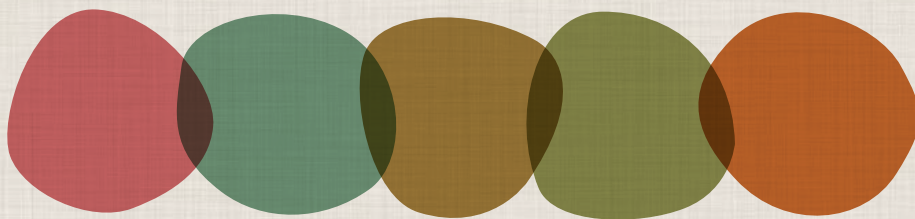


**2021**  
UPDATED  
VERSION

# A TOOLBOX



**HUMAN RIGHTS, SUSTAINABLE DEVELOPMENT,  
MIGRATION & CLIMATE POLICIES:  
CONNECTING THE DOTS**



**Franciscans International**  
A voice at the United Nations

## Acknowledgment

This Toolbox has been coordinated by Sandra Epal-Ratjen, International Advocacy Director at Franciscans International (FI). It has benefitted from the expertise and written contribution of Alison Graham, a human rights and poverty expert consultant. Madeleine Cowper supported with editing and Paolo Cravero, FI communications officer, coordinated the publication. Graphic design by Cara Pittendrigh. Clémence Billard Schachter, Thomas Kleinveld and Hugo Brandam significantly contributed to the present updated version of the Toolbox.

Other FI advocacy team members have contributed with inputs and comments to the Toolbox and its elaboration process: Budi Tjahjono, Enkeleda Papa, Etienne Chénier-Lafèche, Ulises Quero and Mickaël Repellin. The Toolbox is one of the products, together with training modules, within the context of a broader FI project that aims to “connect the dots” and contribute to greater coherence between human rights, development, migration, and States’ climate policies. Cédric Chatelanat, FI Project Manager, has also significantly contributed to the implementation of this project.

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It is worth noting that this updated version of the Toolbox was developed during the COVID-19 pandemic and may be subject to additional updates in the coming years.

FI retains the sole responsibility for the content of this Toolbox.

With the support of



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# UN Organizational Charts

## The United Nations System

These charts highlight the position and structure of some of the mechanisms, bodies and offices covered in this Toolbox within the larger United Nations system.\*

### UN Principal Organs

#### General Assembly

- Subsidiary Organs**
  - Disarmament Commission
  - Human Rights Council
  - International Law Commission
  - Joint Inspection Unit (JIU)
  - Main Committees
  - Standing committees and ad hoc bodies

- Funds and Programs**
  - UNDP United Nations Development Programme
  - UNCDF United Nations Capital Development Fund
  - UNV United Nations Volunteers
  - UNEP United Nations Environment Programme
  - UNFPA United Nations Population Fund
  - UN-HABITAT United Nations Human Settlements Programme
  - UNICEF United Nations Children's Fund
  - WFP World Food Programme (UN/FAO)

- Research and Training**
  - UNDIR United Nations Institute for Disarmament Research
  - UNITAR United Nations Institute for Training and Research
  - UNSSC United Nations System Staff College
  - UNU United Nations University
- Other Entities**
  - ITC International Trade Centre (UN/WTO)
  - UNCTAD United Nations Conference on Trade and Development
  - UNHCR Office of the United Nations High Commissioner for Refugees
  - UNOPS United Nations Office for Project Services
  - UNRWA United Nations Relief and Works Agency for Palestine Refugees in the Near East
  - UN-WOMEN United Nations Entity for Gender Equality and the Empowerment of Women

#### Security Council

- Subsidiary Organs**
  - Counter-Terrorism Committee
- International Residual Mechanism for Criminal Tribunals
- Military Staff Committee

- Peacekeeping operations and political missions
- Sanctions committees (ad hoc)
- Standing committees and ad hoc bodies

#### Economic and Social Council

- Regional Commissions**
  - Crime Prevention and Criminal Justice
  - Narcotic Drugs
  - Population and Development
  - Science and Technology for Development
  - Social Development
  - Statistics
  - Status of Women
  - United Nations Forum on Forests

- Other Bodies**
  - Committee for Development Policy
  - Committee of Experts on Public Administration
  - Committee on Non-Governmental Organizations
  - Permanent Forum on Indigenous Issues
  - UNAIDS Joint United Nations Programme on HIV/AIDS
  - UNGEGN United Nations Group of Experts on Geographical Names
  - UNGGIM Committee of Experts on Global Geospatial Information Management

