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Technical assistance and capacity-building

National policies and human rights: a compilation of good practices, challenges, lessons learned and recommendations in mainstreaming human rights

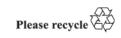## Report of the Office of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 35/32, in which the Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a compilation of good practices, challenges, lessons learned and recommendations in mainstreaming human rights as enshrined in international human rights law, into national policies, in order to contribute to the achievement of the Sustainable Development Goals.

The report contains information on practices and experience from around the world in mainstreaming human rights into national policies based on international human rights norms and contributing to the achievement of the Sustainable Development Goals. It is based on research undertaken by OHCHR on global, regional and national experiences.

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* The present report was submitted after the deadline in order to reflect the most recent information.

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I. Introduction and methodology

1.   The present report is submitted pursuant to Human Rights Council resolution 35/32, in which the Council requested the Office of the United Nations High Commissioner for Human Rights to prepare a compilation of good practices, challenges, lessons learned and recommendations in mainstreaming human rights as enshrined in international human rights law, into national policies, in order to contribute to the achievement of the Sustainable Development Goals, and to submit the report to the Human Rights Council at its forty-first session.

2.   The enjoyment of human rights is critical to the realization of the Sustainable Development Goals. The 2030 Agenda for Sustainable Development is explicitly grounded in the Universal Declaration of Human Rights and international human rights treaties and is informed by other instruments such as the Declaration on the Right to Development.[1] The Sustainable Development Goals "seek to realize the human rights of all"[2] and are universally applicable to all people in all countries, both developed and developing. Importantly, the 2030 Agenda is to be implemented in a manner consistent with international law and with its commitment to "leave no one behind". The 2030 Agenda puts the principles of equality and non-discrimination at its heart – with a commitment to leave no one behind and to reach those furthest behind first. It reaffirms the responsibility of all States "to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status".[3] It includes two dedicated goals on combating discrimination and inequalities (Goal 5 on achieving gender equality and empowering all women and girls and Goal 10 on reducing inequalities within and among countries) and gives special attention to an expansive list of marginalized groups.

3.   In that spirit, since 2015, OHCHR has worked to support Member States in implementing that vision, including by providing technical assistance on the human rights-based implementation of the 2030 Agenda, often in close partnerships with other United Nations agencies. The United Nations Development Programme (UNDP), for example, launched the rule of law and human rights 2030 Agenda accelerator initiative in 2018 to provide programmatic support for the Sustainable Development Goals, particularly in crisis-affected countries.[4] Together with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), OHCHR co-led a process to strengthen the United Nations development system's focus on rising inequalities and discrimination, in the context of support for the implementation of the Sustainable Development Goals and the commitment to leave no one behind – an approach that was adopted by all United Nations entities and is reflected in the United Nations System Shared Framework for Action on leaving no one behind, published by the United Nations System Chief Executives Board for Coordination in 2017. Furthermore, OHCHR helped integrate human rights into the new United Nations Development Assistance Framework guidance package and the United Nations Development Group's Guidelines to Support Country Reporting on the Sustainable Development Goals.

4.   OHCHR has also strengthened United Nations support for implementation of the Sustainable Development Goals at the country level, including by developing communities of practice and helping to identify and leverage the synergies between the implementation and monitoring of the Sustainable Development Goals and the implementation of and follow-up to human rights recommendations.

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[1] 2030 Agenda for Sustainable Development, para. 10. See https://sustainabledevelopment.un.org/ post2015/transformingourworld.

[2] Ibid., preamble.

[3] Ibid., para. 19.

[4] A/HRC/40/34, para. 22.

5.   As the custodian agency for four indicators under Goal 10 (on reducing inequality within and among countries) and Goal 16 (on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels), OHCHR has developed methodologies to operationalize these indicators. This has entailed compiling data on the existence of independent national human rights institutions in countries; on the killing of and other forms of violence against journalists and other media personnel, trade unionists and human rights advocates; and on the number of conflict-related deaths; and the prevalence of discrimination, based on grounds of discrimination prohibited under international human rights law.[5]

6.   The present report contains a selection of State initiatives as well as practices developed in the context of OHCHR technical cooperation programmes, which have proven effective and have yielded visible results in supporting State efforts to align national policies, strategies and laws with international human rights norms and with the Sustainable Development Goals, including their targets and indicators. For the preparation of the report, OHCHR invited Member States to contribute by providing concrete examples of experiences and practices. Information on different experiences, including methodologies used and lessons learned, was also gathered from OHCHR headquarters and field presences, OHCHR regional and country offices, human rights components of United Nations peace missions, and human rights advisers to United Nations country teams supporting States through technical cooperation and advisory services.

II.   Experiences and practices supporting States in the design and implementation of human rights-based national policies aimed at realizing the Sustainable Development Goals

A.   Using indicators and improved statistical data for sustainable results

7.   The 2030 Agenda – including Goal 17 – seeks to strengthen global partnerships to support and achieve its ambitious targets, bringing together national governments, the international community and civil society. One particular aspect is the commitment to improving data collection, monitoring and accountability (targets 17.18 and 17.19). This is also crucial to ensuring focused actions and monitoring real progress. Making use of its expertise on human rights indicators, OHCHR has worked with States to develop national policies and capacities that allow them to measure, monitor and report on their progress towards implementing the 2030 Agenda. However, given the human rights risks in the collection, use and dissemination of data, it is imperative that all States adopt a human rights-based approach to help protect the human rights of data subjects.

8.   OHCHR has supported States for the adoption of a human rights approach to data collection, by defining six key principles:

        (a)   All identity categories must be developed through a participatory approach. Data collection should not create or reinforce discrimination, bias or stereotypes.

