gender Prosecutor's Office in Chihuahua. More specifically, OHCHR undertook a psychological risk and needs assessment of 251 staff members (157 women, 94 men) to determine interventions that may be required. In total,

101 group interventions took place and 130 individual sessions were provided to 35 persons who were identified as high risk. The assessment's main findings and concerns were confidentially shared with the Gender Prosecutor and a set of recommendations were communicated to the Prosecutor's Office, with the objective of institutionalizing a much-needed support programme for staff members. The Prosecutor's Office agreed with the recommendations and is looking for the necessary resources to implement them, with the support of OHCHR.

A2 – At least four public policies have been adopted that protect the rights of individuals who are subject to search and identification (with respect to search commissions, registries, protocols and national plans). At least three public policies have been adopted that address prosecution, sanction and reparation in cases of forced disappearance, torture and other human rights violations. These policies are implemented at the federal and local level, in compliance with international human rights standards.

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OHCHR contributed to the establishment and strengthening of oversight, protection and accountability mechanisms on torture, the search for missing persons, exhumations and the identification of human remains, in compliance with international human rights standards.

The Office continued monitoring the implementation of the General Law on Torture and the functioning of the Observatory against Torture.

As a result of the pandemic, it was not possible to upload information on torture-related cases from 2019 in 2020,

as many authorities did not have enough personnel to gather the required information. The update of 2019 was ultimately completed and uploaded in 2021, with OHCHR's support, which will provide evidence on the level of implementation of the General Law and to elaborate relevant public policies on the subject.

The Office also supported the strategic litigation that was developed by the Federal Institute of the Public Defence for the implementation of the General Law on Torture, particularly in terms of the adoption of the National Registry of Torture Cases. In December, the Government published the operational guidelines for this National Registry.

Furthermore, OHCHR provided inputs during the revision of the Protocol for the Investigation of Torture by the Attorney General's Office (AGO), which is in overall compliance with international standards. The draft was confidentially transmitted to OHCHR to enable it to record its observations, including that torture cases should be dealt with by the Special Prosecutor's Office Against Torture.

OHCHR established an unprecedented international cooperation working relationship with the Mexican state by providing technical assistance to authorities investigating the Ayotzinapa case, particularly the Federal AGO. This cooperation will continue in 2022. OHCHR also pursued advocacy efforts within the framework of this case by participating in bimonthly meetings with President López Obrador and the families of the 43 disappeared students. The Office also issued two press releases following the identification of the remains of two students.

A new Law on the Attorney General of the Republic was adopted in May. As noted by OHCHR, civil society actors and victims,

the legislation establishes a risk of regression regarding the Attorney General's obligations related to human rights and the fight against impunity. OHCHR participated in meetings and public events and communicated to Congress its observations and primary concerns about the Law. Although the legislation was adopted, OHCHR's intervention led to the amendment of some key issues such as provisions on the autonomy of prosecutors and the participation of the AGO in the National System for the Search of Persons.

A1 – Mexico has adopted a national regulatory framework on the use of force that complies with international human rights standards.

16 

OHCHR continued monitoring and advocating for the full compliance of the 2019 National Law on the Use of Force with international human rights standards.

In particular, OHCHR monitored the implementation of the Law and its outstanding constitutional challenge before the Supreme Court that was voted upon, in October. The Supreme Court ordered Congress to modify some sections of the Law. The Office met with the NHRI, which filed the action of unconstitutionality, as well as with advisers to the Supreme Court to share its concerns. OHCHR will advocate before Congress for the incorporation of international human rights standards into the amended legislation.

OHCHR engaged with federal authorities and CSOs to support a proposal for the creation of the Observatory on the use of force, in accordance with a ruling of the Inter-American Court on Human Rights in the Atenco case (sexual violence against

women, lack of gender perspective and unlawful use of force during a protest). The Observatory has yet to be created.

OHCHR also contributed to strengthening the capacity of relevant state institutions to apply human rights standards to the use of force. The Office delivered trainings to the Federal Ministry of Public and Citizen Security, high-level officials of the Government of Quintana Roo, the police academy of the state of Mexico and the National Guard.

Authorities in the state of Quintana Roo benefited from OHCHR's assistance in incorporating human rights standards and a gender perspective into a protocol and guidelines for public officials, and into some components of the Quintana Roo police training programmes, including on human rights standards on the use of force.

A4 – At least 10 new federal and local institutions adopt OHCHR's indicator framework when they report on the implementation of human rights policies, evaluate the impact of public programmes or assess the implementation of recommendations issued by the international human rights mechanisms.