#### Secretariat

- Departments and Offices**
  - EOSG Executive Office of the Secretary-General
  - DCO Development Coordination Office
  - DESA Department of Economic and Social Affairs
  - DGACM Department for General Assembly and Conference Management
  - DGC Department of Global Communications
  - DMSPC Department of Management Strategy, Policy and Compliance
  - DOS Department of Operational Support
  - DPO Department of Peace Operations
  - DPPIA Department of Political and Peacebuilding Affairs
  - DSS Department of Safety and Security
  - OCHA Office for the Coordination of Humanitarian Affairs
  - OCT Office of Counter-Terrorism

- ODA Office for Disarmament Affairs
- OHCHR Office of the United Nations High Commissioner for Human Rights
- OIOS Office of Internal Oversight Services
- OIA Office of Legal Affairs
- OOSA Office for Outer Space Affairs
- OSAA Office of the Special Adviser on Africa
- Representative of the Secretary-General for Children and Armed Conflict
- SRSG/SVC Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict
- SRSG/VAC Office of the Special Representative of the Secretary-General on Violence Against Children
- UNDRR United Nations Office for Disaster Risk Reduction

#### International Court of Justice

- Research and Training**
  - UNICRI United Nations Interregional Crime and Justice Research Institute
  - UNRISD United Nations Research Institute for Social Development

- UNODC United Nations Office on Drugs and Crime
- UNODG United Nations Office at Geneva
- UN-OHRLLS Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States
- UNONW Women's Office at Nairobi
- UNOP United Nations Office for Partnerships
- UNOV United Nations Office at Vienna

#### Trusteeship Council

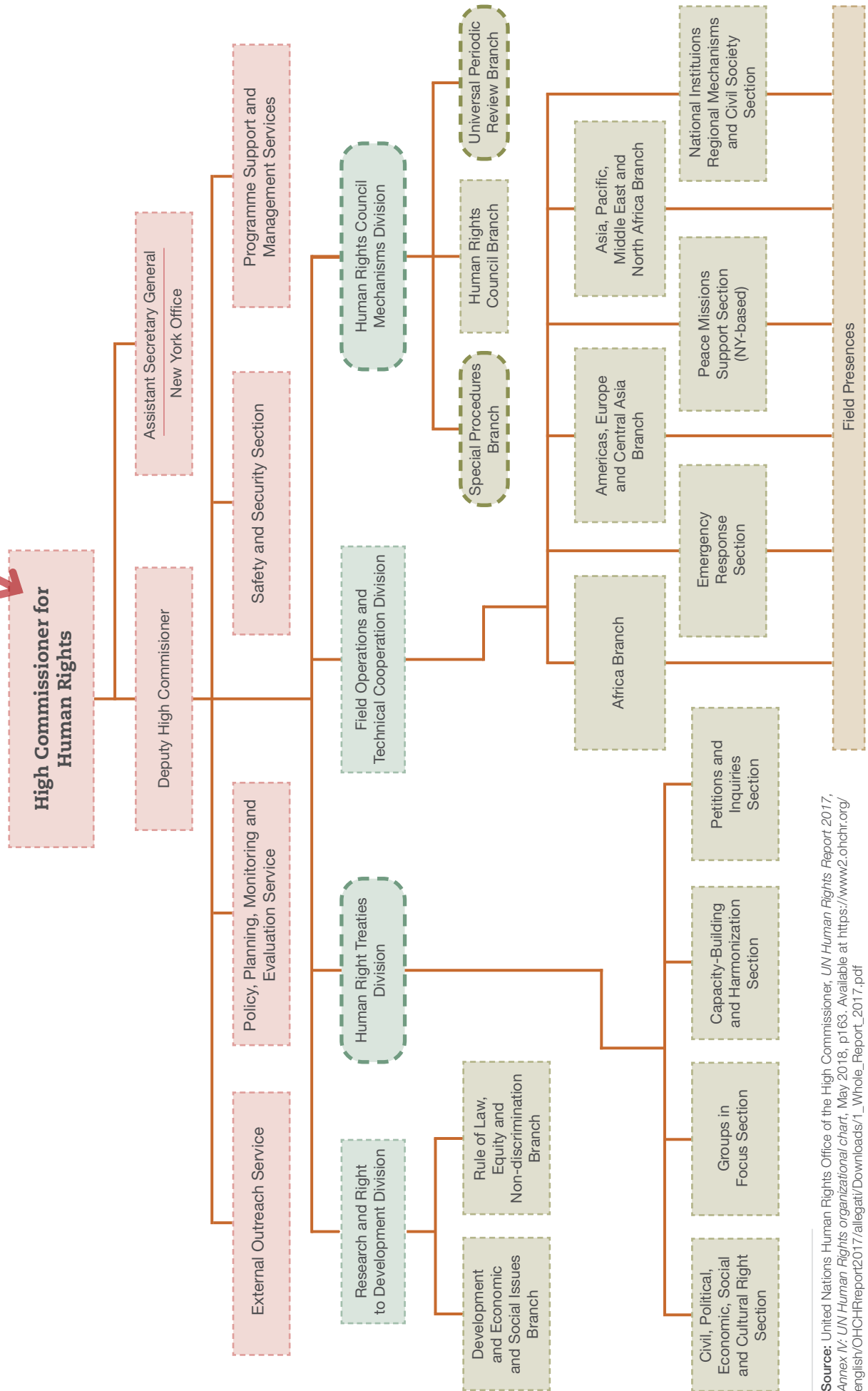
- Related Organizations**
  - CTBT Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization
  - IAEA International Atomic Energy Agency
  - ICC International Criminal Court
  - IOM International Organization for Migration
  - ISA International Seabed Authority
  - ITLOS International Tribunal for the Law of the Sea
  - OPCW Organization for the Prohibition of Chemical Weapons
  - WTO World Trade Organization
- Peacebuilding Commission**
- HLPF** High-level Political Forum on Sustainable Development