        (b)   Participation is central to a human rights-based approach to data, which should ensure free, active and meaningful participation of relevant stakeholders, in particular the most marginalized population groups.

        (c)   Disaggregation on the basis of the grounds of discrimination enshrined in international human rights law is essential in order to reveal underlying disparities in the development process and to highlight the specific challenges that different population groups face.

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[5] OHCHR, *UN Human Rights Report 2017*, p. 35.

(d)   The principle of transparency is related to the right to seek, receive and impart information, enshrined in international human rights law. Ensuring transparency implies access by civil society to data on the monitoring and realization of human rights.

(e)   In their capacity as duty bearers, State institutions have a duty to be accountable and ensure that they respect, protect and fulfil human rights in their conduct of statistical work. This includes ensuring the independence of statistical data gathering.

(f)   Access to information must be balanced with the right to privacy. Data collected for statistical purposes must be strictly confidential.[6]

9.   Numerous States have also approached OHCHR for technical support on the development and use of human rights indicators to support them in measuring progress and results. In Mexico, OHCHR supported the development of human rights indicators to measure progress made by the judiciary in the protection of a number of rights – particularly those relating to health, fair trial, life, and liberty and security of person, and the human rights of prisoners. Moreover, in Mexico City, the Ministry of Public Security and the Sub-Secretary of the Penitentiary System have developed an accountability framework for the police based on a set of human rights indicators on the rights to life, liberty, security, personal integrity and prohibition of torture.

10.   In Paraguay, the Secretariat for Social Action, with the active participation of civil society actors, has designed a set of human rights indicators related to poverty, economic, social and cultural rights, and social protection, including for persons with disabilities. These have been linked to both the Sustainable Development Goals and the social programmes implemented by the Secretariat.

11.   In the Plurinational State of Bolivia, an online system to track and monitor human rights recommendations is now connected to a web page with over 400 qualitative human rights indicators, covering nine prioritized areas: (a) food; (b) education: (c) health; (d) housing; (e) work; (f) women's right to a life free from violence; (g) water and sanitation; (h) the right to a life free from trafficking and smuggling; and (i) access to justice and a fair trial. The indicators were developed mainly by the Ministry of Justice and the National Institute for Statistics, and OHCHR.

12.   In Kenya, OHCHR supported the National Bureau of Statistics and the Kenya National Commission on Human Rights for the development of indicators on albinism and self-identification of indigenous peoples. A memorandum of understanding, signed on 26 July 2017, ensures that statistical and human rights work will combine to guide the nation's efforts in implementing the 2030 Agenda. This will help ensure focused policy interventions.

13.   In Uganda, following training by OHCHR on human rights indicators and a human rights-based approach to data, members of the national task force on the Sustainable Development Goals and its technical working groups analysed which groups might constitute those "left behind". Efforts are under way to advance on the adoption of a memorandum of understanding between the Office of the Prime Minister, the Uganda Human Rights Commission, the National Planning Authority and the Uganda Bureau of Statistics to reach a common understanding on the list of the groups considered left behind. These measures would help advance the development of indicators for inclusion in the country's Sustainable Development Goals framework to increase impact on policies and programmes.

14.   In the Occupied Palestinian Territory, in coordination with the authorities, OHCHR developed a comprehensive and detailed indicator framework in relation to the right to liberty and security of person.

15.   In line with a 2017 recommendation from the universal periodic review, OHCHR has worked with the Movement of Indigenous Women, in Guatemala, to strengthen its

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[6] Division for Sustainable Development, Department of Economic and Social Affairs, "Voluntary national reviews: synthesis report" (November 2017), available at http://bit.ly/2hlPMN0.

capacities to formulate human rights indicators relevant to specific contexts and specific human rights challenges.

16.   In the Central Asian States of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, disaggregated and quality data remains one of the primary challenges, as does the lack of inclusiveness in its collection, monitoring and evaluation. OHCHR has supported a human rights-based approach to the collection, production, analysis and dissemination of data. It has also helped States to elaborate relevant human rights indicators and include them into national human rights strategies.

17.   Linkages between implementation of recommendations from all United Nations human rights mechanisms and the Sustainable Development Goals targets have been built into seven capacity-building activities carried out with national mechanisms for reporting and follow-up and national human rights focal points in Kyrgyzstan, Turkmenistan and Uzbekistan. In Kyrgyzstan and Tajikistan, OHCHR has supported the Governments in the elaboration of national human rights action plans, paying specific attention to human rights indicators and creating linkages between the Sustainable Development Goals and national human rights implementation and monitoring mechanisms.

18.   During 2018, in Australia, the Department of Foreign Affairs and Trade rigorously assessed how businesses, government departments, civil society organizations and others have been implementing the Sustainable Development Goals. To design relevant indicators for the Goals, the Australian Bureau of Statistics undertook a data mapping exercise to identify government-held data sources that could be used. Australia is still trying to determine the data collection and analysis methodology for a number of Sustainable Development Goals indicators that currently have no accepted methodology. The Government is also developing a Sustainable Development Goals data platform to make relevant government datasets on Sustainable Development Goals indicators available. It will indicate the status of Australian data collection against all 232 indicators. This platform will help to identify progress and will become a Sustainable Development Goals reporting platform to support future voluntary national reviews.[7]

Online databases to follow up on human rights recommendations and Sustainable Development Goals implementation

