

THE DANISH
INSTITUTE FOR
HUMAN RIGHTS

NATIONAL HUMAN
RIGHTS INSTITUTIONS
AS A DRIVING FORCE
FOR SUSTAINABLE
DEVELOPMENT

GOOD PRACTICES FOR
SDG PROGRAMMING AND
MONITORING



NATIONAL HUMAN RIGHTS INSTITUTIONS AS A DRIVING FORCE FOR SUSTAINABLE DEVELOPMENT: GOOD PRACTICES FOR SDG PROGRAMMING AND MONITORING

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CONTENT

| | |
|---|----|
| INTRODUCTION | 5 |
| GANHRI and the 2030 Agenda | 7 |
| An independent NHRI is an indicator on sustainable development | 8 |
| CONTRIBUTIONS FROM NATIONAL HUMAN RIGHTS INSTITUTIONS TO THE REALISATION OF THE SUSTAINABLE DEVELOPMENT GOALS | 10 |
| MONITORING AND ADVISORY | |
| INTEGRATED MONITORING CAN REINFORCE STATES' COMMITMENTS TO BOTH HUMAN RIGHTS AND SDGs (The National Commission for Human Rights of Mexico) | 10 |
| CONDUCTING ANALYSIS AND PROVIDING ADVICE TO GOVERNMENTS (La Defensoría de los Habitantes de la República de Costa Rica) | 11 |
| LEAVING NO ONE BEHIND: ADVOCACY TO BRING PERSONS WITH DISABILITIES TO THE CENTRE (The Zambian Human Rights Commission) | 12 |
| ENABLING THE CONDITIONS FOR FULL REALISATION OF THE SDGs IN CHALLENGING CONTEXTS (The Palestinian Independent Commission for Human Rights) | 13 |
| ALLIANCES AND PARTICIPATION | |
| FOSTERING A HUMAN RIGHTS-BASED APPROACH TO THE SDGs (The Afghanistan Independent Human Rights Commission) | 14 |
| BUILDING PARTNERSHIPS TO ACCELERATE SDG IMPLEMENTATION (Office of the Ombudsman of Argentina) | 15 |
| LEAVING NO ONE BEHIND: PARTNERSHIPS TO ADDRESS HUMAN RIGHTS VIOLATIONS IN EXTRACTIVE INDUSTRIES (The German Institute for Human Rights and the Colombian Defensoría del Pueblo) | 16 |
| DATA | |
| A RELIABLE SOURCE OF DATA TO CLOSE GAPS IN NATIONAL STATISTICAL CAPACITY AND LEAVE NO ONE BEHIND (The Danish Institute for Human Rights) | 18 |
| PRACTICAL APPLICATION OF THE HUMAN RIGHTS-BASED APPROACH TO SPECIFIC SDGs | |
| SDGs 5, 8 and 16: conducting unprecedented action to eliminate sexual harassment (The Australian Human Rights Commission) | 20 |
| SDG 6: Protecting the right to water and sanitation for present and future generations (Hungarian Commissioner for Fundamental Rights) | 21 |
| SDG 7: Assessing and addressing the human rights impact of renewable energy projects (La Defensoría del Pueblo de Colombia) | 22 |
| SDG 13: Ensuring accountability for SDG 13 through human rights principles (Commission on the Human Rights of the Philippines) | 23 |
| SDG 14: Opening doors for a systematic human rights-based approach to fisheries and aquaculture (The National Human Rights Commission of Chile) | 24 |
| Follow-up and Review: Engaging with stakeholders to promote inclusive, participatory and transparent SDG review (Scottish Human Rights Commission) | 26 |

INTRODUCTION



The 2030 Agenda for Sustainable Development¹ has among its objectives to end poverty, reduce inequalities, provide for good health and quality education, promote action to combat climate change and achieve peace, justice and strong institutions.

Moreover, it explicitly states that the Sustainable Development Goals (SDGs), seek to realize the human rights of all. The Agenda is also based on the principles of **participation, inclusion, transparency and accountability**, which are basic human rights principles.

The Danish Institute for Human Rights (DIHR) identified that **more than 90% of the 169 SDG targets are directly linked to human rights instruments and labour standards.**² Further, the pledge to leave no one behind and reach the furthest behind first represents a commitment to the human rights principles of equality and non-discrimination.

Acknowledging that the 2030 Agenda is a human rights-based agenda, the Human Rights Council in Resolution 37/24 decided to organize two intersessional meetings for dialogue and cooperation on human rights and the 2030 Agenda. The first of these meetings took place on January 16th 2019 in Geneva and was convened under the theme of the 2019 High-Level Political Forum; “Empowering people and ensuring inclusiveness and equality”.

The outcomes of this meeting³ illustrate the synergies between the two agendas and provide inspiration for actions that will help to achieve the SDGs and realise human rights in an integrated manner.

Given the intertwined and mutually-reinforcing nature of the SDGs and human rights standards, National Human Rights Institutions (NHRIs) can play a key role in the realisation of the SDGs. NHRIs are independent state bodies with the mandate to promote and protect human rights.⁴

NHRIs have a wide range of functions to promote and protect human rights, including through advising government and parliament; undertaking systematic analysis of the national human rights situation and issuing reports and recommendations; cooperating with national, regional, international and intergovernmental organizations; promoting human rights education; and, where NHRIs have a mandate to handle complaints, facilitating access to justice, redress and remedy.

¹ (A/RES/70/1) Read more here: <https://bit.ly/1Ep648>

²The links between each SDG target and the human rights instrument can be easily identified using a free online tool developed by the Danish Institute for Human Rights,

'The Human Rights Guide to the SDGs', available at <http://sdg.humanrights.dk>

³ All documents related to this meeting can be found here: <https://bit.ly/2H2M1rT>

⁴ Read more about NHRIs and their status in the Paris Principles, which is a set of international standards adopted by the United Nations General Assembly in 1993 to frame and guide the work of NHRIs: <http://bit.ly/1SGrPXt>

As institutions responsible for ensuring national compliance with international human rights commitments, **NHRIs are crucial elements of the institutional architecture necessary for the realisation of the 2030 Agenda.** Elaborating on the ways NHRIs can contribute to a human rights-based approach to the 2030 Agenda, the Global Alliance of National Human Rights Institutions (GANHRI) adopted the Mérida Declaration⁵ in 2015. The Declaration emphasises that “NHRIs in all regions are already addressing issues of crucial importance to the [2030] Agenda in their regular work” and reaffirms the mutually-reinforcing nature of SDGs and human rights.