16

OHCHR enhanced the capacities of authorities to establish indicators for measuring the impact of public policy based on OHCHR's methodology.

In collaboration with the human rights programme of the National Autonomous University of Mexico (UNAM), OHCHR defined, contextualized and validated a set of indicators for the Escazú Agreement. The Secretariat of Foreign Affairs accepted and adopted the set of

indicators as the Agreement's reporting framework.

In addition, federal authorities validated and adopted a set of 108 indicators on water and sanitation for Mexico, in collaboration with the National Institute of Water Technologies (a decentralized structure of the Ministry of Environment).



Participation

P6 – Indigenous communities participate more frequently, including in the context of prior consultation, in decisions that affect them, such as decisions to create or implement megaprojects.



OHCHR contributed to enhancing the awareness of relevant actors on the rights of indigenous peoples and their willingness to respect these rights. It also increased the awareness of indigenous peoples about their rights, in particular the standards and recommendations related to their participation in decision-making processes and self-determination.

During 2021, OHCHR advocated for the adoption and implementation of international human rights standards on the rights of indigenous peoples before several ministries, institutions, companies and embassies.

In the emblematic case of a series of agreements on community water management that were concluded between Zapotecan communities (Oaxaca) and federal authorities, OHCHR played a crucial role in promoting the inclusion of relevant international standards throughout the dialogue process. The Mexican president signed a decree, in November, recognizing the rights of indigenous communities and ensuring their access to water.

In the framework of the Mayan Train Project, OHCHR provided technical advice to the government institutions in charge of the dialogue process with affected communities regarding international standards on the participation of indigenous peoples. The Office also supported other UN agencies (UN-Habitat, UNOPS and UNESCO) involved in the project to incorporate a human rights perspective. OHCHR participated as an observer during the dialogue process and regularly communicated its observations, concerns and recommendations to the authorities.

OHCHR assisted the Yaqui Tribe communities to submit an urgent action to CED regarding the disappearance of seven indigenous persons. It also followed up on Urgent Action 1401-1407/2021 and provided technical assistance to Mexican authorities and indigenous communities.

P2 – Public policies that protect human rights defenders and journalists are strengthened and improved. Specifically, protection programmes for HRDs are more effective; a more enabling environment has been created for HRDs and the media; HRDs and journalists receive broader public recognition; and laws on freedom of expression have been adopted or amended to comply with international standards.



OHCHR contributed to enhancing the capacity of authorities and the National Protection Mechanism for Human Rights Defenders and Journalists to act in accordance with international human rights standards and increased awareness about the key role played by HRDs and journalists.

The National Protection Mechanism for Human Rights Defenders and Journalists improved its intersectional risk analysis. In particular, it developed and began implementing a gender and multicultural analysis to enhance more effective protection schemes for HRDs. Based on its consultative status, OHCHR actively participated in the monthly meetings of the Protection Mechanism, contributing technical expertise on risk analysis and human rights issues and building bridges between HRDs, journalists and the Protection Mechanism.

OHCHR encouraged the inclusion of a gender perspective into the operations of the Protection Mechanism. For instance, it coordinated with authorities from the Ministry of Interior to produce four technical and support documents, including guidelines, protocols and recommendations.

The Office also undertook an online training and developed technical tools on risk analysis involving a gender perspective, protection and self-care for women journalists and WHRDs, including mothers, relatives of disappeared persons and victims of femicide. Over 90 women journalists and HRDs from 14 Mexican states participated in the process. Two tools were elaborated during the training, namely, a self-care and collective care guidance and a risk analysis tool.



Non-discrimination

ND6 – National laws recognize the rights to liberty and judicial guarantees of migrants, who enjoy stronger legal protection through national judicial and non-judicial protection mechanisms.



OHCHR strengthened the protection of the rights of people on the move by increasing the awareness of legislators on international human rights standards related to people on the move.

In January, the legislative reform on migrant children, adopted in September 2020, which prohibits their detention and was the subject of OHCHR's advocacy in recent years, was implemented. Since that time, the Office has not identified any unaccompanied children and families in migrant detention centres. OHCHR provided technical advice to CSOs in order to address legal gaps that were identified during the implementation of the legal reform.

ND1 – Four laws or public policies have been adopted that combat discrimination and the root causes of inequality. They address the rights of indigenous peoples, migrants and persons with disabilities, as well as gender-based violence, and comply with international human rights standards.



OHCHR sought to improve access to justice for indigenous peoples, migrants and other vulnerable groups through an increased visibility of discriminatory practices in justice administration and prosecution.