19.   Development policies often require the active involvement of many ministries and partners, as well as access to information. Over the past ten years, one area that has seen progress is the development of online tools to easily access human rights information and recommendations from human rights mechanisms to ensure that national development planning, policies and programmes are informed and guided by these recommendations. The Recommendations Monitoring System (SIMORE) in Paraguay was one of the pioneering online systems, which has since been emulated by other countries, some of which have taken inspiration from SIMORE. Paraguay has helped to establish SIMORE in Chile, the Dominican Republic, Guatemala, Honduras and Uruguay; and the establishment of SIMORE in Argentina is pending. Paraguay has also received requests for SIMORE from Costa Rica, the Lao People's Democratic Republic and other countries, as well as from the Inter-American Commission on Human Rights for use in the Commission's country and thematic reports.[8]

20.   In 2012, Ecuador set up an information system on human rights called Si Derechos, in response to one of its accepted universal periodic review recommendations. It was developed by the Ministry of Justice, Human Rights and Worship, with the support of OHCHR. Si Derechos provides a report library, and an overview of recommendations and information relating to the 73 human rights recognized in the national Constitution. This system also helps facilitate effective social participation in public affairs, and strengthens transparency and accountability for monitoring progress on human rights implementation, and for mainstreaming human rights across all national and sectorial policies. Once the

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[7] See www.devex.com/news/what-australia-s-voluntary-national-review-for-sdg-implementation-shows-92973.

[8] A/HRC/40/34, para. 54.

information is gathered, the level of accomplishment of each recommendation or right is assessed via statistical analysis. In this way, both progress towards implementation and obstacles to implementation are identified. Another benefit of the portal is improved coordination and internal human rights information management between line ministries in the context of international reporting processes. This experience highlights the significant potential value added of information systems and mechanisms for reporting on, and the implementation of, human rights. Such national online platforms represent a crucial methodological foundation for the construction of human rights indicators, and for linking the development and human rights agendas.[9]

B. Giving practical content to the commitment to leave no one behind, focusing on those furthest behind, in policies and practices

21.   As highlighted above, the 2030 Agenda reaffirms the responsibility of all States "to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status".[10] Indeed, the overall commitment to leave no one behind will only be achieved through the implementation of all Goals: including by ensuring equality and preventing discrimination, both of which are key human rights principles and priorities for OHCHR. Enhancing equality and countering discrimination is also a global and thematic expected accomplishment of the programme of the United Nations High Commissioner for Human Rights. There is therefore a useful convergence of agendas between the targets for Sustainable Development Goals 5, 10 and 16 with the OHCHR priorities in the area of enhancing equality and countering discrimination. For example, the commitment of Member States in target 10.3 of the Sustainable Development Goals, on reducing inequalities and eliminating discriminatory laws, policies and practices, is very much in line with these priorities.[11] Some practical examples of the work of OHCHR with States in this area follow.

Identifying who is left behind

22.   In Kenya, the National Bureau of Statistics and the National Commission on Human Rights were able to start identifying groups that may be at higher risk of not enjoying their civil, political, economic, social and cultural rights, that is, those at risk of being left behind. An analysis of recommendations made to Kenya by the international human rights mechanisms led to a preliminary list of 25 population groups – including indigenous peoples, persons with disabilities, slum dwellers, and women from the poorest regions – that may be at risk of being left behind in Kenya.

Addressing racial discrimination

23.   In October 2018, the Parliament of Tunisia adopted a law on the elimination of all forms of racial discrimination, the first such law in the Arab world and the second on the African continent. There were also consultations with civil society. OHCHR provided technical advice to the ministerial group charged with preparing the draft law, and to the parliamentary commission on human rights and freedoms to ensure conformity of the text with international standards. OHCHR continues to support the country's efforts to address discrimination regarding, for example, equality in inheritance, and the rights of persons with disabilities.

24.   In Central America, the Government of Panama adopted the Law to Establish the National Secretariat for the Development of Afro-Panamanians. The purpose of this new

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[9]   "Human rights and the Sustainable Development Goals: pursuing synergies", Danish Institute for Human Rights (December 2017), p. 12.

[10] 2030 Agenda, para. 19.

[11] Target 10.3: Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.

body is to ensure that public policies are inclusive of Afro-Panamanians, and to address their historic discrimination and marginalization.[12]

Discrimination against the Roma population

25.   The European Union took steps to challenge segregation of Roma in the education systems of Czechia, Hungary and Slovakia, as well as to challenge high-level hate speech against Roma in Italy. Following OHCHR advocacy, in July 2018, the European Parliament held a special session to examine hate speech by senior Italian officials.

26.   The efforts of OHCHR to encourage the adoption of a human rights-based follow-up to the current European Union Roma inclusion framework advanced during 2018, with the European Commission taking steps to act on OHCHR recommendations to strengthen the European Union policy on tackling segregation and acting to recognize and combat anti-Gypsyism. Proposals for explicit funding commitments in this regard were included in the European Commission's May 2018 budget proposals for the period after 2020. Also, in June 2018, the European Union adopted new standards strengthening national anti-discrimination bodies, which guarantee their greater independence and capacity.

Protection of migrants' rights

27.   As recognized in international human rights norms and Sustainable Development Goal 8, migrants often face particular challenges that need to be addressed through rights-based policies and legislation. In Central America (El Salvador, Guatemala and Honduras), the foreign affairs ministries have developed protocols for effective response to cases of missing or disappeared migrants, with the support of OHCHR. In Guatemala, Congress adopted a new Migration Code, with the support of OHCHR. However challenges remain, and two years after the adoption of the Code, the necessary implementing institutions have not yet been created. Since October 2018, a new migration pattern in Central America known as "migrant caravans" has raised serious concerns about the capacity of Guatemala and Mexico to meet its human rights and Sustainable Development Goals commitments in the context of large movements of migrants in transit.