The Declaration emphasizes that “NHRIs in all regions are already addressing issues of crucial importance to the [2030] Agenda in their regular work” and reaffirms the mutually reinforcing nature of SDGs and human rights:

“HUMAN RIGHTS INSTRUMENTS AND MECHANISMS WILL PROVIDE AN IMPORTANT FRAMEWORK FOR THE IMPLEMENTATION OF THE SDGS, AND THE IMPLEMENTATION OF THE SDGS WILL CONTRIBUTE TO THE REALIZATION OF HUMAN RIGHTS.”
(Mérida Declaration, para 12)

The General Assembly and the Human Rights Council (HRC) have acknowledged the unique role played by NHRIs in promoting and protecting human rights, including as an enable for the realisation of the 2030 Agenda.⁶ In March 2019, the HRC conducted an intersessional half-day consultation with the objective of exchanging experiences and practices on how NHRIs are working to support the establishment and maintenance of inclusive societies and the implementation of the 2030 Agenda.

The meeting concluded that NHRIs use their unique mandate, role and functions, which allow them to promote all human rights and serve as a bridge between national stakeholders, thereby contributing to the meaningful participation and cooperation of all actors, which is necessary for achieving the SDGs.⁷

NHRIs contribute to the realisation of the SDGs when, for instance, they monitor and address attacks on human rights defenders (target 16.10), promote and assist the formulation of programs and curricula on human rights education (target 4.7) and contribute to the eradication of discriminatory legislation (targets 5.c, 10.3, 16.b).

As showcased in this compilation of good practices, NHRIs add tremendous value to joined-up SDGs and human rights programming and monitoring, contribute to dialogue between state and civil society, and offer critical resources to increase efficiency and coherence.

⁵ Read more here: <https://bit.ly/2XhZjbR>

⁶ E.g. see General Assembly Resolution A/RES/72/181, and Human Rights Council Resolution A/HRC/RES/39/17

⁷ The report from the HRC consultation is available at: <https://bit.ly/2RPWYiw>

In addition, due to the nature of their work, NHRIs are indispensable partners in ensuring no one is left behind while accelerating progress for all SDGs. The examples in this publication are organised thematically according to NHRIs' key roles outlined in the Mérida Declaration: (a) Monitoring and Advisory, (b) Alliances and Participation, and (c) Data. It also reflects how NHRIs are directly contributing to specific SDGs.

GANHRI AND THE 2030 AGENDA



When the 2030 Agenda was adopted in September 2015, NHRIs, through GANHRI, were among the first institutions to explore how their mandate would apply to the commitments and challenges embedded in the SDGs. The 12th International Conference of NHRIs in October 2015 led to the adoption of the Mérida Declaration (see footnote 5), which establishes the principles and the foundation for NHRI engagement in the implementation of the 2030 Agenda. It also reflects the ability, willingness and commitment of NHRIs to embrace new opportunities for the protection and promotion of human rights.

Following the Mérida Declaration, the Network of African National Human Rights Institutions (NANHRI), adopted in 2017 the 'Kigali Declaration and Plan of Action on the 2030 Agenda for Sustainable Development and the African Agenda 2063 and the role of National Human Rights Institutions'⁸ (The Kigali Declaration). The Kigali Declaration contextualises NHRIs work with the SDGs in the African continent and highlights the critical role that NHRIs can play in the implementation and monitoring of both the 2030 and 2063 Agendas⁹.

GANHRI and the regional networks of NHRIs have worked over the past years, to fulfil the Mérida Declaration and contribute to the realisation of the SDGs. In 2016, GANHRI established a thematic working group on the 2030 Agenda as a platform for peer learning and exchange of information, and to lead on GANHRI's engagement with the sustainable development agenda. The Working Group has also provided support to regional networks and individual NHRIs, including by providing inputs to meetings and trainings on human rights and SDGs. At the regional level, two of GANHRI's networks have also established working groups to support their members on SDG-related content (in Europe and Africa).

GANHRI and its regional networks participate in regional and global SDG fora for sustainable development and Expert Group Meetings on specific SDGs. GANHRI is also advocating at the global level to enhance opportunities for systematic NHRI participation in these processes, as well as raising awareness of the role NHRIs can perform in SDG-related processes at country level.¹⁰

⁸ The Kigali Declaration can be found here: <https://bit.ly/2XpLLeF>

⁹ Agenda 2063 is Africa's strategic framework to deliver on its goal for inclusive and sustainable development. Read more here: <https://au.int/agenda2063/overview>

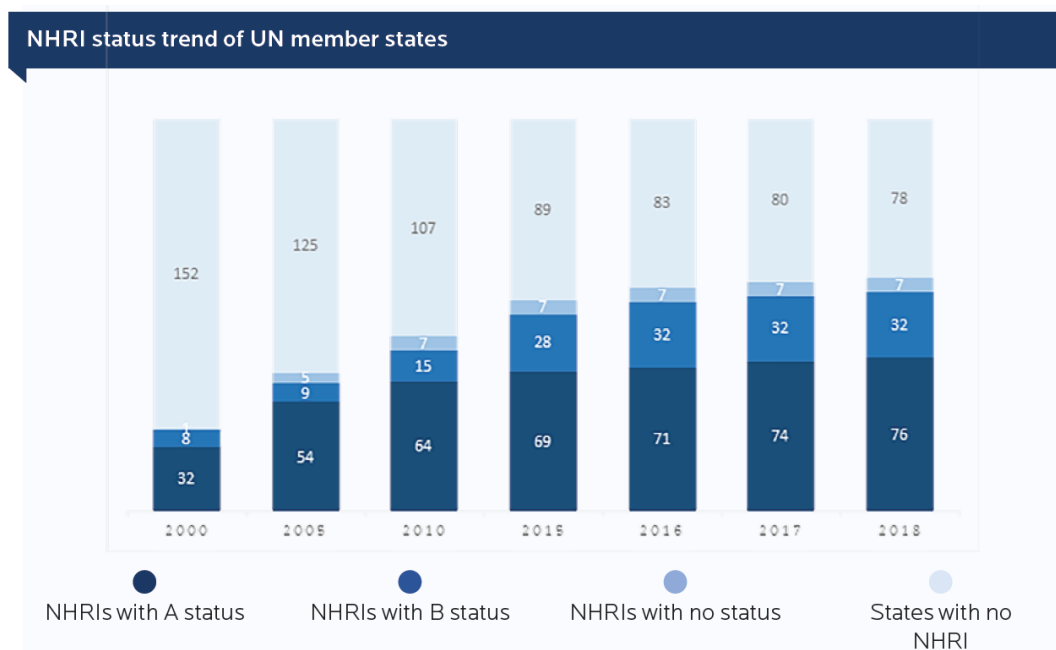
¹⁰ See GANHRI's compilation of NHRIs experience in engaging with the 2030 Agenda: 'National Human Rights Institutions engaging with the Sustainable Development Goals (SDGs)', 2017, available at: <https://bit.ly/2AygY0p>