Throughout 2021, OHCHR monitored public policies, laws, bills and judicial resolutions on issues that may have an impact on the full enjoyment of the rights of indigenous peoples and advocated before authorities for the inclusion of international human rights standards. The Office analysed the draft of the constitutional reform on indigenous peoples, undertook advocacy in relation to draft bills on a General Law on Water and a General Law on Consultation and provided relevant international standards to justices of the Supreme Court of Justice and federal tribunals.

OHCHR provided guidance on international human rights standards with regard to SRHR for local congresses in the states of Guerrero, Jalisco, Quintana Roo and Veracruz to encourage the decriminalization of abortion. In two states, the bills allowing free and safe abortion were passed (Veracruz and Hidalgo).

The Office identified a pattern of racism, discrimination and xenophobia at Mexico's international airports, which triggered violations of the human rights of minorities, such as asylum seekers and other minorities, based on their nationality or ethnicity. To address this, the Office initiated missions to the international airports of Cancun and Mexico City and documented violations of due process in denials of entry into the territory. In 2022, OHCHR will draft a report with its findings and recommendations, in partnership with the National Council to Eliminate Discrimination.

Development

D2 – Businesses, especially those in the energy sector, increasingly apply the UN Guiding Principles on Business and Human Rights, notably in their due diligence procedures.

1 2 3 5 8 9 13 16 17



OHCHR strengthened partnerships for the integration of human rights into environmental actions, including efforts to implement multilateral environmental agreements, and strengthened the capacities of business and State actors to apply the UNGPs and engage with stakeholders.

OHCHR closely followed the “La Colorada” conflict between a rural community and a mining company. A process was established that will enable the community to access a remedy mechanism. The company has shown great willingness to complete the process and it is anticipated that the conflict will be resolved in 2022.

The Office strengthened its relationship with the mining sector by approaching Mining Clusters and companies. A common pathway to drafting human rights guidelines and standards for the Mexican mining sector was established with the Mining Chamber of Mexico.

In October, OHCHR hosted the virtual Regional Business and Human Rights Forum. More than 3,000 participants from civil society, companies, governments, academia and communities in 36 countries shared fundamental aspects of the business and human rights agenda, with a particular emphasis on the next decade of the UNGPs and adequate implementation in the region. The main

aspects of these discussions considered the most vulnerable populations, such as indigenous peoples and communities, indigenous women, the LGBTI community, HRDs and the climate change framework.

Mechanisms

M1 – By the end of 2021, Mexico has ratified two international or regional human rights treaties and recognized the competence of CED to receive and consider individual communications.

16 17

OHCHR promoted the ratification of international treaties and advocated for the implementation of existing recommendations issued by the special procedures and the human rights treaty bodies in relation to Mexico.

Mexico ratified the Escazú Agreement, on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean. The ratification was deposited with ECLAC in 2021. The Escazú Agreement entered into force in April. This constitutes a valuable tool for the struggle against the depredation of the environment and for the protection of environment’s defenders, while also providing an additional means of fighting climate change in the region.

OHCHR facilitated a close interaction with the international human rights mechanisms. In November, the CED Committee visited Mexico after first requesting a visit in 2013. The purpose was to meet with government authorities responsible for investigating and preventing enforced disappearances and locating disappeared persons and those responsible

for establishing and implementing related public policies. It also held meetings with civil society actors and victims in Mexico. The Committee concluded that although progress has been achieved in terms of legislation and the political will of some authorities, there are still more than 95,000 disappeared persons in the country. During the CED’s visit, it is estimated that approximately 100 people were allegedly disappeared.

SOUTH AMERICA

Type of engagement	Regional Office
Countries of engagement	Argentina, Bolivia, Brazil, Chile, Ecuador, Paraguay, Peru and Uruguay
Year established	2009
Field office(s)	Santiago (Chile) with Human Rights Advisers in Argentina, Bolivia, Brazil, Ecuador, Paraguay, Peru and Uruguay
Staff as of 31 December 2021	15

XB income	US\$860,300
XB requirements 2021	US\$3,412,000
XB expenditure	US\$1,073,532

Personnel	Non-personnel	PSC ⁴
75%	13%	12%
\$805,363	\$144,570	\$123,599

RB expenditure	US\$1,031,863
Personnel	Non-personnel
82%	18%
\$848,294	\$183,569

Key OMP pillars in 2021



⁴ Please refer to Data sources and notes on p.179

PILLAR RESULTS:

Accountability

A1 – Mechanisms are in place that effectively monitor detention centres and cases of torture are consistently reported and prosecuted by the authorities. Steps have been taken to protect the rights of persons deprived of their liberty and improve detention conditions.