Discrimination based on disability

28.   In 2018, OHCHR worked closely with the Lebanese Ministry of Social Affairs to assess the compliance with international disability standards of Law No. 220 (2000) on the rights of disabled persons. OHCHR conducted a comparative study that identified gaps in the national legislation and recommended improvements.

29.   In West Africa, Benin and Senegal adopted laws on the promotion and protection of the rights of persons with disabilities, the Gambia drafted a disability bill, and the Government of Guinea is reviewing a draft law on the protection of persons with disabilities. Four Nigerian States adopted legislation on the rights of persons with disabilities.

30.   Other important anti-discrimination steps, often supported by OHCHR or other United Nations agencies, were taken in several countries. Some progress was achieved in developing national action plans, policies and strategies on disability in Serbia, South Africa and Uganda. Furthermore, in Ethiopia, the national committee in charge of implementation of the Convention on the Rights of Persons with Disabilities launched a disability inclusion guide for trade unions. The Republic of Moldova approved a new framework for disability determination, which complies with international standards.

Avoiding marginalization of youth

31.   Timor-Leste is among the youngest nations in Asia, with 62 per cent of the population under the age of 25. The country is committed to transforming the existing youth bulge into a "demographic dividend'' by 2030, and in 2016 adopted a National Youth Policy. The United Nations, with technical advice from the Human Rights Adviser, is

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[12] See www.asamblea.gob.pa/crearan-secretaria-nacional-para-afropanamenos/.

supporting implementation of the 2016 National Youth Policy. The policy gives specific attention to youth with disabilities and lesbian, gay, bisexual, transgender and intersex youth and works to increase access to education, health services and employment, as well as to tackle discrimination and violence.

C. Participation and setting the stage for enhanced accountability on results

32.   In the 2030 Agenda, and particularly Sustainable Development Goal 16, Member States committed to ensuring "responsive, inclusive, participatory and representative decision-making at all levels".[13] They further committed to "open, inclusive, participatory and transparent" follow-up and review processes for the Sustainable Development Goals.[14] Participation in public affairs and decision-making is also a key human rights principle, vital to the achievement of the Goals. Unless communities living in vulnerable situations can effectively participate in and contribute to policymaking, they will continue being left behind. Formal and informal mechanisms are needed, as well as the creation of an enabling environment that guarantees people's rights to assembly and freedom of expression, among other rights.

33.   In March 2019, the Afghanistan Independent Human Rights Commission launched a national inquiry on the role of women in peace and security in Afghanistan. In partnership with civil society, public hearings were organized in Kabul, Bamyan, Herat, Helmand and Kandahar Provinces. Meanwhile, the Government introduced a new draft plan for the implementation of the second phase of National Action Plan 1325, from 1 January 2019 to 31 December 2022. Also, the United Nations Assistance Mission in Afghanistan facilitated 39 civil society-led round-table discussions and seminars to promote civil society space and inclusive engagement in peace processes.

34.   In Azerbaijan, the secretariat of the National Coordination Council for Sustainable Development, and the United Nations country team, facilitated a joint workshop with civil society in 2018 on Sustainable Development Goals localization and prioritization. It focused on prioritizing Goals, targets and indicators and on the adaptation of these to national contexts in conjunction with the Sustainable Development Goals acceleration platforms,[15] the Baku principles, and voluntary national review priorities documents. The workshop outcomes contributed to the preparation of the 2019 voluntary national review of Azerbaijan and to the development of the Azerbaijan 2020: Vision of the Future development concept.

35.   A number of initiatives have been taken in Africa, often with OHCHR support. In South Sudan for instance, the Human Rights Division of the United Nations Mission in South Sudan, together with UNDP, has supported the technical committee in charge of establishing the truth-seeking body in its role of carrying out broad and effective consultations with all sectors of society as a basis for draft legislation to create the Commission on Truth, Reconciliation and Healing. Such broad participation in the design of transitional justice institutions is a well-established international best practice for achieving ownership and crucial collaboration from all sectors of society.

36.   In Senegal, with support from OHCHR, the Department of Human Rights (Ministry of Justice) established a coalition of human rights groups known as the Platform for the Promotion and Protection of Human Rights to ensure, between civil society organizations and the Government, greater coordination and sharing of information about various human rights initiatives taking place.

37.   Following the approval on 18 April 2018 by the Government of Guinea of the law for the protection and promotion of the rights of persons with disabilities, OHCHR, in close

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[13] Target 16.7.
[14] 2030 Agenda, para. 74 (d).
[15] The Sustainable Development Goals Accelerator identifies and supports high-impact innovations and start-ups that can radically transform businesses and industries. See http://sdgaccelerator.org/.

partnership with the Ministry of Social Affairs and a network of non-governmental organizations working on the rights of persons with disabilities, published a brochure on the new law and a series of outreach activities targeting young people, women and persons with disabilities. This helped raise the awareness of relevant human rights principles and standards and contributed to rights holders' meaningful participation in public processes.

38.   In Kenya, with technical support from OHCHR, the draft national policy on public participation has significantly improved and is now consistent with the draft guidelines for States on the effective implementation of the right to participate in public affairs (A/HRC/39/28). It is now with the Attorney General, for presentation to the Cabinet. Once approved, the policy will provide a framework for public participation in policy development and implementation.

39.   In Liberia, rights holders increased their meaningful engagement with policy processes that affect their rights under international human rights law and the 2030 Agenda. For example, the Civil Society Human Rights Advocacy Platform was established to promote a human rights-based approach to public policies. The Human Rights Forum, which is composed of civil society organizations, participated in the implementation of the National Human Rights Action Plan and advocated with national authorities for the participation of the rural population in the management and allocation of the national budget.