AN INDEPENDENT NHRI IS AN INDICATOR ON SUSTAINABLE DEVELOPMENT

The SDG monitoring framework explicitly recognises the existence of an independent NHRI as an indicator for SDG 16 on peace, justice and strong institutions (indicator 16.a.1). NHRIs are regularly assessed against the so-called Paris Principles. Those which are fully compliant with these principles operate with autonomy from the government, have adequate resources and power of investigation, and fulfill a broad mandate to promote and protect human rights. Depend on the degree of compliance, NHRIs can be graded with having “A” status (fully compliant), “B” status (partially compliant) and no status.¹¹



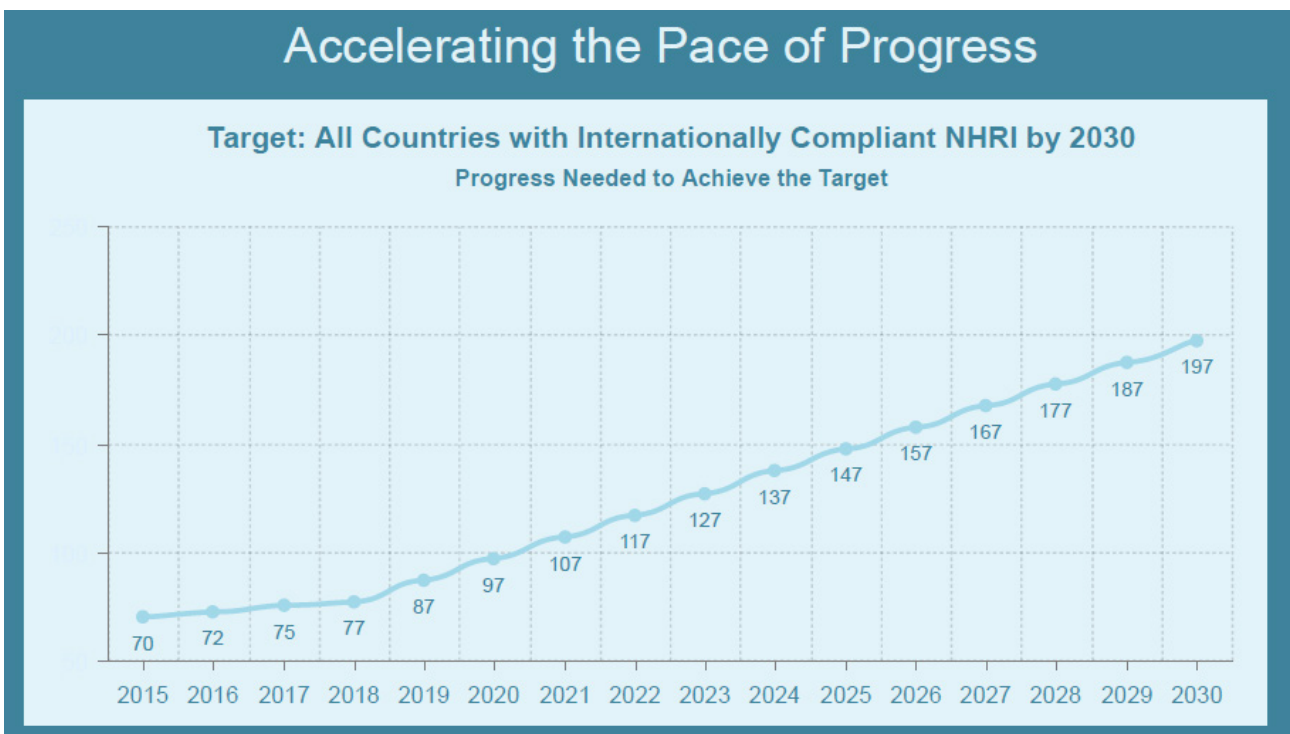
By the end of 2018, 76 UN member states had a NHRI with A-status accreditation (accounting for app. 39% UN member states) and 32 states had a B-status NHRI (17%). Overall, there has been an increase in the number of A-status NHRIs, which grew from 32 in the year 2000 to 76 in 2018. Although this represents an important step towards the fulfilment of all SDGs (and SDG16 in particular), **at the current pace of increase, only 54% of UN member states will have an A-status NHRI by 2030.**¹²



¹¹ All NHRIs are regularly assessed and awarded with either A, B or no status depending on their compliance with the Paris Principles, adopted by the UN General Assembly in 1993. This assessment is made by a Sub-Committee of GANHRI, under the auspices of the Office of the High Commissioner for Human Rights. Read more about NHRIs accreditation process: <https://bit.ly/2jTIGy4>

¹² Read more at National Human Rights Institutions: Accelerators, Guarantors and Indicators of Sustainable Development, available at: <https://bit.ly/2VTesL6>

Hence, as indicated in the below chart from the Office of the High Commissioner for Human Rights (OHCHR), in order to reach indicator 16.a.1 within the agreed timeframe, states must step up to their commitment and establish 10 new A-status NHRIs per year until 2030. This would also give effect to commitments to ensure an A-status NHRI made by the vast majority of UN member states under the Universal Periodic Review (UPR).