- Specialized Agencies**
  - FAO Food and Agriculture Organization of the United Nations
  - ICAO International Civil Aviation Organization
  - IFAD International Fund for Agricultural Development
  - ILO International Labour Organization
  - IMF International Monetary Fund
  - IMO International Maritime Organization
  - ITU International Telecommunication Union
  - UNESCO United Nations Educational, Scientific and Cultural Organization
  - UNIDO United Nations Industrial Development Organization
  - UNWTO World Tourism Organization
  - UPU Universal Postal Union
  - WHO World Health Organization
  - WIPO World Intellectual Property Organization
  - WMO World Meteorological Organization
  - WORLD BANK GROUP**
    - IBRD International Bank for Reconstruction and Development
    - IDA International Development Association
    - IFC International Finance Corporation

\* Both organigrams have been modified. For the purpose of this publication, some information has been omitted.

Source: United Nations Department of Global Communications, *The UN System Chart*, July 2021. Available at <https://www.un.org/en/delegate/page/un-system-chart>

## The Office of the High Commissioner for Human Rights



Source: United Nations Human Rights Office of the High Commissioner, *UN Human Rights Report 2017, Annex IV: UN Human Rights organizational chart*, May 2018, p163. Available at [https://www2.ohchr.org/english/OHCHRreport2017/allegati/Downloads/1\\_Whole\\_Report\\_2017.pdf](https://www2.ohchr.org/english/OHCHRreport2017/allegati/Downloads/1_Whole_Report_2017.pdf)

## List of Acronyms

<b>FI</b>	Franciscans International
<b>CEDAW</b>	UN Committee on the Elimination of Discrimination against Women
<b>CESCR</b>	UN Committee on Economic, Social and Cultural Rights
<b>CERD</b>	UN Committee on the Elimination of Racial Discrimination
<b>CMW</b>	UN Committee on Migrant Workers
<b>CRC</b>	UN Committee on the Rights of the Child
<b>CRPD</b>	UN Committee on the Rights of Persons with Disabilities
<b>GCM</b>	Global Compact for Safe, Orderly and Regular Migration
<b>HRC</b>	UN Human Rights Council
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>MDGs</b>	Millennium Development Goals
<b>NDCs</b>	Nationally Determined Contributions
<b>NGO</b>	Non-governmental organization
<b>NHRIs</b>	National Human Rights Institutions
<b>OHCHR</b>	UN Office of the High Commissioner for Human Rights
<b>SDGs</b>	Sustainable Development Goals
<b>SPs</b>	UN Special Procedures
<b>SR</b>	UN Special Rapporteur
<b>UPR</b>	Universal Periodic Review
<b>UN</b>	United Nations
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>ECOSOC</b>	UN Economic and Social Council

# 1 Introduction

## 1.1 The context

This Toolbox builds on the Handbook by Franciscans International (FI) and ATD Fourth World, entitled *'Making Human Rights Work for People Living in Extreme Poverty: A Handbook for Implementing the UN Guiding Principles on Extreme Poverty and Human Rights'*. This initial handbook has been developed to guide relevant actors working with people living in extreme poverty, such as social workers, in their efforts to implement their programs and projects in a manner that takes into account, respects and promotes human rights. For example, it explains step-by-step how to effectively include people living in extreme poverty in all actions taken to improve their housing situation.

### ➔ PRACTICAL INFORMATION

The Handbook *'Making Human Rights Work for People Living in Extreme Poverty: A Handbook for Implementing the UN Guiding Principles on Extreme Poverty and Human Rights'* is available at:

[http://franciscansinternational.org/fileadmin/media/2015/extremepoverty\\_publication\\_handbookon-extremepoverty\\_sept2015\\_eng.pdf](http://franciscansinternational.org/fileadmin/media/2015/extremepoverty_publication_handbookon-extremepoverty_sept2015_eng.pdf)

Besides clarifying the interconnection between extreme poverty, development, migration and climate change (see Section 2), the present Toolbox takes a similar and complementary approach to the one of the Handbook. It also gives tools and ideas to support the establishment of human rights-based approaches to policies and programs in the areas of sustainable development, migration and climate change.