40.   There have also been useful initiatives in South America. Building bridges between public institutions and civil society in the context of human rights-relevant policy and legislation development has become one of the important contributions of OHCHR to government implementation of international human rights obligations and the Sustainable Development Goals.

41.   The Colombian territorial development plans provided an opportunity to facilitate the engagement of rights holders in the design of public policies. OHCHR undertook a number of capacity-building activities with civil society actors to enable them to participate meaningfully in these processes. For instance, members of the national human rights platform La Alianza received training on how to formulate municipal and departmental public policies that incorporate a human rights-based approach. The participants in the training formed a network to further disseminate this information and achieve more effective participation in the formulation and oversight of public policies.

42.   At the provincial level, through technical support from the OHCHR office in Colombia, the governor of the department of Amazonas and indigenous communities reached agreements to advance implementation of a comprehensive intercultural health system that includes participation in decision-making on infrastructure construction and extension of medical insurance coverage for 90 per cent of the population.

43.   In Costa Rica, OHCHR has been supporting indigenous peoples and the Government in establishing a permanent national mechanism of consultation with indigenous peoples, which was approved by the country's President in 2018. OHCHR also contributes to the implementation of this mechanism by providing support to the 24 indigenous territories in strengthening their internal organization to participate in future consultations on initiatives that may affect the enjoyment of their rights.

44.   In Panama, the Government held a dialogue with indigenous authorities from the Ngäbe-Buglé *comarca* to guarantee the participation of indigenous peoples in the decision-making process related to the exploitation of natural resources in the Barro Blanco hydroelectric project. The dialogue contributed to ending violent confrontations between indigenous peoples and security forces and led to a negotiated agreement that included compensation for the communities affected by the project, as well as measures to reduce its social, economic, cultural and environmental impact. Nonetheless, the Ngäbe-Buglé General Congress rejected the agreement and no further progress has been achieved since then.

D. Human rights and specific Sustainable Development Goals

Realization of economic, social and cultural rights – a path towards implementation of the Goals

45.   While the Sustainable Development Goals themselves are not framed explicitly in the language of human rights, virtually all of the Goals correspond to the contents of key economic, social and cultural rights. Several Goals are specifically focused on corresponding economic, social and cultural rights – such as the right to adequate food (Goal 2 on ending hunger, achieving food security and improved nutrition and promoting sustainable agriculture), the right to health (Goal 3 on ensuring healthy lives and promoting well-being for all at all ages), the right to education (Goal 4 on ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all), the right to safe drinking water and sanitation (Goal 6 on ensuring availability and sustainable management of water and sanitation for all), the right to work (Goal 8 on promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all), and the right to an adequate standard of living, including the right to adequate housing, and equal ownership to land and properties (Goal 11 on making cities and human settlements inclusive, safe, resilient and sustainable).

46.   Given this, there are a number of national policies aimed at both securing economic, social and cultural rights and achieving the Sustainable Development Goals. In 2017, South Africa launched a national HIV plan aimed at significantly reducing infection rates, discrimination and stigma by providing information, psychosocial support and treatment to all members of the lesbian, gay, bisexual, transgender and intersex community.[16] Regarding the rights of persons with disabilities in Guatemala, OHCHR provided technical assistance to the State on a draft law on mental health. OHCHR Guatemala made recommendations on the labour inclusion of persons with disabilities and prepared an initial mapping of draft laws related to the rights of persons with disabilities. The Guatemala office also provided support to the Government to ensure that legislation and policy increasingly complies with international human rights norms in relation to the rights to food, housing and land.

47.   In January 2018, the Government of France issued an interministerial instruction envisaging that France would have no slums within five years, and a supervisory body was established in June to monitor its implementation. As a result of efforts undertaken since 2013, the French authorities have succeeded in bringing 5,132 persons previously living in slums into mainstream housing, and 6,438 children have been enrolled in school. These are important achievements. Nevertheless, in France today, according to official data, approximately 16,000 people live in some 570 informal slums (*bidonvilles*) or squats. OHCHR has long advocated for the right to adequate housing and related human rights of Roma in France, including through a mission to the country carried out in 2018.[17]

48.   The Government of Indonesia reiterated its commitment to strengthen the rights of local communities over land and forests, and in December 2016 recognized nine indigenous communities' rights to customary forest areas covering a total of 13,100 hectares. The Government has committed to returning a total of 12.7 million hectares of community forests by 2019, which raises the potential for progress towards the implementation of targets under Goals 1 and 12 particularly.

49.   Land legislation was adopted in Timor-Leste, to strengthen security of land tenure for all Timorese people. The legislation includes a specific provision in relation to vulnerable groups to guarantee "adequate information for consultation with and participation of these groups, in a way that promotes the right to equality and non-discrimination".

50.   Indigenous representatives in Cambodia engaged in consultations with authorities on the draft Environmental Code and the draft Law on Agricultural Land Management.

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[16] A/HRC/38/37, para. 50.
[17] See https://europe.ohchr.org/Documents/Publications/NO%20ONE%20LEFT%20BEHIND%20 ENG.pdf.

Furthermore, indigenous peoples in seven provinces participated in the communal land titling process with various ministries. As a result, six indigenous communities in Koh Kong, Kratie and Mondulkiri Provinces obtained their indigenous peoples' identity registration (the first step in the communal land titling process). One community in Mondulkiri Province obtained its registration as a legal entity (the second step in the process), and an indigenous community in Battambang Province was able to advance in the demarcation of its lands.