CONTRIBUTIONS FROM NATIONAL HUMAN RIGHTS INSTITUTIONS TO THE REALISATION OF THE SUSTAINABLE DEVELOPMENT GOALS

MONITORING AND ADVISORY

INTEGRATED MONITORING CAN REINFORCE STATES' COMMITMENTS TO BOTH HUMAN RIGHTS AND SDGs (The National Commission for Human Rights of Mexico)

To fulfil the promise of the 2030 Agenda to realise the human rights of all and "leave no one behind", it is crucial to guarantee efficient and coherent approaches to SDG monitoring. The broad human rights monitoring mandate of NHRIs often provides the basis for other key roles, such as providing advice and recommendations to governments and protecting the rights of marginalised groups.

The non-discrimination and equality principles that are fundamental principles of human rights go hand in hand with the 'leaving no one behind' principle, strongly reflected in the 2030 Agenda. The knowledge and hands-on experience of NHRIs with these issues can be used for building efficient and coherent joined-up approaches for monitoring both human rights and sustainable development.

The NHRI of Mexico (Comisión Nacional de los Derechos Humanos - CNDH) has made a commitment and is taking concrete steps to incorporate the perspective of the SDGs in all its work, including in monitoring. In 2017, the Commission began to incorporate the SDGs in an increasingly systematic manner in their Recommendations regarding complaints and non-conformities over alleged human rights violations committed by federal authorities.

In its recommendations to the state, the CNDH is referring to human rights violations based on the interpretation of both SDGs and human rights standards. It has, for instance, used SDG 8 to reinforce its argument when referring to the State's obligation to protect labour rights and promote a safe and secure work environment for agriculture workers (Recommendation n. 2/ 201, para 146). This practice reinforces the international commitment of the State for the realisation of both human rights and sustainable development.

CONDUCTING ANALYSIS AND PROVIDING ADVICE TO GOVERNMENTS (La Defensoría de los Habitantes de la República de Costa Rica)

NHRIs often have an advisory function as part of their mandate. This function places them in a position to bring in a human rights-based approach when providing advice to governments on SDG-related processes at the national and local levels.

They can, inter alia, identify the links between the SDGs and human rights obligations of the State and facilitate the strategic identification of national priorities and gaps in SDG implementation, including with regard to particular groups of rights-holders at risk of being left behind. Reference to regional and international human rights commitments can help raise awareness among government officials of the benefits of applying an integrated approach to SDG and human rights programming and monitoring, thereby increasing coherence, efficiency and accountability.

NHRIs can also produce contextual and in-depth analysis of human rights enjoyment with regards to rights-holder groups in a country. Such analysis can, inter alia, serve to guide national statistical offices in data collection to monitor the SDGs, in a way that leaves no rights-holder group behind in national and local statistics.

Every year the NHRI of Costa Rica (Defensoría de los Habitantes de la República – DHR) presents an annual report to the Parliament. The NHRI uses this strategic opportunity to raise awareness of and advise on critical issues that may influence the national political agenda. Its annual reports showcase the practical links between human rights and the SDGs, as well as DHR's analysis of the main recommendations received by Costa Rica from the international human rights system.

Its latest report (2018-2019) fully integrates the SDG perspective and provides detailed analysis and data that can help guide the development of legislation and policies to fully address the needs of the people of Costa Rica.

DHR initiated the integrated analysis of SDGs and human rights in the early stages of the 2030 Agenda. In its 2015-16 report, DHR offered a detailed analysis of the issues it has historically worked with, and which are directly connected to 14 of the 17 SDGs. In the case of SDG 1 (End Poverty), DHR reviewed the indicators proposed by the State and highlighted the need for adequate data disaggregation in order to make vulnerable populations more visible and be able to elaborate information surveys with the greatest possible precision.



LEAVING NO ONE BEHIND: ADVOCACY TO BRING PERSONS WITH DISABILITIES TO THE CENTRE (The Zambian Human Rights Commission)

NHRIs play a fundamental role in building bridges between rights-holders and authorities, and in fostering opportunities for collaboration, partnerships and synergies between these actors. They can also shed light on the needs of those who are particularly vulnerable and work to ensure that governments fulfil their human rights commitments and the 2030 Agenda pledge to leave no one behind.

Drawing from human rights obligations and from the commitments made in relation to the 2030 Agenda, NHRIs are advocating for inclusive governance and advising governments to include the needs and interests of persons with disabilities in national processes.

The Zambian Human Rights Commission (ZHRC)¹³ identified that persons with disabilities in Zambia were not adequately represented in a variety of governance structures. Drawing from the 2030 Agenda principles, the ZHRC reiterated the importance of leaving no one behind in national processes and urged the government to accommodate the interests of persons with disabilities.



In this process, the Commission called for “physical representation of persons with disabilities in various national governance structures in order to give them a sense of belonging and promote an inclusive system of governance for sustainable development” . Specifically, it called for persons with disabilities to be “physically represented in Districts, Provincial and National Development Co-ordinating Committees as well as in the various Technical Working Groups and Cluster Advisory Groups aimed at facilitating effective implementation of the [Seven National Development Plan] 7NDP” , which is the government’s blue print for development for the years 2017 - 2021.

On one hand, the ZHRC drew from Articles 69 and 259 of the Constitution, which attempts to increase representation of persons with disabilities in parliament and public office. At the same time, the Commission has been inspired by the Seven National Development Plan – a plan anchored in the SDGs and with several references to persons with disabilities in its goals and indicators – to call for full implementation of the National Policy on Disabilities, which was created to meet the country’s obligations towards the United Nations Convention on the Rights of Persons with Disabilities.

¹³ This case has been featured on the webpage of the Zambian Human Rights commission: ‘Human Rights Commission calls for physical representation of persons with disabilities in the governance structures and decision making processes on national matters’, available at: <https://bit.ly/2IVPo2P>

¹⁴ idem

¹⁵ idem

ENABLING THE CONDITIONS FOR FULL REALISATION OF THE SDGs IN CHALLENGING CONTEXTS (The Palestinian Independent Commission for Human Rights)

The 2030 Agenda calls for ‘effective measures and actions to be taken, in conformity with international law, to remove the obstacles to the full realization of the right of self-determination of peoples living under colonial and foreign occupation, which continue to adversely affect their economic and social development as well as their environment’.¹⁴

Achieving the SDGs requires having access to the right resources, developing the necessary capacities, and building strategic partnerships. In challenging contexts including countries in conflict, post-conflict, and occupied territories, the most pressing needs and priorities of the people might be found in the context, which is not explicitly addressed in the general sustainable development framework. In such cases, it is necessary to adapt to context in order to enable the state’s ability to plan, budget for and implement the SDGs.

