



Forum of the Countries of Latin America and the Caribbean
on Sustainable Development 2021

REPORT: ONLINE SIDE EVENT

Rights-Based Sustainable Recovery in Latin America and the
Caribbean: placing human rights and the 2030 Agenda at
the core of the responses to build forward better



ORGANISERS



“ At first I thought I was fighting to save rubber trees; then I thought I was fighting to save the Amazon rainforest. Now I realize that I am fighting for humanity ”

Chico Mendes

On 16th March 2021, a virtual side event was held as part of the Fourth Meeting of the Forum of the Countries of Latin America and the Caribbean on Sustainable Development 2021, entitled “**Rights-Based Sustainable Recovery in Latin America and the Caribbean: placing human rights and the 2030 Agenda at the core of the responses to build forward better**”, organised by the Sustainable Development and Human Settlements Division of the Economic Commission for Latin America and the Caribbean (ECLAC) in collaboration with the Danish Institute for Human Rights, the Ministry of National Planning and Economic Policy of Costa Rica (MIDEPLAN), the German Cooperation (GIZ) (through the MinSus Programme), the Regional Office for South America (ROSA) for the United Nations Office of the High Commissioner for Human Rights (OHCHR), the United Nations Environment Programme (UNEP), the Ibero-American Federation of Ombudsmen, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, The Global Alliance of National Human Rights Institutions (GANHRI) and the Centre for International Strategic Thinking (CEPEI).

More than 100 people participated in the event through the Zoom platform, in addition to those who tuned in to the live broadcast on ECLAC channels. The event featured Spanish-English interpretation.

The event was inaugurated by Jan Jarab, Regional Representative for South America for the United Nations Office of the High Commissioner for Human Rights (OHCHR) and Freddy Carrión Intriago, the Ecuadorian Ombudsman and President of the Global Alliance of National Human Rights Institutions (GANHRI); and featured a keynote presentation by Alicia Bárcena, Executive Secretary of ECLAC.

INTERVENTIONS

In his statement, **Jan Jarab, the Regional Representative for South America for OHCHR** pointed out that the pandemic constituted a human rights crisis, which is why human rights and sustainability must be at the core of the responses to build forward better after the pandemic. With this in mind, he called for a new social contract to build on the basis of equality and environmental protection, paying special attention to vulnerable individuals

and groups. He also emphasised that the Escazú Agreement and its focus on environmental defenders is an invaluable tool for post-pandemic recovery. “All countries must ratify this agreement that positions Latin America and the Caribbean as a global precursor,” he said.

Freddy Carrión Intriago, the Ecuadorian Ombudsman and President of GANHRI, meanwhile, stressed that the main objective is to meet current needs without compromising the resources of the future, in a resilient and inclusive environment. He added that the only way to post-pandemic recovery is collaborative work between public and private actors; and renewed commitment to the Sustainable Development Goals (SDGs) and the United Nations 2030 Agenda for Sustainable Development. He also highlighted the urgency of collaboration and participation as structural principles in the adoption of measures to address the COVID-19 crisis, and the construction of a new economic, social and environmental reality.

Alicia Bárcena, the Executive Secretary of ECLAC then stressed that the current crisis resulting from the COVID-19 pandemic is not the same for everyone, but that the most vulnerable people — particularly women— communities and countries are also those most affected.

“ The pandemic is undoubtedly also a human rights crisis, which not only affects the most vulnerable but also significantly undermines the capacities of States and jeopardises the fulfilment of the rights of each and every one of us. Indeed, taking care of Mother Earth and ensuring that human rights are protected are inextricably linked. ”

ECLAC's senior representative also referred to the document [Building Forward Better: Action to strengthen the 2030 Agenda for Sustainable Development](#), presented at the Fourth Meeting of the Forum of the Countries of Latin America and the Caribbean on Sustainable Development 2021 and in which it is suggested that we focus on eight sectors that may be the drivers of the new style of development: 1) Transforming the energy matrix into renewable energy; 2) Sustainable mobility; 3) Digital inclusion and revolution; 4) The healthcare manufacturing industry; (5) Bioeconomy and nature-based solutions; 6) Valuing and expanding the care economy; 7) Developing the circular economy; and 8) Sustainable tourism.