The Toolbox focuses on the international mechanisms that can support the protection of human rights at local and national levels, and on the need to ensure a human rights-based approach to sustainable development efforts including those combating climate change and eradicating poverty, and to the global management of migration.

Sustainable development, migration and climate change are areas in which national and international policy-making can have an important impact on, and thus relevance for the realization of human rights. For example, to achieve objectives of access to cleaner energy for all, States may decide to implement projects involving the construction of hydroelectric dams that can adversely impact the enjoyment by local communities of their rights to food, water, and housing. This has been explicitly recognized by the international community.

- The Global 2030 Agenda for sustainable development explicitly requires the Sustainable Development Goals (SDGs) to be implemented in compliance with international human rights law.

#### BACKGROUND

##### Sustainable Development

At the Earth Summit Rio+20, States initiated a process to develop Sustainable Development Goals, which should build upon and replace the Millennium Development Goals (MDGs). This process thus converged with the one to define a post-2015 development agenda (post MDGs). States worked to set goals combining environmental sustainability and development. On 25 September 2015, the 2030 Agenda for Sustainable Development was solemnly adopted by the United Nations General Assembly, together with its 17 Sustainable Development Goals and 169 associated targets. Through the Agenda, States committed to eradicate poverty and achieve sustainable development by 2030, while ensuring that no one is left behind. States included human rights as overarching principles and standards for the 2030 Agenda and its goals and targets.

- The Paris Agreement also stipulates that when addressing climate change, States must respect, promote and consider their human rights obligations.

#### BACKGROUND

##### Climate policies

The adverse impacts of climate change on human rights have been widely recognized. This link has been explicitly mentioned in the latest international climate change agreement, the Paris Agreement, which entered into force in November 2016 and calls on States to consider their human rights obligations when addressing climate change. To date, 174 States and the European Union have ratified it and have therefore committed to doing their best to combat climate change both individually, through "Nationally Determined Contributions" (NDCs), and collectively.

- The Global Compact for Safe, Orderly and Regular Migration (GCM) recognizes human rights as one of its cross-cutting guiding principles.

## BACKGROUND

### Migrants

Migrants, especially those in irregular situations, can be disproportionately vulnerable to human rights violations. Without human rights-based approaches to migration, violations of migrants' rights are more likely to occur, often in impunity, at various stages of their migration journey: in transit, at international borders, and in-destination States. The GCM "acknowledge[s] the shared responsibilities [of the] States Members of the United Nations to address each other's needs and concerns over migration, and an overarching obligation to respect, protect and fulfill the human rights of all migrants, regardless of their migration status."<sup>1</sup> By implementing the GCM, signatory States to the agreement committed to ensuring the effective respect, protection and fulfillment of migrants' human rights.

However, the recognition of the interconnections between climate change, sustainable development, migration, and human rights has not been backed by the creation of robust review and/or accountability mechanisms that address these issues in an integrated manner. Most review and/or accountability mechanisms operate in silos, with only limited scope for the consideration of human rights. For example, while the SDGs are grounded in human rights and allow for a great role of the private sector and public-private partnerships, they are not backed up by proper accountability mechanisms that hold businesses and States accountable for non-compliance with human rights norms.

## 1.2 The aim of this Toolbox

This Toolbox aims to help civil society promote an integrated and coherent human rights-based approach to sustainable development, migration, poverty eradication and environmental justice by:

- Highlighting the importance of incorporating human rights in sustainable development/migration/climate change policies and the reality of how human rights violations can harm or hinder the implementation of the SDGs and make people more vulnerable to climate change and to forced mobility
- Connecting the dots between human rights, sustainable development, migration, and climate change at national and international levels to better inform the various review mechanisms; and

- Helping people make full use of existing mechanisms and promote an integrated approach that respects and protects human rights.

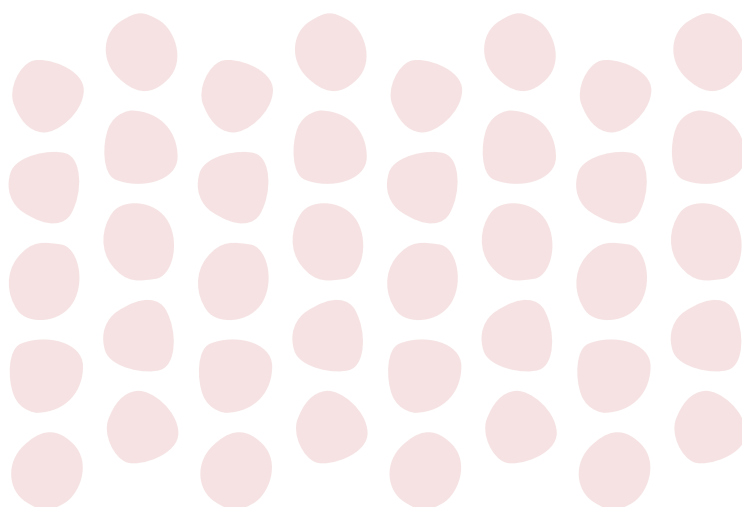
## 1.3 Who is it for?