NHRIs can play an important role in evaluating the impact of such contexts on the daily lives of the people, and in advocating for the improvement of the enabling environment for countries to pursue sustainable development and promote, protect and fulfil everyone’s human rights.

As part of its efforts to localise and contextualise the SDGs, the Independent Commission for Human Rights (ICHR) (the Palestinian NHRI) developed an additional Goal that is unique to the Palestinian context, calling it SDG ZERO (SDG 0). SDG 0 emerges from the acknowledgement that the ongoing occupation of Palestinian territories is hindering its ability to access and utilize its resources and limiting people’s right to move freely and conduct economic and social transactions internally and globally.

With SDG 0, the ICHR aims to raise awareness about Palestine’s right to self-determination as intrinsically linked to its ability to develop its economy and protect the interests of the present and future generations. This requires, inter alia, increasing control of its land and financial and natural resources, as well as ensuring respect for people’s rights and freedoms.

At the time of writing, SDG 0 has not been formally endorsed by the Palestinian State. Nonetheless, it provides an interesting example of how NHRIs can help analyse the conditions in their own country – whether in situation of occupation, armed conflict, climate change impacts or others – and shape the necessary framework to be taken into account for more effective, meaningful, and locally-relevant SDG planning.

ALLIANCES AND PARTICIPATION

FOSTERING A HUMAN RIGHTS-BASED APPROACH TO THE SDGs (The Afghanistan Independent Human Rights Commission)

The 2030 Agenda envisions a world ‘of universal respect for human rights and human dignity’. It also emphasises the importance of inclusion and participation as a means to leave no one behind. When adopting this global plan of action, countries agreed that sustainable development can only be achieved ‘with the participation of all countries, all stakeholders and all people’.¹⁵ They also committed to ‘build on existing platforms and processes’ to avoid duplication and ‘minimize the reporting burden on national administrations’.¹⁶

NHRIs have a unique mandate and role in the promotion and protection of human rights, including in the context of SDG implementation. Their engagement with duty-bearers, rights-holders and other key actors place them in a privileged position to raise awareness and promote dialogue and concerted efforts for implementation and monitoring of human rights and the 2030 Agenda. Across the regions, NHRIs are using their convening power to foster a human rights-based approach to the SDGs and help raise awareness among stakeholders.

The Afghanistan Independent Human Rights Commission (AIHRC) is actively engaged with SDG implementation and monitoring efforts. As a member of the National Committee of SDGs, it worked on the development of the National Action Plan for the SDGs and on efforts to localize the 2030 Agenda. AIHRC has also conducted a baseline survey on the SDGs and is planning to launch a country-wide research program to assess the extent of SDG implementation.

Since 2015, AIHRC has hosted international, national and local conferences on human rights and SDGs, gathering hundreds of government officials, representatives from civil society organizations, academia, media and human rights activists. These events have been instrumental in raising public awareness of the 2030 Agenda and of the synergies between SDGs and human rights.

Some key activities include the International Conference on Human Rights and Development Goals (held in 2016) and the Gender Equality Conference. The latter took place in 2017 and focused on the implementation of SDG 5, with a view to promoting equal rights for women in the political, economic and social spheres. AIHRC also organized a series of conferences in the 12 provinces of Afghanistan in 2016, promoting knowledge of SDGs and human rights among local governments, civil servants, civil society organizations and human rights activists.

¹⁵ A/RES/70/1, preamble

¹⁶ (A/RES/70/1, 74 (f))

BUILDING PARTNERSHIPS TO ACCELERATE SDG IMPLEMENTATION (Office of the Ombudsman of Argentina)

The concretisation of partnerships among different stakeholders remains a persistent challenge to the effective implementation and monitoring of the SDGs. NHRIs can offer relevant expertise to operationalise the synergies between human rights and sustainable development in a way that help accelerate progress for the SDGs while achieving the human rights of all.

Partnerships between NHRIs and the wide range of stakeholders, including governmental and non-governmental organisations and rights-holder groups, can boost effective and coherent approaches to SDG processes. Among other things, NHRIs can provide technical support on a variety of issues that can help the formulation of more inclusive policies and more effective advocacy efforts.



The Argentinian NHRI (Defensor del Pueblo de la Nación) has taken concrete steps to achieve target 17.17 (encourage and promote effective public, public-private, and civil society partnerships, building on the experience and resourcing strategies of partnerships). Among other things, it has initiated agreements to collaborate with the justice system, civil society networks, academia and other NHRIs, for the advancement of issues directly relevant to both human rights and SDGs.

The purposes of these agreements include: providing reciprocal technical assistance on issues inherent to the defence and protection of human rights and progress of the SDGs; exchanging information; promoting national and provincial legislation and practices in accordance with international human rights instruments to achieve their effective application; and working in networks to advance topics of common interest and promote strategies and campaigns in national, provincial and municipal institutions to enhance human rights protection.

Some of these agreements include:¹⁷ technical assistance, joint projects and campaigning to improve legislation and practices in support of the LGBTTI community (Leave no one behind); and Technical Cooperation Agreement with the University of Buenos Aires to exchange of information and capacity building to prevent, punish and eradicate violence against women (SDG 5).

¹⁹ Read more here at the 'Informe Anual 2017' (Annual Report 2017), pp. 252-253. Available at <http://www.dpn.gob.ar/documentos/anuales/ianual2017.pdf>.

LEAVING NO ONE BEHIND: PARTNERSHIPS TO ADDRESS HUMAN RIGHTS VIOLATIONS IN EXTRACTIVE INDUSTRIES (The German Institute for Human Rights and the Colombian Defensoría del Pueblo)

Across different regions and with particular impact in the global south, the forced displacement of indigenous peoples and rural communities by government authorities and mining companies has had severe impacts on livelihoods and on the rights to health, water, and adequate standard of living. The 2030 Agenda pledge to 'leave no one behind' means that all groups at risk are addressed – including those affected or displaced by mining activity.

As these groups are often dependent on natural resources, these activities raise concern about the need to preserve natural resources to avoid destroying opportunities of future generations. Partnerships between NHRIs around the globe, as the example between Germany and Colombia below, can be an effective measure to address the human rights concerns that result from multinational mining operations.