She also welcomed the imminent Escazú Agreement, the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, which will enter into force on 22nd April, coinciding with Earth Day 2021.

“Investing in building trust and the fair treatment of people has positive returns for both the environment and development. That is why now, when the global and regional situation is

so complex and uncertain, the Escazú Agreement is more necessary than ever,” she emphasised.

Finally, Alicia Bárcena paid tribute to Chico Mendes, defender of the Amazon rainforest and the environment who was assassinated for his work. She called for reflection on the necessary integration of a human rights-based approach into post-pandemic recovery.

A multi-actor dialogue was then held, moderated by the Youth Champion of Escazú, Laura Serna. Representatives of the State; academia; indigenous peoples; and international and cooperation agencies participated in the dialogue. Its objective was to highlight the importance of the commitment and action of all actors in society to promote post-pandemic recovery that places human rights and the 2030 Agenda at the core of our responses.

In her speech, **Roxie McLeish-Hutchinson, Permanent Secretary of the Ministry of Foreign Affairs, International Business and CARICOM Affairs of Grenada**, addressed the challenges of the COVID-19 pandemic for the Caribbean. In particular, she highlighted the need for States to work together to overcome the challenges exacerbated by the COVID-19 crisis in the areas of education, health, investment, poverty, and disaster prevention. In this respect, she noted that her country was adamant that the key to overcoming the challenges of sustainable development lay in the empowerment of its people, ensuring inclusion and equality. Accordingly, she noted that as signatory of the Escazú Agreement, Grenada applauded this treaty because it was the first in the world to provide protection to human rights defenders in environmental matters.

Then **Milagros De Camps, Deputy Minister of International Cooperation of the Ministry of Environment and Natural Resources of the Dominican Republic**, examined the social impacts of the pandemic and climate change in the Caribbean subregion. She stressed the importance of increasing participation in the formulation and implementation of public policies and environmental decisions. She then highlighted the Escazú Agreement, noting that this was a key tool for ensuring the well-being of all citizens and rebuilding towards the future based on sustainable, fair, and inclusive socio-economic models in Latin America and the Caribbean, leaving no one behind.

Then it was the turn of **Maira Olivo, a lawyer for indigenous women land defenders in Mexico**, who spoke about how to ensure that indigenous peoples' voices are heard in post-pandemic recovery plans. In this regard, she noted that the 2030 Agenda and SDGs must be a guide, as they represent development in the visibility of the concerns of indigenous peoples. However, she added that other issues should be considered, such as the right to territory and natural resources; and the relationship that indigenous peoples have with Mother Nature. She continued that there was a need for data on the impact of the pandemic on indigenous peoples, particularly indigenous women, and to ensure that indigenous peoples' free, prior and informed consent in plans and projects for reactivation was ensured. She added that post-pandemic measures should respect ancestral knowledge and that the

dissemination of such measures should be done through the appropriate languages and means. She also called for the suspension of megaprojects and extractive activities in ancestral territories during the pandemic and, in any case, to respect the right to prior consultation. Finally, she called for not only the ratification of the Escazú Agreement, but also to ensure its proper implementation.

For her part, **Alicia Abanto, Deputy for Environment, Public Services, and Indigenous Peoples of the Ombudsman's Office of Peru**, addressed the role of National Human Rights Institutions to ensure that COVID-19 measures were inclusive, and for that purpose she drew attention to the role of these institutions in supervising and monitoring the scope of SDGs. She highlighted, as an example, the work that NHRIs had been developing within the framework of the Ibero-American Federation of Ombudsmen to incorporate a human rights-based approach in the environmental impact assessment of mining projects, in order to strengthen participatory mechanisms, including prior consultation. She stressed that the imminent entry into force of the Escazú Agreement represented an opportunity to emphasise a rights-based recovery.