This toolbox is addressed to all non-governmental actors at national, regional and international levels, including National Human Rights Institutions (NHRIs), who are interested in making the link between their State's commitments in the areas of human rights, sustainable development, migration, and climate action. In particular, the Toolbox provides detailed information for those who are interested in utilizing these interconnections when using and engaging with human rights protection and monitoring mechanisms.

## 1.4 What does it contain?

There are several sections in this Toolbox:

- Section 3 maps out the existing instruments and reviews mechanisms in the areas of human rights, sustainable development, climate change, and migration. It describes and explains in an accessible and practical manner how relevant monitoring and advocacy mechanisms work and how you may use them. It also provides practical information on States' reporting schedules, submitting information and useful tools.
- Section 4 visually illustrates how these mechanisms deal with different topics and possible areas of overlap between the different policy areas, both practical and thematic.
- Section 5 provides some guidance on how civil society can promote better coherence between the different mechanisms and make sure they systematically integrate human rights in their work.



<sup>1</sup> General Assembly of the United Nations, *Global Compact for Safe, Orderly and Regular Migration*, UN doc (A/RES/73/195), 11 January 2019, para. 11. Accessible at: [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/73/195](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195)



## 2 Why is this Toolbox important?

### 2.1 Human rights, climate change, sustainable development, migration, and poverty eradication are interlinked and interconnected

People living in extreme poverty do not just suffer from a lack of income. They often face considerable barriers that prevent them from enjoying many human rights, such as the rights to food and nutrition, housing, work, health and education. Therefore, they often have to accept dangerous work conditions or unsafe housing and enjoy limited access to health care. People living in extreme poverty also bear the consequences of lack of nutritious food, unequal access to justice and lack of political power. These barriers and the subsequent deprivations are interrelated and mutually reinforcing, resulting in a cycle of poverty, powerlessness, stigmatization, discrimination and exclusion. Thus, certain population groups throughout the world, due to entrenched stigmatization and discrimination, are the most likely to be 'left behind' and to live in extreme poverty. These include racial, ethnic and linguistic minorities; members of castes; migrants (especially migrants in irregular situations); refugees and asylum seekers; stateless persons; indigenous populations; persons with disabilities and persons living with HIV/AIDS. Within these groups, women and girls are disproportionately affected. Lastly, people who live in extreme poverty are often looked down upon and discriminated against simply because they are poor. This can then create a cycle of human rights violations, deprivation, marginalization and poverty.

#### BACKGROUND

"Poverty is an urgent human rights concern in itself. It is both a cause and a consequence of human rights violations and an enabling condition for other violations. Not only is extreme poverty characterized by multiple reinforcing violations of civil, political, economic, social, and cultural rights, but persons living in poverty generally experience regular denials of their dignity and equality."<sup>2</sup>

Climate change adversely impacts peoples' lives in various ways from affecting water availability in some areas to increase the frequency of extreme weather events and natural disasters such as floods in others. People living in extreme poverty are and will continue to be disproportionately affected by the climate crisis. In many cases, they rely on natural resources for their basic means of survival and are less able to prepare for, or adapt to, climate change and its effects. Indeed, they are more likely to live in low-lying, poorly protected

areas that are more prone to floods, droughts or landslides, as well as to have unsecured water sources, which are more prone to contamination, and/or rely on rainfed agriculture. Extreme weather events caused by climate change can exacerbate existing cycles of poverty and further deprivation and exclusion by forcing people living in extreme poverty to over-exploit natural resources as a coping mechanism to ensure survival. This phenomenon can consequently trigger forced displacement to urban areas, putting increased pressure on the supply of affordable housing and proliferating urban slums and other informal settlements in which people live without basic infrastructure and in highly unsanitary conditions.<sup>3</sup>

However, rather than taking these interlinkages into account, many development and climate change policies often fail to respect human rights norms and principles, resulting in abuses when implemented. Land and water grabbing in the context of agro-development projects clearly illustrate that issue. Such human rights violations can perpetuate exclusion, discrimination, and provoke social tensions and conflict. As a matter of fact, one of the greatest perceived threats to future social stability and economic development has been identified as water scarcity and an inability to mitigate and adapt to climate change.<sup>4</sup>

#### BACKGROUND

Without respect for and protection of human rights, sustainable development and peace remain unachievable. In turn, policies that respect, protect and fulfill human rights contribute more effectively to sustainable development and security.