51.   Regarding the protection of the right to land in Colombia, although 122 requests for the protection of territories were presented by indigenous and Afrodescendent authorities in 2017, most of these were not processed. The limited realization of the rights to territorial integrity and participation affected the exercise of the autonomy and self-determination of ethnic peoples, thereby increasing their vulnerability. Despite the signature of the peace agreements between the Government of Colombia and the Revolutionary Armed Forces of Colombia-People's Army (FARC-EP) in 2016, new displacements and restrictions to the effective enjoyment of the right to land and territory were generated as a result of disputes over land by new actors involved in drug trafficking in areas that had previously been controlled by the FARC-EP guerrillas.

52.   In Germany, examples of how Sustainable Development Goals implementation has inspired progress on human rights include the adoption in May 2017 of a new law on equal pay for equal work. This law reform was a direct consequence of the benchmark included in Goal 5. Similarly, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) was adopted as a consequence of the national review process on implementation of the Goals, while the German action plan on the Guiding Principles on Business and Human Rights was inspired by Goal 8.[18]

Business and human rights

53.   In the 2030 Agenda, Member States committed to "foster a dynamic and well-functioning business sector, while protecting labour rights and environmental and health standards in accordance with relevant international standards and agreements and other ongoing initiatives in this regard, such as the Guiding Principles on Business and Human Rights" as well as human rights treaties.[19]

54.   Businesses can help achieve all Sustainable Development Goals if they comply with human rights. When respect for human rights becomes firmly recognized as the starting point for all companies, they have the potential to contribute to advancing social development, and to the realization of the 2030 Agenda. They can create decent employment, drive essential investment technologies and innovation, and contribute to domestic revenues available for development.

55.   In Thailand, the Government adopted the National Action Plan on Business and Human Rights, which is in line with the Guiding Principles on Business and Human Rights. The National Legislative Assembly also amended the Criminal Code, allowing judges to dismiss cases filed by companies against communities affected by their activities. In the first year of the Sustainable Development Goals, Thailand nationalized the Goals in its country strategy for the next 20 years (in the national economic and social development plan). Then Thailand "localized" them, when its Cabinet designated the governor of each province to be a Sustainable Development Goals focal point responsible for receiving input from civil society, the private sector and academia.[20]

56.   In Africa, the Government of Kenya is leading a steering committee to develop an action plan and policy on human rights and business. In Madagascar, a tripartite charter was developed with representatives of civil society, the Government and mining companies to

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[18] "Human rights and the Sustainable Development Goals: pursuing synergies", Danish Institute for Human Rights, p. 11.

[19] 2030 Agenda, para. 67.

[20] A/HRC/40/34, para. 9.

promote the principles of participation, transparency and accountability in law and policymaking and to ensure that the Government's general policy and sector-based policies incorporate a human rights-based approach. A number of activities were also implemented in Mozambique to support the development of a national action plan on business and human rights, including developing a national baseline assessment, and establishing a national coordination mechanism, composed of governmental entities, civil society organizations and business enterprises.

57.   In Colombia, departmental public policies on business and human rights were developed in Antioquia and Magdalena, including for the design of mechanisms for non-judicial remedies. With regard to the integration of human rights principles into business operations, Guías Colombia, a multi-actor initiative created to establish due diligence guidelines, adopted mandatory due diligence standards for the assessment, prevention and mitigation of human rights impacts, in the operations of its members, contractors and suppliers. The existing guidelines address a variety of issues, such as security, decent work and land. A 2017 evaluation demonstrated that approximately 60 per cent of the businesses reporting to Guías Colombia had made significant progress in the implementation of the guidelines.

58.   In Honduras, the National Association of Industrialists created a committee to promote human rights among its members, while in Guatemala, the Ministry of Environment and Natural Resources committed to developing a guidance document for consultation with indigenous peoples during the initial phase of environmental impact studies related to the exploitation of natural resources. The Government of Chile developed and launched a national plan on business and human rights.

Inclusive societies provide access to justice and build effective, accountable and inclusive institutions

59.   Guaranteeing access to justice is both a human rights obligation and central to the achievement of Goal 16. Through its human rights presence in the South Caucasus, OHCHR strengthened capacities to expand legal aid to groups facing vulnerabilities in their access to social services and enjoyment of economic, social and cultural rights in Azerbaijan. This effort has resulted in free professional legal assistance to complement the limited legal services available to vulnerable groups, including persons with disabilities and low-income populations.

60.   In Georgia in 2018, Parliament passed a law mandating the State Inspector to investigate allegations of serious human rights abuses by law enforcement officials and to monitor protection of personal data. This law had received extensive support from OHCHR, the national human rights institution and non-governmental organizations and is the result of consistent human rights advocacy.

61.   In September 2018, the European Parliament, for the first time in the European Union's history, made extensive use of United Nations human rights standards in taking action against a Member State for values and rights breaches. In May 2018, the European Commission decided to propose rule of law conditionality on the use of European Union funds, and in October 2018 the European Parliament moved to establish European Union funds for human rights work in European Union member States. Sustained engagement by OHCHR in terms of its monitoring and advocacy in Hungary and Poland in particular, bolstered efforts by national, regional and international actors to respond more effectively to rule of law challenges and to threats to civic space in these countries.

62.   In December 2018, the Niger adopted a law on protection and assistance for internally displaced persons, in line with the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention). The law strengthens national measures to prevent, mitigate and eliminate the conditions that could lead to internal displacement and calls for protection and assistance for internally displaced persons. During her mission to the Niger in March of the same year, the Special Rapporteur on the human rights of internally displaced persons encouraged the adoption of a national law on protection and assistance for internally displaced persons. This particularly relates to targets 16.1 and 16.3.