In his statement, **Javier Surasky, Governance for Development Area Coordinator at the Centre for International Strategic Thinking (CEPEI)**, noted that the international community had already learned that it should not focus on goals and targets, but on moving forward together through, for example, the guiding principles of the 2030 Agenda. This integrated approach should also be applied to a recovery with a human rights-based approach and should involve all actors. It was important to stress that the 2030 Agenda, just like human rights, is universal, indivisible, and integrated.

Next, **Nicolas Maennling, Principal Advisor of the MinSus Programme, German Cooperation (GIZ)**, addressed the topic from the point of view of a cooperation agency and the work they were doing in the Andean region to establish responsible mining, and the main challenges that the mining industry faced in order to contribute to sustainable recovery in Latin America and the Caribbean. In this regard, he noted that the challenges were enormous because of the impacts of the mining sector on communities and the environment. He noted that for mining to contribute to economic revival and transition to a low-carbon economy, special attention should be paid to environmental, social and governance aspects, including the safeguarding of human rights. He highlighted progress in these areas, such as access to complaint mechanisms; the strengthening of National Human Rights Institutions; and valued the cooperation with these institutions and ECLAC for the incorporation of a human rights-based approach into the environmental impact assessment of mining projects. Finally, he highlighted the role of collaborative work among the different actors to create the necessary changes.

In her statement, **Andrea Brusco, Environmental Governance Regional Coordinator , Regional Office for Latin America and the Caribbean, United Nations Environment Programme**, identified some key elements to consider, including: that environmental changes were undermining and delaying Sustainable Development Goals; that the wellbeing

of young people and future generations depended on changing the current way of doing things, and for this it was necessary that economic systems should be adapted to become more sustainable; and that everyone had a role to play to ensure that our actions went from transforming nature, to transforming our relationship with nature. In this regard, she stressed that the approach should be polycentric.

Finally, **Adrián Moreira Muñoz, Ministerial advisor to the Ministry of National Planning and Economic Policy (MIDEPLAN), Costa Rica**, offered some examples of how to align SDG targets with human rights. In this way, he explained how in Costa Rica the recommendations laid out the framework of the Universal Periodic Review were aligned with SDG targets. This allows us to have a holistic approach that contributes to the State's long-term solutions and responses. He also stressed the importance of having organised data to make structured decisions and, in this way, include SDGs and human rights in post-pandemic recovery agendas. In this regard, he highlighted the “Global Partnership for Sustainable Development Data” initiative, in which Costa Rica participates, led by the Danish Institute for Human Rights (DIHR), the Partners for Review Network (GIZ) and the International Civil Society Centre (ICSC). He also touched on the importance of ensuring that the pandemic did not result in a new lost decade for our region, and that development plans were essential for that purpose. Finally, he noted that, in the case of Costa Rica, the development plan incorporated SDG targets and allowed progress towards a long-term, data-based recovery.

CLOSING AND PARTICIPANTS' CONTRIBUTION

The event was closed by **Birgitte Feiring, Department Director, Human Rights and Development at the Danish Institute of Human Rights**. She began her speech by showing some of the results of a survey to which participants were invited to respond during the virtual side event. In response to the question of **how human rights could guide sustainable recovery in the region**, participants raised the need to provide public policy guides and promote a culture of rights and equity.

Participants repeatedly highlighted three elements in particular:

- **Overcoming inequality**, which has become even more visible during the COVID-19 pandemic, which means taking into account its differentiated impacts on vulnerable populations;
- **Collaboration** among States; and among States, social actors, and the private sector as a means of finding joint solutions; and
- **Participation**, especially by communities, in the development of short, medium, and long-term measures, including in environmental decisions.