16

OHCHR contributed to improving the compliance of laws, policies and practices

of institutions and State officials with international human rights standards, including in relation to accountability and in the context of detention centres.

In December 2020, 11 violent riots that took place at prisons in **Ecuador** resulted in 418 deaths, the destruction of facilities and the reported rape of a policewoman. The Government deployed police and military forces and declared a state of emergency within the penitentiary system. The crisis triggered wide public

debate. In this context, under the leadership of the RC, the Human Rights Adviser (HRA) and UNODC undertook a baseline study and developed a Proposal for Comprehensive Penitentiary Reform that is founded on an HRBA. The findings of the study pointed towards complex structural problems in four areas, namely, an increase in the prison population; compromised security in prisons that is exacerbated by corruption and high levels of violence; an absence of effective crime prevention and social rehabilitation policies; and inhumane conditions of deprivation of liberty that are worse for certain population groups.

Based on the information gathered, the HRA prioritized two key initiatives to promote a HRBA in response to the crisis. First, a technical mission was undertaken to strengthen the capacities and advocate for the importance of the role of the National Preventive Mechanism. Second, expert advice was provided for the development of the new public policy on social rehabilitation, at the request of the Secretariat for Human Rights. As a result, the Head of the NHRI reviewed the structure of the NPM, with a view to ensuring its independence. Relevant actors of the executive branch recognized the importance of the independent role of the NPM in responding to the crisis.

In **Peru**, the HRA supported the National Penitentiary Institute (INPE) to update the manual on human rights for penitentiary officers. The manual focuses on the situation of women, LGBTI persons, persons with disabilities, indigenous peoples and people of African descent and outlines international human rights law and international humanitarian law standards in relation to the use of force and the prevention of torture. The HRA also supported the INPE in drafting guidelines on

ensuring adequate protection for persons in prisons in conditions of vulnerability and began drafting a national protocol on the use of force in prisons.

A1 – Victims of gross human rights violations and their families have enhanced access to information that is still classified. States effectively implement reparation measures, including measures recommended by truth and reconciliation commissions.

16

Through technical guidance, OHCHR supported the functioning of transitional justice mechanisms in countries of the region, which operate in conformity with international human rights norms and standards.

In January, OHCHR published a report on its mission to Peru regarding the social protest that occurred in November 2020. The report highlights a number of human rights challenges and contains a set of recommendations that underscore the need to strengthen the competences of the Public Ministry and the Institute of Legal Medicine in relation to international standards. It also focuses on human rights and gender in the prosecution of human rights violations. The report was well received and important steps were already taken by authorities, including in relation to accountability and reparations.

As a follow-up to the mission and its findings, the Public Ministry and the HRA carried out 12 training sessions, from November 2021 to January 2022, to strengthen the competencies of prosecutors from the Specialized Subsystem of Human Rights and Terrorism and the Institute of Legal Medicine on international standards for the prosecution of

human rights violations. A total of 50 participants (19 women, 31 men) attended the workshop, including prosecutors, administrative support staff and experts from the forensic system from the offices of Apurímac, Ayacucho, Huancavelica, Huánuco, Junín and Lima.



Participation

P1 – State institutions and NHRIs are better equipped to monitor protests and document human rights violations; laws on freedom of expression and peaceful assembly comply with international human rights standards; police protocols regulating the use of force comply with international standards; States have adopted laws and taken measures to protect human rights defenders (HRDs); and NHRIs have developed early warning and rapid response mechanisms that prevent conflict and protect HRDs.

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OHCHR contributed to improving the compliance of laws, policies and practices of institutions and State officials with international human rights standards, including for the protection of HRDs and other persons in situations of vulnerability.

In Peru, technical assistance was provided to the National Council for the Integration of Persons with Disabilities (CONADIS) for the development of a draft protocol of consultation for persons with disabilities, in accordance with article 4 of CRPD. Furthermore, the HRA provided technical support on international standards on the protection of HRDs and guidance on possible responses to individual cases to the National Protection Mechanism and the NHRI. The HRA also assisted in the preparation of a bill on HRDs to

ensure its alignment with international human rights standards, such as General Comment No. 37 of the Human Rights Committee, the UNGPs and recommendations issued by other international human rights mechanisms.

P1 – Indigenous peoples, women, LGTBI rights advocates, HRDs and people of African descent have increased their capacity to make use of national, regional and international human rights mechanisms to protect their rights. HRDs and indigenous peoples participate more actively in public affairs and consistently monitor decisions that affect them.