Colombia and Germany each represent one end of a coal supply chain. The German energy sector imports large amounts of coal from Colombia, while Colombia's population is exposed to various negative human rights impacts of mining activities. In October 2015, the Colombian Defensoría del Pueblo (Defensoría) and the German Institute for Human Rights (Deutsches Institut für Menschenrechte, DIMR)¹⁸ launched a transnational cooperation to address business-related human rights issues arising from coal mining in Colombia.

The Defensoría and the DIMR implemented a set of measures that promoted exchange, common research and capacity-building. Both NHRIs jointly conducted field visits and qualitative interviews with stakeholders in the coal sector in the regions of Cesar and La Guajira to gather first-hand information and enhance knowledge of existing human rights challenges. In March 2016, a multi-stakeholder conference in Bogotá initiated dialogue among representatives from mining companies, business associations, NGOs, communities and government officials, including the Presidential Office for Human Rights. It contributed to a shared understanding of the human rights issues in Colombia's mining regions and increased awareness of their transnational dimension.

20 This case has been published in detail at the paper 'Closing protection gaps in the human rights and business context', available at: <https://bit.ly/2Lrs9PV>

Through strategic and coordinated efforts, the DIMR and the Defensoría both increased their institutional capacities and improved their work in the context of business and human rights, benefiting equally from their cooperation. The Defensoría developed an institutional action plan for business-related human rights abuses.

This plan includes a policy guideline that specifies the duties that the Defensoría intends to fulfil in prevention, monitoring and access to remedy. The DIMR used the results of the cooperation to develop recommendations addressed to German development policymakers, and another set of recommendations which was discussed with German civil society and representatives of businesses in the energy sector. The DIMR also facilitated a meeting between German energy groups and the Defensoría in Colombia. This resulted in recognition by the companies of the fact that NHRIs can be key agents in assessing and addressing human rights risks.

This project demonstrates that transnational NHRI cooperation can make a valuable contribution to closing existing gaps in human rights protection across differing business and country contexts. It also represents a practical approach to the promotion of responsible partnerships for sustainable development, through awareness raising and encouragement of constructive dialogue between companies, governmental authorities and affected rightsholder groups.





DATA

A RELIABLE SOURCE OF DATA TO CLOSE GAPS IN NATIONAL STATISTICAL CAPACITY AND LEAVE NO ONE BEHIND (The Danish Institute for Human Rights)

In SDG monitoring processes, states are faced with challenges related to limited statistical capacity to generate data based on the 232 global SDG indicators. These limitations also include weak capacity for disaggregation of data. This leads to significant data gaps and requires collaborative efforts to develop creative, innovative, efficient and cost-effective approaches to supplement statistical data in SDG monitoring.

NHRIs have a significant potential to serve as credible data providers that can deliver context-specific analysis and advice, as well as information about vulnerable groups and sensitive issues that are hard to capture through statistical data. Among other things, NHRIs are well-placed to report on the status of discriminatory policies and legislation (indicators 10.3.1 and 16.b.1), on freedom of expression (indicator 16.10.1), and on human rights education (indicator 4.7.1).

The Danish Institute for Human Rights (DIHR) is collaborating with Statistics Denmark (the national statistical office) to provide data and information for the country's monitoring and reporting on the SDGs.²¹ This is part of a collaborative initiative adopted by Statistics Denmark to monitor progress on the SDGs in partnership with a broad range of stakeholders. DIHR contributed actively to the discussions about this inclusive data partnership, seeking to enhance the human rights dimension of SDG monitoring, where appropriate and feasible.

DIHR provides data on the situation of persons with disabilities, adding substantial information to existing aggregated data on selected indicators under SDGs 8, 10, 11 and 16. DIHR also submits data on human rights education (SDG 4.7) and text for the Danish reporting on SDG indicator 16.a.1 (existence of an A-status NHRI). Such contributions add value to the work of the national statistical office and help close gaps in Denmark's report and monitoring efforts. Particularly, they have helped unveil the specific needs of persons with disabilities in regard to SDGs targets, paving the way for more inclusive SDG programming.

²¹ All currently available SDG-related data from Statistics Denmark is displayed at the SDG Data portal: <https://www.dst.dk/da/Statistik/Sdg>

PRACTICAL APPLICATION OF THE HUMAN RIGHTS-BASED APPROACH TO SPECIFIC SDGs



Due to the synergies between the 2030 Agenda for Sustainable Development and human rights instruments, NHRIs are contributing to the implementation and monitoring of the SDGs through their regular work. For that reason, the systematic integration of NHRIs in SDG programming and monitoring can bring substantial benefits to the processes.

Leveraging the knowledge and experiences from NHRIs and human rights system is a smart way to increase horizontal and vertical coherence between government agencies. Not only can NHRIs inform human rights and SDG processes to avoid duplication of efforts, but they can also take action and add the qualitative and quantitative information necessary to make the SDGs work for everyone.

See below examples of how NHRIs are effectively contributing to the achievement of specific SDG goals and targets, and how the applied human rights-based approach is helping to leave no one behind.

SDGS 5, 8 AND 16: CONDUCTING UNPRECEDENTED ACTION TO ELIMINATE SEXUAL HARASSMENT (The Australian Human Rights Commission)²²



Sexual harassment is a form of violence, discrimination and abuse of power related to sex and gender inequality. It is a human rights violation that intersects with a number of SDGs, including SDG 5 (gender equality), SDG 8 (decent work) and

SDG 16 (peace, justice and strong institutions).

Recent global campaigns, including #MeToo and #TimesUp, signal the alarming prevalence of sexual harassment affecting workers across countries and different sexual orientations.

The Australian Human Rights Commission (“the Commission”) is making efforts to combat sexual harassment and consequently contributing to the following SDG targets: 5.1 and 5.2 (through the promotion of a systemic response to eliminate violence and discrimination against women); 8.8 (protecting labour rights and promoting safe and secure work environment for women); and 16.1 (combating all forms of violence).

Between April and June 2018, the Commission conducted a national survey²³ to investigate the prevalence, nature and reporting of sexual harassment in Australian workplaces and the community more broadly. The 2018 survey was conducted both online and by telephone with a sample of over 10,000 Australians. It revealed that one in three people (33%) have experienced sexual harassment at work in the last five years.