In response to the question on whether they were aware of any **good practice in sustainable recovery**, attendees listed the following examples, among others:

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- Conservation tourism practices in Costa Rica, the protection of tropical forests in Peru and the promotion of ancestral practices of Afro-descendant and indigenous communities in the Colombian Pacific, which manage to care for the territory and raise awareness among communities about the importance of ecosystems for human well-being;
 - The use of technological and digital means to create new business activities in the context of adapting to the new normal and build international confidence to encourage investment;
 - Practices aimed at giving children and young people a voice in order to ensure that they can influence priorities to address pandemic-related challenges;
 - Orientation towards local economies, through, for example, sustainable fairs with local producers; adapting local buildings to climate change, for example, through water recovery and the creation of plant micro-climates for cooling specific areas; and the promotion of access to information and citizen participation.
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Attendees evaluated the event very positively and supported new activities on issues such as the situation of social leaders in the region, and transparency, accountability and the impact of corruption on human rights. In addition, one participant commented on their wish that States would negotiate collectively to obtain vaccines and ensure more equitable delivery and priority access to the most vulnerable population groups. Finally, participants stressed the need to strengthen inter-agency work and encourage the ratification of the Escazú Agreement in those countries that had not yet done so.

In her closing remarks, the **Department Director, Human Rights and Development at the Danish Institute of Human Rights** thanked everyone for their contributions and thanked the participants. She concluded by stressing the importance of ensuring that SDGs and a human rights-based perspective would lead the way towards post-pandemic recovery.

GENERAL CONCLUSIONS OF THE EVENT

Taking into account the presentations by panelists and the comments of attendees through the survey, it is possible to draw some general conclusions on sustainable recovery with a human rights-based approach:

- (i) Amid the regrettable social and economic effects of the pandemic, the current crisis must be channeled as an opportunity for both the State and private actors to strengthen their commitment to sustainable development and human rights. This is

a strategy to build forward better in the future and establish a more resilient and socially and environmentally supportive landscape.

- (ii) Overcoming the pandemic humanely involves collaboration between different actors, both in the short term (such as ensuring universal and equitable access to vaccines) and in the medium term regarding recovery measures.
- (iii) This collaborative construction involves strengthening the mechanisms and scope of participation of all stakeholders in order to collectively build a better post-pandemic future. This entails, inter alia, ensuring the participation of environmental matters (for which the Escazú Agreement is an indispensable tool) or ensuring prior consultation for indigenous peoples. Similarly, with regard to other vulnerable groups, such as women, indigenous peoples or children, the tools and means for their participation must be strengthened.
- (iv) The State's human rights responsibilities must be considered, since the crisis has exacerbated pre-existing circumstances of inequality and deprivation of the fulfilment of human rights. Progressing towards overcoming these pre-pandemic problems by recognising the differences of each population will make it possible to establish a future in keeping with each individual's human dignity and social equity. For this it is particularly important to have information and data that enable an interpretation according to the reality of each population.

USEFUL RESOURCES

- Website [COVID-19 and human rights](#), The Danish Institute for Human Rights (DIHR)
- Document [Sustainable recovery: building on human rights and the 2030 agenda for sustainable development](#) (DIHR)
- Publication [COVID-19 and inequality: guidance and resources for using human rights to build back equal](#) (DIHR)
- Document [Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\)](#), Economic Commission for Latin America and the Caribbean (CEPAL)
- Website [Observatory of Principle 10 in Latin American and the Caribbean](#) (CEPAL)
- Website [Follow-up to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean \(Escazú Agreement\)](#), Observatory of Principle 10 (CEPAL)
- Course [Introductory Course on SDG 16 and access rights, the Aarhus Convention, and the Escazú Agreement](#) (CEPAL)

- Document (Spanish only): [Recomendaciones para la incorporación del enfoque de derechos humanos en la evaluación de impacto ambiental de proyectos mineros](#) (CEPAL)
- Document [Building Forward Better: Action to strengthen the 2030 Agenda for Sustainable Development](#) (CEPAL)
- Executive summary: [Recommendations for incorporating a human rights-based approach in environmental impact assessment of mining projects](#), GIZ (MINSUS)
- Video (Spanish only): [Minería responsable, derechos humanos y sostenibilidad](#) - YouTube
- Publication [Comparative Analysis of LAC VNRs \(2016-2019\)](#), Centro de Pensamiento Estratégico Internacional (CEPEI)
- Publication (Spanish only) [¿De qué hablan los países de ALC cuando informan sobre sus procesos de implementación de los ODS?](#) (CEPEI)