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OHCHR engaged with stakeholders in the region with the aim of advocating for the increased participation of rights-holders, especially women and discriminated groups, in selected public processes.

In Chile, OHCHR engaged with the Secretariat for Human Rights in the development of a draft law on the right to peaceful assembly, which remains to be finalized and approved. Furthermore, the Office assisted from the outset the Constitutional Convention that is working on a new Constitution. A series of normative documents presenting international standards in accessible formats were developed by OHCHR and presented to members of the Convention, while a number of webinars were delivered, jointly with UNDP, to empower the indigenous members of the Convention in their decision-making.

In Paraguay, technical assistance was provided to the Paraguayan Ministry of the Interior for the development of a new protocol on the use of force for prison officials. In Peru, the HRA contributed to

the drafting of a national policy for Afro-Peruvians, with a focus on gender, access to work and social protection.

Non-discrimination

ND1 – State institutions responsible for meeting the needs of vulnerable groups have been strengthened and receive adequate funding and political support. Legislation on discrimination and gender equality comply with international human rights standards. Judges and prosecutors are better equipped, in terms of law and training, to successfully prosecute discrimination and gender crimes. State policies protect indigenous peoples against discrimination and consultation protocols have been adopted.

5 10 16

OHCHR contributed to increasing the level of compliance of legislation and policy with international human rights standards, in particular with regard to the rights of women.

In 2021, OHCHR updated a virtual self-training course on “The Latin American Model Protocol for the investigation of gender-related killings of women.” In December, within the framework of the Secretary-General’s UNITE campaign and the 16 Days of Activism Against Gender-Based Violence campaign, the virtual course was launched during a regional webinar. The event was aimed at officials of the Public Ministry and institutions that participate in the investigation of femicide and was organized by OHCHR and UN Women, with the support of the Specialized Gender Network of the Ibero-American Association of Public Ministries. More than 600 people attended the launch and 1,617 people enrolled to take the course at a later date.

In **Chile**, a cooperation agreement was signed between OHCHR and the Chilean Public Prosecutor’s Office to support the process of drafting a national protocol for the investigation of femicide. The Office carried out a needs assessment that will feed into the development of the protocol in 2022. In **Paraguay**, the HRA collaborated with the European Union (EU) and the Gender Secretariat of the Supreme Court of Justice to develop a draft *Guide to guarantee access to justice to all people without distinction in Paraguay*. The objective of the Guide is to challenge harmful gender stereotypes and encourage the mainstreaming of a gender perspective into the administration of justice. It is anticipated that the Guide will be validated in 2022 and disseminated through training for judicial officials. In **Uruguay**, the HRA provided technical support to a project of UN Women and the Office of the Prosecutor to prepare national guidelines for prosecutors on the investigation of femicide that are based on the Latin American Model Protocol. It will be launched in 2022. Furthermore, the Secretariat of Human Rights prepared the country’s first national human rights plan and received inputs from the HRA. The Office also facilitated consultations with CSOs and other key local partners, resulting in 26 proposals.

Development

D2 – Business enterprises (particularly in Brazil, Chile and Peru) progressively adopt human rights policies and due diligence procedures that comply with international human rights standards and the UNGPs.

1 2 3 5 8 9 13 16 17

OHCHR contributed to the compliance of selected actors and policies with international norms and standards on business and human rights.

The Office cooperated with the EU, ILO and the Organization for Economic Co-operation and Development (OECD) to implement Responsible Business Conduct in Latin America and the Caribbean projects in Argentina, Brazil, Chile, Ecuador and Peru. The projects support the creation of an enabling environment for responsible business conduct across the region and apply a multi-stakeholder approach. In this context, OHCHR launched a Latin American academic essay contest on business and human rights entitled “The change is today: Human rights and companies in Latin America. A commitment to responsible business conduct.” The call was aimed at undergraduate and graduate students, recent graduates, teachers and researchers in law, international relations, political science, economics and other relevant disciplines. More than 100 papers were submitted from 10 countries in Latin America. The essays focused on a wide variety of topics related to the business and human rights agenda, such as labour law, decent work, informality, technology companies, gender, credit and export agencies, children, the Hague Rules on Business and Human Rights Arbitration, the SDGs and public policies.

Prizes were awarded in three categories and the selected papers were presented at the Sixth Regional Forum on Business and Human Rights for Latin America and the Caribbean, which was held virtually from 4 to 6 October.