In relation to remedial action, the survey revealed that formal reporting of workplace sexual harassment continues to be low: only 17% of people who experienced sexual harassment at work made a formal report or complaint. In one in five cases (19%), the formal report or complaint brought no consequences for the perpetrator. The most common outcome of reports or complaints was a formal warning to the perpetrator (30% of cases). Almost half (45%) of people who made a formal report said that no changes occurred at their organisation because of the complaint.

In response to the survey, Australia’s Sex Discrimination Commissioner announced an unprecedented National Inquiry into sexual harassment. The survey findings will inform the National Inquiry, which is aimed at identifying good practice and creating recommendations to provide a way forward for preventing sexual harassment in the workplace. The Commission received online submissions and conducted public consultations in all capital cities and several regional centres across Australia.

²³ Read more here: <https://bit.ly/2KlibVF>





SDG 6: PROTECTING THE RIGHT TO WATER AND SANITATION FOR PRESENT AND FUTURE GENERATIONS (Hungarian Commissioner for Fundamental Rights)



The Ombudsman for Future Generation (OFG) has a mandate within the Hungarian NHRI to safeguard a) the human right to a healthy environment, and b) the common heritage of mankind including natural resources for future generations. Recently, the OFG played a central role in stopping a Bill that would threaten legal guarantees that ensure sustainable water management and access to water and sanitation for all (SDG 6) in Hungary. The bill proposed to change the water-related permission system to allow drilling wells down to 80 meters without any permission or notification requirements.

After analysing citizen complaints and consulting with multiple stakeholders (including NGOs and the scientific community), the OFG published and tabled a General Opinion with Parliament, detailing why the proposed legislation would violate constitutional provisions and endanger groundwater resources and public health. Following approval of the Bill in Parliament, the legislation was brought by the head of state for review before the Constitutional Court. The OFG provided an expert opinion to the case, and the Court echoed its arguments in the final decision to annul the proposed legislation.

The Hungarian NHRI used the powers allowed by its constitutional mandate and effectively advocated for invalidating the proposed legislation that risked jeopardising achievement of SDG 6 and the realisation of the human right to water and sanitation.

SDG 7: ASSESSING AND ADDRESSING THE HUMAN RIGHTS IMPACT OF RENEWABLE ENERGY PROJECTS (La Defensoría del Pueblo de Colombia)



Hydropower is the world's primary renewable source for electricity generation, providing 71% of all renewable electricity. Achieving 1,064 GW of installed capacity in 2016, it generated 16.4% of the world's electricity from all sources.²⁴ However, hydroelectric dams displace people worldwide, submerge large areas of land causing ecosystem damage and threaten human life if they collapse due to poor construction.

SDG 7 promotes access to energy for all and calls for a substantial increase in the availability of renewable energy (target 7.2). While this is a crucial step towards mitigating the impact of non-renewable energy on the environment and climate, respecting the rights of communities when building green energy projects is just as essential to achieving the 2030 Agenda as combatting climate change.

In Colombia, the El Quimbo Hydropower Energy Project located in the District of Huila has been a source of controversy since 2009. Its construction resulted in the displacement of 17,000 people. The Colombian Defensoría del Pueblo (Defensoría)²⁵ was alerted to this case through several complaints received from communities and NGOs, media attention, and complaints from the regional government and environmental authorities which led to an investigation into the hydropower sector in the country.

In 2017, the Defensoría published the results of the investigation in a report titled, 'Socio-Environmental Impacts and Possible Impact to Rights Due to Hydroelectric Production in Colombia'. The results showed that people's rights were affected by factors such as the lack of resettlement regulations, deficiencies in national and regional authorities' coordination with respect to land planning, low institutional capacities to monitor and control, and company interests. The report provided recommendations on public policy, regulations, and institutional strengthening to guarantee the effective enjoyment of human rights.

The Colombian NHRI brought stakeholders together by organising roundtables, delivering questions and concerns from communities to authorities, explaining and teaching about human rights (participation, environmental rights, responsibilities, etc.) and raising awareness of private actors and authorities on activities that could harm human rights. In doing so, the Defensoría addressed an important element of the transition to renewable energy that has not been captured in the text of SDG 7 - the adverse human rights impact of these projects on affected communities.

²⁴ See more at the report from the World Energy Council: <https://bit.ly/2mWMosE>

²⁵ This case has been published in detail at the report 'Remedy in Business and Human Rights Cases: the Role of National Human Rights Institutions', available at: <https://bit.ly/2FF2xeB>

SDG 13: ENSURING ACCOUNTABILITY FOR SDG 13 THROUGH HUMAN RIGHTS PRINCIPLES (Commission on the Human Rights of the Philippines)



The Carbon Majors Database²⁶ records corporate links to greenhouse gas emissions. In 2017, it attributed 923 billion tonnes of CO₂ emissions to 100 fossil fuel producers. Of these 100 companies were 41 public investor-owned companies, 16 private investor-owned companies, 36 state-owned companies and 7 state producers.

SDG 13 calls for action to combat climate change and its impacts. In fact, SDG 13 has a cross-cutting relevance for several SDGs as the world increasingly experiences climate-related hazards and natural disasters. This also includes severe impacts on the enjoyment of people's basic human rights reflected in the SDGs, including food production and access to food (SDG 2), air and water quality that affect people's health (SDG 3), destruction of human settlements (SDG 11) and increased inequalities (SDG 10). Among other actions, corporate accountability is imperative to combat climate change and its impacts.

In September 2015, a group of Filipino citizens and civil society organisations filed a petition before the Commission on Human Rights of the Philippines (CHRP),²⁷ requesting that the Commission investigate the responsibility of 'Carbon Majors' for human rights abuses or threats of abuses resulting from the impacts of climate change. The petition alleges that the "Carbon Majors" companies²⁸ breached the corporate responsibility to respect human rights, as articulated in the United Nations Guiding Principles on Business and Human Rights (UNGPs), through the contribution of their products and production processes to greenhouse gas emissions.

In 2016, the Commission commenced its inquiry, thus setting an important precedent for investigations by NHRIs into the corporate responsibility to respect human rights, resulting from transboundary harm. The Commission served copies of the petition to the 47 'Carbon Majors', seeking their response to the allegations within 45 days. Most of the companies did not respond. Those that did respond questioned the Commission's jurisdiction to handle the case.