### 2.2 Mechanisms addressing human rights, climate change, migration, and sustainable development can be mutually reinforced

In recent years, key international frameworks have been adopted in the areas of sustainable development, climate change, and migration, respectively the 2030 Agenda for Sustainable Development (2015), the Paris Agreement

2 United Nations Human Rights Office of the High Commissioner, *UN Guiding Principles on human rights and extreme poverty*, September 2012. Available at: [https://www.ohchr.org/documents/publications/ohchr\\_extremepovertyandhumanrights\\_en.pdf](https://www.ohchr.org/documents/publications/ohchr_extremepovertyandhumanrights_en.pdf)

3 Shlay A., Rossi P., "Social Science Research and Contemporary Studies of Homelessness", *Sociology Annual Review*, p.146. §28, available at <https://www.annualreviews.org/doi/abs/10.1146/annurev.so.18.080192.001021>

4 World Bank. 2015. "The Forgotten Factor of Climate Change-Water: Technical Papers." Washington, D.C.

on Climate Change (2015), and the Global Compact for Safe, Orderly and Regular Migration (2018). They all recall the importance of human rights.

- In 2011, the United Nations Framework Convention on Climate Change (UNFCCC) took a critical step when it adopted the Cancun Agreements, which explicitly call on Parties to respect human rights when taking actions to address climate change. The 2015 Paris Agreement was built on this idea. Paragraph 11 of its Preamble states:

“Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity.”<sup>5</sup>

It also calls for transparency and accountability and highlights the importance of public participation and access to information.

As the UN Office of the High Commissioner for Human Rights (OHCHR) noted, “it is a text with deep human rights implications throughout.”<sup>6</sup> The report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, healthy and sustainable environment also remarked that “[i]n an important sense, the Paris Agreement signifies the recognition by the international community that climate change poses unacceptable threats to the full enjoyment of human rights and that actions to address climate change must comply with human rights obligations.”<sup>7</sup>

- The 2030 Agenda also explicitly refers to international human rights treaties and requires that States implement the SDGs in a manner consistent with their obligations under international law, including human rights law.

The Agenda’s commitment to **leaving no one behind** means that measures to combat discrimination, marginalization and inequality permeate all Goals, and

States are politically compelled to address the root causes of exclusion. Goal 16 on peaceful and inclusive societies also reflects this obligation by covering many dimensions of civil and political rights. For instance, it asks States to reduce all forms of violence; to end abuse, exploitation, trafficking and torture; to ensure equal access to justice; to establish accountable institutions, as well as inclusive and participatory decision-making processes; to provide access to information; and to ensure the protection of fundamental freedoms.

The 2030 Agenda also requires businesses to act in accordance with the UN Guiding Principles on Business and Human Rights (UNGPs), which establish their responsibility to respect human rights.

- The Global Compact for Safe, Orderly and Regulation Migration rests on international human rights law and explicitly states that migrants’ human rights should be respected, protected and fulfilled at all times.

The GCM attempts to put greater emphasis on respect for human rights in migration governance and therefore reaffirms key obligations already codified in international human rights law and embraced by the international community. One of the objectives of the GCM is to respect, protect and fulfill the human rights of migrants, and provide them with care and assistance. The agreement also recognizes the increased level of vulnerability of certain migrants including women at risk, children, persons with disabilities, victims of violence and victims of trafficking.

- The mechanisms under the Paris agreement, the 2030 Agenda for Sustainable Development, the Global Compact for Safe, Orderly and Regulation Migration, and the UN Human Rights Council (HRC)<sup>8</sup> are mutually reinforcing and can benefit from one another.

In December 2019, Deputy High Commissioner for Human Rights Kate Gilmore stated that: “[D]eadly conflicts impede efforts to tackle a climate in crisis. Impunity entrenches corruption which wastes precious public investments. Discrimination serves persistent inequalities, forcing millions to be left behind. The suppression of public freedoms and civic space undermines democratic governance making fairness, justice and accountability all the more elusive. The interdependence of success within and across goals

5 United Nations Framework Convention on Climate Change, *Paris Agreement*, November 2015, Preamble para. 11. Accessible at: <https://unfccc.int/process/conferences/pastconferences/paris-climate-change-conference-november-2015/paris-agreement>

6 Intervention of the Office of the High Commissioner for Human Rights, COP22 NHRI Special Event, “What role can NHRIs play in monitoring the implementation of sustainable development goals and commitments under the Paris Agreement on Climate Change”, 6 November 2016. Available at: [www.ohchr.org/Documents/Issues/ClimateChange/NHRI\\_Event\\_Statement6November2016.docx](http://www.ohchr.org/Documents/Issues/ClimateChange/NHRI_Event_Statement6November2016.docx)

7 United Nations, Human Rights Council, *Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment*, UN doc (A/HRC/31/52), 1 February 2016, para. 22. Accessible at <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F31%2F52&Language=E&DeviceType=Desktop>