In **Argentina**, the HRA contributed to the development of a national action plan on business and human rights and to the inclusion of chapters and actions on business and human rights in local human rights plans in the provinces of Salta and San Juan and the city of Buenos Aires. In addition, four State-owned enterprises elaborated their policies on human rights, including their commitment to implement due diligence in their activities. Furthermore, more than 23 national and provincial human rights institutions agreed on a common protocol to deal with business and human rights at the national and local level, harnessing their role to monitor business practices and supervise State actions.

In **Brazil**, dialogues were promoted with several stakeholders (four meetings addressed companies, investors, CSOs and the indigenous movement) to build a common understanding of the human rights responsibilities related to business operations. During 2021, the HRA developed a close collaboration with the Government of Brazil, following a request for support in developing a national action plan on the subject.

A project in **Chile** on Responsible Business Conduct in Latin America and the Caribbean facilitated the development of a second version of the national plan of action. More specifically, OHCHR provided technical assistance and training to the Ministry of Justice and Human Rights and more than 20 government focal points promoted the participation of stakeholders in the drafting of the plan of action

and its compliance with recommendations issued by the international human rights mechanisms and guidelines on business and human rights. To enable businesses to undertake due diligence processes, technical assistance was provided to more than 35 enterprises regarding the practical implementation of a tool to identify human rights risks, in coordination with Global Compact Chile.

In **Ecuador**, efforts focused on supporting the development of a national action plan on business and human rights, strengthening a common understanding from different key ministries on international standards and assisting them to foster inter-institutional coordination among key actors, including civil society, trade unions and businesses. In February, technical assistance was provided in relation to the Government's road map to develop the national action plan. In this respect, consultations led by the Ministry of Foreign Affairs began in August, supported by the HRA, and a total of nine multi-stakeholder dialogues were carried out in 2021, leading to the approval of a workplan for 2022.

In June, after more than two years of preparatory work, the Cabinet of **Peru** approved the first national action plan on business and human rights. OHCHR began supporting the Ministry of Justice and Human Rights following the 2017 visit of the Working Group on the issue of human rights and transnational corporations and other business enterprises. Founded on technical assistance from OHCHR, the national action plan proposed 99 strategic measures, including the revision of grievance mechanisms, a national mechanism to monitor due diligence and measures to eradicate racial discrimination and protect indigenous peoples and HRDs.

D7 – States implement the 2030 Agenda for Sustainable Development using national development plans that integrate recommendations issued by the international human rights mechanisms.

OHCHR contributed to the compliance with international human rights standards of programmes and policies to implement the 2030 Agenda, including by providing technical guidance and support to RCOs, UNCTs and government counterparts.

Capacity-development for UN actors that are on the ground and implementing and preparing CCAs and UNSDCFs continued to be a critical area of work for OHCHR in the region. The new development framework offered practical opportunities for integrating human rights into UN programmes to accelerate the implementation of the 2030 Agenda and facilitate recovery from the impacts of COVID-19.

In **Brazil**, the HRA organized consultations on the Leave No One Behind principle to feed into the development of the CCA. The HRA also participated in meetings aimed at ensuring the integration of a HRBA and formulated the draft chapter on a multidimensional risk analysis of the CCA. Similarly, in **Ecuador**, the Office formulated the section on compliance with international human rights standards in the introduction to the CCA. In **Peru**, support was provided to the UNCT in the preparation of the UNSDCF to ensure the inclusion of key human rights indicators on discrimination, HRDs and persons deprived of their liberty. The Office also drafted the human rights and LNOB chapter of the CCA.



Mechanisms

M1 – National Mechanisms for Reporting and Follow-up (NMRFs) function effectively in Argentina, Bolivia, Chile, Ecuador, Peru and Venezuela.

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OHCHR supported efforts to establish effectively functioning NMRFs through advocacy and technical assistance.

In **Brazil**, in the context of an agreement with the Chamber of Deputies of the Congress, the HRA supported the establishment and functioning of the UPR Parliamentary Observatory through the organization of 26 public hearings that addressed the 242 recommendations accepted by the Government of Brazil. The hearings were attended by representatives from the Government, the Congress, autonomous institutions of the Brazilian state and civil society. The public hearings represented the largest dialogue forum on concrete human rights issues in Brazil and led to the mapping of developments in relevant human rights areas.

In **Ecuador**, the HRA supported the Ministries of Foreign Affairs and Human Rights to strengthen the NMRF by training more than 30 focal points of public institutions on drafting the State's report to the UPR, in preparation for its forthcoming review in 2022. In **Uruguay**, the project “Building Bridges,” which will be implemented by UNDP and the HRA in 2022, seeks to support the Ministry of Foreign Affairs, Directorate of Human Rights in the creation of procedures and spaces for interaction, training and alignment of entities responsible for the NMRF and the implementation and reporting of the 2030 Agenda.