63.   In August 2018, the Ministry of the Interior in Colombia adopted the "protocol for the coordination of actions to respect and guarantee peaceful protest", which incorporated the OHCHR recommendation to identify mechanisms to guarantee the exercise of fundamental rights related to social protest. Similarly, the National Police in Guatemala developed three protocols on demonstrations, road blockages and evictions, with the support of OHCHR Guatemala. Jointly with the International Committee of the Red Cross and a presidential human rights coordinating body,[21] OHCHR held four workshops for police officers, to improve these documents and develop a single protocol on the use of force. This relates directly to the prevention of violence and deaths: target 16.1.

64.   Also in Guatemala, OHCHR supported the access policy for indigenous people in the Office of the Attorney General. OHCHR provided technical assistance and advice to the Secretariat of Indigenous Peoples within the Supreme Court, and promoted training processes on the rights of indigenous peoples for staff of government institutions that have mandates concerning human rights and the justice system. In this context, OHCHR also provided training to some 31 judges, prosecutors and public defenders on indigenous peoples' rights under the auspices of the School of Judicial Studies. Together with the indigenous peoples secretariat of the judiciary, it organized four regional meetings to foster coordination between the indigenous and ordinary justice systems.

65.   In 2018, the Parliament of the Republic of Moldova approved the National Human Rights Action Plan and established the Permanent Human Rights Secretariat to coordinate and monitor the implementation of the Action Plan. The Action Plan is based on the outcome of the 2016 universal periodic review and on several treaty body and special procedure recommendations issued in 2017. Staff of the Directorate for Permanent Secretariats, which hosts the Permanent Human Rights Secretariat and other human rights-related bodies under the State Chancellery, were trained by OHCHR in the area of human rights monitoring mechanisms and implementation of their recommendations.

66.   A number of countries adopted important legislative changes to prevent torture and ill-treatment. In Georgia, Parliament amended existing legislation, which included prescribing severe punishments for crimes of torture or inhuman treatment and repealing the statute of limitations for those crimes, and identifying procedural guarantees for detained individuals. It also addressed gaps in legislation and by-laws which had enabled law enforcement agencies to act arbitrarily and had thereby increased the potential risk of ill-treatment.

67.   Albania has pursued crucial reforms in its efforts to ensure stable institutions, and a functional democracy that upholds the rule of law and guarantees the respect of human rights. The most significant reforms of the Government of Albania since 2016 are related to reorganization of the justice system and the functionality of the rule of law, which are also key conditions for the country's accession to the European Union. UNDP works with the Government of Albania, Parliament, independent national institutions and local governments to improve the quality of governance for sustainable development. For UNDP, the 2030 Agenda is fully aligned with the key priorities for accession to the European Union, and in particular with Goal 16 on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels.[22]

E.   Combating gender discrimination, inequalities and violence

Addressing gender discrimination through policy change

68.   The 2030 Agenda includes a particular focus on achieving gender equality, including through Goal 5. Progress was made by a number of countries in approving legislation and policies to combat discrimination on the basis of gender. For instance, in 2017, gender equality laws were approved in the Republic of Moldova, the United Republic

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[21]   Comisión Presidencial Coordinadora de la Política del Ejecutivo en materia de Derechos Humanos.

[22]   See www.al.undp.org/content/albania/en/home/democratic-governance-and-peacebuilding.html.

of Tanzania, and Zambia. Legislation on particular women's rights issues was also developed, including on domestic violence in Belarus and North Macedonia, on female genital mutilation in the Gambia and on forced marriage in Kyrgyzstan.

69.   In Afghanistan, the Cabinet's Gender Committee is considering for endorsement two policies, on women's inheritance and property ownership rights and on the protection of women in war and emergencies. The first draft policy is aimed at facilitating women's economic empowerment and financial independence, while the second is intended to ensure a holistic State response for the protection of women in the event of emergencies. The Human Rights Section of the United Nations Assistance Mission in Afghanistan has contributed to both of these draft policies.

70.   The Parliament of Morocco adopted legislation establishing a national authority to combat discrimination and enhance equality. Benin adopted a plan of action on gender, while in Senegal the Government developed and implemented a national action plan to combat discrimination against women and gender-based violence.

Violence against women and girls

71.   On 26 July 2017, Tunisia consolidated its leading position in the Middle East and North Africa Region in the field of women's rights through its Parliament's adoption of the Law on the Elimination of Violence against Women. The law is a landmark achievement that provides for the prevention of and protection from violence against women and girls and ensures that victims of violence receive adequate care and have access to justice. The law aligns Tunisian legislation with the country's Constitution and with recommendations issued by the Committee on the Elimination of Discrimination against Women.

72.   In the Democratic Republic of the Congo, the United Nations Joint Human Rights Office supported the implementation of the national strategy of prosecution of international crimes. It also supported the implementation of the action plan against sexual violence in conflict, launched by the country's armed forces – including through advocacy and training of army commanders on the prevention of conflict-related sexual violence.

73.   In order to more effectively defend and realize women's rights in Uruguay through the implementation of a newly approved law on gender-based violence, the Centre for Judicial Studies, with the support of OHCHR and the United Nations country team, provided technical support for judges to strengthen their capacity to address harmful stereotypes in cases of gender-based violence and infringement of sexual and reproductive health rights.

74.   Barbados and Dominica amended their respective Sexual Offences Acts to criminalize marital rape. Barbados also recently introduced sexual harassment legislation applicable in the workplace. In 2019, OHCHR, together with UN-Women, will train government officials in charge of implementing the new legislation.