8 “The Human Rights Council is an inter-governmental body within the United Nations system made up of 47 States responsible for the promotion and protection of all human rights around the globe. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year. It meets at the UN Office at Geneva.”(OHCHR website, accessible at <https://www.ohchr.org/EN/HRBodies/HRC/Pages/Home.aspx>. More information available in the section “The Special Procedures of the Human Rights Council” of the Toolbox, page 17.

is the same ecology too for their failure. Peace and prosperity for people and planet are indivisible; divided they all fall – we will fail them all.”<sup>9</sup>

Similarly, Assistant Secretary-General for Human Rights Ilze Brands Kehris affirmed in January 2021 that “the COVID-19 recovery represents a historic opportunity for all Member States to build a new social contract based on human rights and equal opportunities for all. This is also a key objective in the implementation of the Secretary-General’s Call to Action for Human Rights, which underscores that rights must be at the core of sustainable development.”<sup>10</sup>

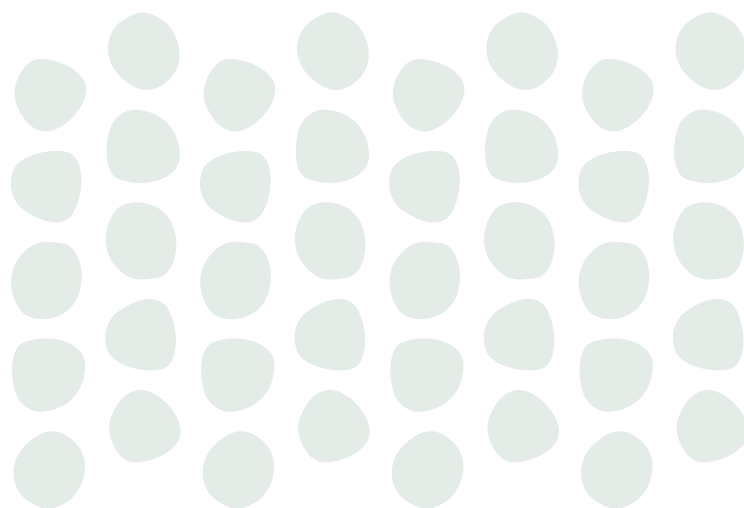
The interlinkages between human rights, sustainable development, migration, and climate change can be utilized and reflected in their respective review mechanisms. For example, States can use their reporting under a mechanism to inform their submission for another one. The Handbook for the preparation of Voluntary National Reviews<sup>11</sup> encourages States to recycle the reports they submit to the Universal Periodic Review [see Section 3.1 c) p19] and to the treaty bodies [see Section 3.1 a) p13] in order to integrate human rights into their national reporting under the High-Level Political Forum, the international review mechanism for the SDGs.

## 2.3 Challenges

However, while the 2030 Agenda, the Paris Agreement, the GCM, as well as other recent global commitments on business accountability are key opportunities to enhance human rights monitoring and implementation at the national level, several challenges remain:

- There is only limited human rights language in the 2030 Agenda, which contains severe shortcomings with respect to human rights. For example, the Agenda fails to explicitly address discrimination against minorities or discrimination based on sexual orientation or gender identity. Instead, it refers – through indicators – to grounds of discrimination prohibited under international human rights law. The Agenda also fails to specify duties of international cooperation.
- Accountability for the private sector under the 2030 Agenda is weak, despite their increased role in implementing and financing the SDGs. If companies are not regulated and checked, their activities can lead or contribute to human rights violations, poverty, environmental degradation, injustice and conflicts.

- States also have limited accountability as national reporting under the High-Level Political Forum in New York is only voluntary. In addition, by allowing States not to report on all SDGs, the voluntary national review mechanism risks permitting certain population groups to be left behind, undermining the vision for the 2030 Agenda and the fulfillment of human rights for all.
- There is no reference to the free, meaningful, and active role that all people, including civil society and NHRIs, can play in either the SDGs or climate change review processes. If the participation of the marginalized, directly or through civil society, is not intentionally prioritized, they are likely to remain invisible, further entrenching the exclusion that has undermined sustainable development.
- While the GCM rests on international human rights law, it fails to refer to key human rights principles in the context of migration, such as the principle of non-refoulement. In some respects, the GCM establishes standards lower than those already existing in some regions. For example, regarding the terminology used, the GCM continues to use the terms of ‘regular’ and ‘irregular’ migration while the Inter-American Court of Human Rights has opted for ‘documented’ and ‘undocumented’ migration, which does not stigmatize migrants and offers a more accurate language since no human being should be considered as ‘irregular’.<sup>12</sup> Likewise, The GCM does not refer to the right to not be forcibly displaced nor does it ascribe responsibilities for arbitrary displacement. In addition, as a non-binding agreement, the GCM’s review mechanism cannot hold States accountable for failing to consider and respect human rights when addressing migration.