In 2018, the Commission held hearings in Manila, New York, and London. The Commission concluded its public inquiry with two days of public hearings in Manila. The hearings included testimonies from world-renowned climate and human rights experts, and the accounts of residents from communities in the Philippines suffering most from the impacts of climate change. None of the respondent 'Carbon Majors' formally appeared in any of the hearings. The Commission plans to conclude its investigations and issue its findings in 2019.

The Philippine NHRI is performing an innovative leadership role in bringing accountability for SDG 13 on the basis of human rights principles. The outcome of this initiative will add clarity to the urgent need to take action to combat climate change and its impact on the environment and human rights.

²⁶ Read more: <https://bit.ly/2u4yfgv>

²⁷ This case has been published in detail at the report 'Remedy in Business and Human Rights Cases: the Role of National Human Rights Institutions', available at: <https://bit.ly/2FF2xeB>

²⁸ The 'Carbon Majors' are 47 investor-owned oil, gas and cement companies including Shell, BP, Chevron, Total, and Anglo American.

SDG 14: OPENING DOORS FOR A SYSTEMATIC HUMAN RIGHTS-BASED APPROACH TO FISHERIES AND AQUACULTURE (The National Human Rights Commission of Chile)



NHRIs have a mandate to work on the full range of civil, political, economic, social and cultural rights. Hence, their role is not limited to SDG 16 (which mainly comprises civil and political rights), but it can underpin the implementation and monitoring of all 17 SDGs.

Around 800 million people or 10% of the world's population depend on fisheries and aquaculture for their livelihoods and the realisation of a range of human rights including the right to food, to an adequate standard of living, to work, etc. Regrettably, these sectors are characterised by increasing overexploitation of resources, illegal, unreported and unregulated (IUU) fishing, limited access to marine resources and markets of small-scale fishers, and lack of respect for indigenous peoples' rights. Labour rights violations within these industries, including forced labour, child labour and hazardous working conditions, are documented in a number of countries. These human rights violations greatly impact fish workers, small-scale fishers and indigenous coastal communities.

The 2030 Agenda, and in particular SDG 14, represents a new push for the sustainable development of the fisheries and aquaculture sectors. It also offers a unique framework for coherence and for effective partnerships that enable collective action and responsible business conduct in these sectors.

NHRIs are engaging with global seafood companies, small-scale fishers, governments, UN agencies and development organisations to document the human rights impact and implications in this field. Through this work, NHRIs are taking an active role in building the bridge between human rights and SDG 14 to ensure a human rights-based approach to the sustainable development of the fisheries and aquaculture sectors.

In 2018, Chile's National Human Rights Institution (Instituto Nacional de Derechos Humanos de Chile) and the Danish Institute for Human Rights initiated a partnership on Sustainable Oceans (SDG 14), pursuing a human rights-based approach to fisheries and aquaculture. The Chilean NHRI is conducting a Sector-Wide Impact Assessment on the implications of the fisheries and aquaculture sectors to the human rights of affected populations, including small-scale fishers and indigenous coastal communities.

The documentation emerging from this assessment will be the basis for a series of activities led by the NHRI, which includes national and global dialogues, training of other NHRIs, and the promotion of policies and strategies for sustainable development and responsible business conduct.

Moreover, the Chilean and Danish NHRIs will jointly develop recommendations, tools and guidance for a human rights-based approach to the implementation and monitoring of SDG target 14.b (provide access for small-scale artisanal fishers to marine resources and markets), as well as recommendations and guidance for responsible business conduct and on how companies can assess and address their human rights impact in these sectors.

These resources will be developed and based on the United Nations Guiding Principles on Business and Human Rights²⁹ and the 2030 Agenda for Sustainable Development, underlining the mutually-reinforcing nature of both instruments.



²⁹ Read more about the United Nations Guiding Principles on Business and Human Rights: <https://bit.ly/2Bva4uB>

³⁰ Learn more about the major groups and other stakeholder at the HLPF-related processes: <https://bit.ly/2XIbQol>

³¹ A/RES/70/1, 74 (d)

FOLLOW-UP AND REVIEW: ENGAGING WITH STAKEHOLDERS TO PROMOTE INCLUSIVE, PARTICIPATORY AND TRANSPARENT SDG REVIEW (Scottish Human Rights Commission)

According to the 2030 Agenda, countries are expected to perform regular follow-up and review of the SDGs through 'inclusive, participatory and transparent' processes, in a manner that also 'support[s] reporting by all relevant stakeholders'. Every year, governmental and non-governmental actors (including a broad range of stakeholders³⁰) meet in New York at the **High-Level Political Forum (HLPF)** to review progress on specific SDGs and for countries to present their **Voluntary National Reviews (VNRs)**.³¹

The Scottish Human Rights Commission has a longstanding involvement with Scotland's approach to the SDGs, with particular engagement in the development of its monitoring framework. The NHRI has also assumed an active role in Scotland's Sustainable Development Goals Network (SDG Network). Through this, the NHRI has taken an active role in the preparations of the United Kingdom's VNR, which will be presented at the 2019 HLPF.

The Scottish SDG Network is a coalition of people and organisations interested in supporting the implementation of the SDGs in Scotland. It builds awareness and partnerships across civil society, business and government, facilitating coordinated and collaborative work among these actors and ensuring that all voices are heard by decision-makers. As an active member of the Network, the NHRI participates in a working group with the Scottish government and civil society and has been contributing to the UK's VNR, as well as with a shadow report on behalf of the Network.

KEY RESOURCES ABOUT NHRIs ENGAGEMENT WITH THE 2030 AGENDA:

Human Rights Council Intersessional Consultation on the experiences and practices of national human rights institutions in working to support the establishment and maintenance of inclusive societies and the implementation of the 2030 Agenda for Sustainable Development, 2018: <https://bit.ly/2RPWYiw>

Human Rights Council Intersessional Meeting for dialogue and cooperation on human rights and the 2030 Agenda, 2019: <https://bit.ly/2H2M1rT>

National Human Rights Institutions: Accelerators, Guarantors and Indicators of Sustainable Development, available at: <https://bit.ly/2VTesL6>

'National Human Rights Institutions engaging with the Sustainable Development Goals (SDGs)', 2017: <https://bit.ly/2AygY0p>

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