75.   In Central America, OHCHR is supporting the development and use of protocols for the investigation of femicide. In Honduras, this included joint advocacy with other United Nations agencies and partners, sharing comparative experiences in public forums, and organizing technical workshops, all based on OHCHR monitoring of experiences of femicide. This work will continue in 2019, together with other United Nations agencies, in the context of the Spotlight Initiative, to review the rules of work of the country's Femicide Unit, using the Latin American Protocol on Investigation of Gender-Related Killings of Women.

76.   Another important target in the Sustainable Development Goals addresses the need to eliminate all forms of trafficking. OHCHR and UNDP are jointly helping the Jamaican authorities to finalize the national policy to combat trafficking in persons in Jamaica for 2018–2030, which provides a comprehensive framework to implement, monitor and evaluate the policy on human trafficking. The policy document is expected to be adopted by the Government of Jamaica in 2019. This represents significant progress, as Jamaica is both a source and destination country for trafficking in persons, especially women and girls.

77.   In Afghanistan, the Government issued Presidential Decree No. 262, which amended the Penal Code of 2018 in order to enable the 2009 law on elimination of violence against

women to remain applicable. This was necessary in order to ensure continuing legal protection for women and girls from violent gender-based crimes. Furthermore, in May 2018, the Attorney General's Office recruited 93 female prosecutors, thereby enabling the deployment of more female prosecutors to provinces and districts, and the expansion of female-headed prosecution units focused on cases of violence against women from 25 to 31. The number of courts dealing with these violations also increased, from 15 in 2017 to 22 in 2018.

III. Lessons learned, challenges and the way forward

78.   This compilation of experiences and practices aimed at mainstreaming or incorporating human rights into national policies in line with international human rights norms, with the technical support of OHCHR or of other national, regional or international human rights partners, reaffirms the importance of cooperation and partnerships in achieving the commitments under the 2030 Agenda. The 2030 Agenda and its Goals are formally grounded in the commitment to realize all human rights for all, without discrimination, including civil, cultural, economic, political and social rights as well as the right to development. Therefore, integrating all human rights into national policies and practices aimed at meeting the Sustainable Development Goals is a critical vehicle to achieve this ambitious agenda effectively, responding to Member States' vision as expressed in the 2030 Agenda.

79.   In addition, a human rights-based approach to data is crucial to ensuring that core human rights principles, such as participation, non-discrimination, and systematic efforts to leave no one behind, are fulfilled. OHCHR and Member States' long-standing commitment to make effective use of human rights indicators and of disaggregated data gathering in general has taken on increased significance since the development of the Sustainable Development Goals indicators in 2015. As seen in the present compilation of examples, at the request of States, OHCHR has intensified its work with governments' statistics bodies and other institutions that are well placed to provide a reliable data baseline and carry out continuous monitoring through a human rights-based approach to data.

80.   The Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights and the Voluntary Fund for Financial and Technical Assistance have both stressed in their reports to the Human Rights Council that, as one of the key components of sound technical cooperation, technical assistance programmes in the field of human rights should be guided by recommendations from the United Nations human rights mechanisms. As Member States and the United Nations move towards the full implementation of the 2030 Agenda, these recommendations become key references for prioritizing from among the 169 targets of the 17 Goals, and for framing government progress reports to the high-level political forum on sustainable development through the voluntary national review process. The use of such recommendations in the review process is aided by an important improvement to the Universal Human Rights Index, which is now searchable by Goal for human rights recommendations.

81.   Participation is a fundamental component in the development, implementation and monitoring processes of both human rights norms and the Sustainable Development Goals, which is why OHCHR is increasingly supporting and facilitating spaces for civil society participation in policy and legislation development. However, an important lesson learned from that work is that in order to be able to make a significant contribution, civil society must enjoy freedom of expression, freedom of association and freedom of assembly. Therefore, restricting civic space through policies and legislation on civil society organizations' activities is detrimental to the agenda of human rights and to implementation of the Sustainable Development Goals.

82.   Leaving no one behind is a core commitment of the Sustainable Development Goals. The same principle also takes centre stage in the process of implementing universal human rights, often expressed through a long-standing focus on preventing and combating all forms of discrimination and marginalization. Addressing discrimination in laws, policies and practices is therefore an effective way of ensuring that no one gets left behind.

83.   There are examples of progress made in the implementation of the 2030 Agenda, but much more needs to be done and the 2030 Agenda is not yet on track. Many countries are still far from achieving the goal of gender equality, which is also a driver for other Sustainable Development Goals, as women's inequality remains powerfully entrenched as an obstacle to political empowerment, economic opportunity, physical safety, equal pay and individual freedom of choice. There is now a need for greater urgency about achieving the 2030 Agenda, as only 12 years remain. The meetings of the high-level political forum on sustainable development to be held in 2019 represent an important milestone that requires immediate, accelerated action, including stronger partnerships between stakeholders at all levels, to further the implementation of the Sustainable Development Goals.[23]

84.   Looking forward, there is room for increased State cooperation with the Human Rights Council and with the OHCHR technical cooperation programme as a way to advance implementation of human rights and the Sustainable Development Goals, including on gender equality and leaving no one behind. In addition to the technical assistance offered by OHCHR and other United Nations agencies, there is a need for enhanced resource mobilization in line with the detailed targets and indicators developed under Goal 17. Some aspects of those targets can involve technical challenges, but fundamentally Goal 17 can only be fully implemented through increased political commitment, new innovative resource mobilization strategies and a strong commitment to international cooperation.

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[23] See A/HRC/40/34.