Furthermore, in 2021, OHCHR supported four of the seven countries covered by the

Regional Office in their direct engagement with the human rights treaty bodies. On 16 November, the Office supported the **Chilean** government in its preparation for the periodic review by CERD. In **Peru**, the HRA attended the national consultation on the State Party report to CEDAW, on 17 November. For the first time, Peru followed the simplified reporting procedure. In **Ecuador**, the HRA provided technical assistance to a government event, on 30 March, on follow-up to the recommendations issued by CRPD, which involved 29 State institutions and civil society.

M2 – CSOs report regularly to international human rights mechanisms, participate in sessions, including through the use of technology, and use concluding observations and reports for advocacy and follow-up purposes.

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OHCHR supported efforts from civil society actors in the region to engage with the international human rights mechanisms.

In **Brazil**, from June to August, the HRA implemented a series of virtual dialogues with 65 indigenous leaders representing 30 indigenous organizations, in partnership with the National Articulation of Indigenous Peoples and the Network of Cooperation in the Amazon. The objective of the dialogues was to strengthen their engagement with the international mechanisms. As a result, participant organizations submitted inputs to CEDAW for consideration in the development of the Committee's general recommendation on the rights of indigenous women and girls. The Office also supported members of the Lickantay indigenous peoples and people of African descent, in **Chile**, to prepare alternative reports to CERD.

On 16 November, the Office participated in a regional meeting on the “Follow-up of UPR recommendations: Civil society of South America.” The meeting was organized by the Brazilian CSO Development and Human Rights Institute, which introduced participants to the UPR process and outlined how they can collaborate with this mechanism. CSOs from Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru and Uruguay participated and a regional network on UPR follow-up was subsequently created.

UN Free & Equal Campaign in Brazil: Supporting and empowering transgender persons during the COVID-19 pandemic



Bruna Fonseca and Francisco Sena. © OHCHR

In 2021, Bruna Fonseca and Francisco Sena joined OHCHR's Brazil team to support the implementation of the UN Free & Equal campaign. They were two of 23 trans human rights defenders (THRDs) who participated in the Transformação project in 2019. This was a capacity-building project organized by the UN in Brazil to support THRDs and advance the rights and socio-economic empowerment of trans persons through training and mentoring programmes. In Latin America, the life expectancy of a trans person is 35 years. Brazil has the world's highest rate of documented killings of trans people.

"Transformação was very important in my life. It made me more aware of my needs and prepared me to fight for my community," said Bruna. Francisco added

that joining the Free & Equal campaign team offered opportunities to exchange experiences and engage in political advocacy. "Being able to follow several agendas on human rights, such as racial, ethnic, territorial and sustainable development issues, expanded my intersectional perspectives and the way I see political articulation and the work of the UN."

During the year, the team raised awareness about the impacts of COVID-19 on LGBTI persons, including trans persons, produced local videos and facilitated access to food and health services for trans persons and travestis. Francisco and Bruna supported a number of initiatives, including a local campaign to address food insecurity faced by trans persons and travestis, in collaboration with two local organizations, namely, Atração and Coletivo De Transs pra Frente.

"In this moment of the pandemic, when many trans people are extremely vulnerable and living in poverty, we were able to support them through the Free & Equal

campaign," said Bruna. The initiative was accompanied by a mapping of the socio-economic impacts of COVID-19 on trans people and advocacy that was undertaken in partnership with local stakeholders.

Bruna and Francisco also worked on the preparation of the next phase of the Transformação project. They hope that other people from their community will have the chance to access formal employment opportunities like they did. Bruna highlighted that the programme helped her feel stronger and more confident to continue her fight against discrimination based on gender identity in her new job.

OHCHR launched the international Free & Equal campaign in 2013 and the Brazilian campaign began in 2014. During 2021, the campaign reached more than one million people in Brazil through social media.



Trans human rights defenders who participated in the Transformação project. © OHCHR

VENEZUELA

Population size¹	Surface area¹	Human Development Index²	NHRI (if applicable)³
28.70 million	930,000 km ²	0.711 (rank: 113/189 in 2019)	"B" Status (2016)
Type of engagement	Other type of field presence		
Year established	2019		
Field office(s)	Caracas		
UN partnership framework	United Nations Development Assistance Framework 2015-2021		
Staff as of 31 December 2021	6		
XB income	US\$2,054,849		
XB requirements 2021	US\$3,178,000		
XB expenditure	US\$1,986,720		
Personnel	Non-personnel	PSC⁴	
72%	18%	10%	
\$1,439,486	\$350,297	\$196,937	

Key OMP pillars in 2021



^{1 2 3 4} Please refer to Data sources and notes on p.176 and p.179

PILLAR RESULTS:

Accountability

A1 – State authorities increasingly address human rights violations committed in the context of law enforcement and the justice system.

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OHCHR continued monitoring places of detention and successfully advocated with authorities to improve conditions of detention.

Throughout 2021, in accordance with the protocol created with the Government, UN Human Rights visited 14 detention

centres and interviewed 183 detainees, 33 of whom were women and 23 of whom were children. In March, OHCHR undertook its first visit to a pretrial detention centre managed by the Bolivarian National Police in Caracas and four more pretrial detention centres were visited in the following months. Following each visit, the Office submitted a confidential report to authorities containing recommendations to improve compliance with international detention standards and address urgent individual cases regarding the rights to due process and health. More specifically, OHCHR advocated for compliance with

guidelines on COVID-19 and human rights dimensions, visits of relatives and lawyers and the release of detainees facing particular risks. Some of OHCHR's recommendations were subsequently implemented, including the resumption of visits of relatives and lawyers, facilitating calls to family members and improving physical conditions, in particular related to hygiene. Additionally, due to OHCHR's advocacy, several detainees were transferred to hospitals to undergo specialized medical exams.

OHCHR also undertook advocacy with relevant authorities regarding the individual cases of some detainees, some of whom were women, that required immediate solutions, including in relation to health care, judicial delays and the non-execution of judicial release orders. In 2021, OHCHR's efforts led to the release of 85 persons, 13 of whom were women. OHCHR continued its regular dialogue with the Attorney General's Office and reported some progress in judicial action for cases of serious human rights violations, such as the investigation of 124 documented cases of extrajudicial executions allegedly committed by security forces during security operations and of 18 deaths that occurred in the context of protests. Despite these investigations, alleged perpetrators were only convicted in relation to two deaths that occurred in the context of protests.

OHCHR continued to assess the compliance of the justice system with the standards of the Minnesota and Istanbul Protocols. It also drafted protocols for investigations into allegations of violations of the right to life and the right to personal integrity in order to provide practical guidance on the steps that should be taken by each institution that bears responsibility for investigations. This work was presented to relevant authorities during a workshop

in February. In addition, OHCHR presented authorities with a draft protocol on the observation of hearings. In October, the Office was granted access to observe a judicial hearing for the first time.

Non-discrimination

ND6 – Civil society and the national human rights institution strengthen their capacity to support access to justice and protection mechanisms by Venezuelan migrants and refugees.



OHCHR contributed to enhancing the protection of the rights of refugees and migrants from Venezuela in host countries by monitoring their situation and providing technical assistance to national actors in the region.

OHCHR engaged with NHRIs through the Network of National Human Rights Institutions in the Americas, with a view to elaborating a new protocol on their assistance to migrants. Furthermore, an online course on monitoring the rights of migrants was delivered to 26 members (19 women, seven men) of NHRIs in Colombia, Ecuador and Peru. Additionally, OHCHR engaged in joint activities with UN agencies, such as IOM, UNODC and UN Women, to improve access to justice for refugees and migrants who are victims of trafficking in persons and sexual exploitation, particularly minors and women. In parallel, OHCHR field presences in the Americas monitored events impacting on the human rights of Venezuelan refugees and migrants in Chile, Colombia and Trinidad and Tobago. The deployment of a focal point in Panama, where the Regional

Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela is based, facilitated enhanced coordination with NHRIs and UN agencies supporting the Quito Process.

Peace and Security

PS5 – Early warning, prevention and protection capacities are strengthened, including through in-country monitoring.



OHCHR monitored human rights violations in Venezuela and used this reporting for advocacy purposes and to strengthen technical assistance provided to the Government.

In 2021, UN Human Rights released two public reports. On 5 July, the High Commissioner presented a report under Human Rights Council (HRC) resolution 45/20, which focused on developments of the human rights situation in Venezuela, with an emphasis on civic space and the rule of law and how they relate to the implementation of previously issued recommendations. On 13 September, the High Commissioner presented a report under HRC resolution 45/2, which focused on economic, social, cultural and environmental rights and technical assistance in Venezuela. While members of the Council welcomed the reporting work of OHCHR, HRC resolution 45/20 was not renewed during the HRC's forty-eighth session, thereby limiting the opportunities to bring the outcomes of the technical assistance to the attention of the Council.