9 Human Rights Council, *Intersessional meetings for dialogue and cooperation on Human Rights and the 2030 Agenda for Sustainable Development, Oral statement by Ms Kate Gilmore, Deputy High Commissioner for Human Rights*, 3 December 2019. Accessible at: <https://www.ohchr.org/FR/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25379&LangID=F>

10 Human Rights Council, *Intersessional meetings for dialogue and cooperation on Human Rights and the 2030 Agenda for Sustainable Development, Oral statement by Ms. Ilze Brands Kehris, Assistant Secretary-General for Human Rights*, 14 January 2021. Available at: <https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26657&LangID=S>

11 UN Department of Economic and Social Affairs, *Handbook for the Preparation of Voluntary National Reviews, The 2020 Edition*, 2020. Available at: [https://sustainabledevelopment.un.org/content/documents/25245Handbook\\_2020\\_EN.pdf](https://sustainabledevelopment.un.org/content/documents/25245Handbook_2020_EN.pdf)

12 More information on the Inter-American Court of Human Rights terminology: [https://www.corteidh.or.cr/opiniones\\_consultivas.cfm?lang=en](https://www.corteidh.or.cr/opiniones_consultivas.cfm?lang=en)

### 3 The physical landscape

## What are the available review mechanisms and how do you access them?

This section maps out the existing monitoring and review mechanisms in the fields of human rights, sustainable development, climate change, and migration. It includes practical information on how these monitoring and advocacy mechanisms work and how you can access and use them. International human rights protection mechanisms are given priority here, being the most relevant forum in which to monitor human rights including how they may be impacted by development, migration, and climate policies. Their relevance is due to their mandates, but also to their openness that allows for inputs and greater participation of civil society than other mechanisms.

### A reminder of the UN Human Rights Machinery

Two categories of UN Human Rights bodies

#### CHARTER-BASED BODIES

Human Rights Council  
(inter-governmental) including the UPR  
process (Universal Periodic Review)

#### SPECIAL PROCEDURES (INDEPENDENT)

Mandates focusing on the human rights situation in specific countries (e.g. Syrian Arab Republic; the Democratic People's Republic of Korea; etc.)

Mandates focusing on a specific right or issue (e.g. Right to Health; Right to Adequate Food; Special Rapporteur on the sale of children; child prostitution and child pornography; etc.)

#### TREATY-BODIES

(committees of independent experts monitoring their respective treaties):

- Committee on Economic, Social and Cultural Rights (CESCR)
- Committee on the Rights of the Child (CRC)
- Human Rights Committee (CCPR)
- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on the Elimination of Discrimination against Women (CEDAW)
- Committee against Torture (CAT)
- Sub-committee for the prevention of Torture (SPT)
- Committee on the Protection of Rights of All Migrant Workers and Members of their Families (CMW)
- Committee on the Rights of Persons with Disabilities (CRPD)
- Committee on Enforced Disappearances (CED)

## 3.1 Human rights protection system

### BACKGROUND

Individuals' and peoples' human rights are recognized and guaranteed by international human rights treaties which deal with civil, cultural, economic, political, and social rights. Specific groups or segments of the population who may be especially affected by human rights violations are protected by specific instruments. These include the Convention on the Rights of Persons with Disabilities; the Convention on the Rights of all Migrant Workers and Their Families; and the Convention on the Elimination of Discrimination against Women.

Of the review mechanisms in the four policy areas (human rights, sustainable development, migration, and climate change), the human rights protection system is the most comprehensive monitoring system with the longest history, despite challenges in the concrete implementation of its recommendations at the local level.<sup>13</sup> It also provides for formal arrangements for civil society's participation.

### ➔ PRACTICAL INFORMATION

Overall outline of working with UN human rights mechanisms: [http://www.ohchr.org/EN/AboutUs/CivilSociety/Documents/Handbook\\_en.pdf](http://www.ohchr.org/EN/AboutUs/CivilSociety/Documents/Handbook_en.pdf)

### ➔ PRACTICAL INFORMATION

#### *UN and consultative status*

To participate in many of the UN human rights mechanisms, your non-governmental organization (NGO) may need to have an observer or "consultative" status with the UN ECOSOC (UN Economic and Social Council). More information on this and how to apply can be found at: <https://www.un.org/development/desa/civil-society/what-we-do/how-to-apply-for-consultative-status-with-ecosoc.html>

However, it is often possible for local or national groups who do not have ECOSOC status to collaborate with international NGOs, like Franciscans International, who can facilitate interaction with the UN system.

## a) Treaty bodies

### *What are they and what do they do?*

Each human rights treaty has a monitoring body, made up of independent human rights experts, that monitors the implementation of the treaty by State parties. Each State party is reviewed by the treaty body on a periodic basis, usually every 4-5 years.

### ➔ PRACTICAL INFORMATION

For an introduction to the human rights treaties, please see: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx>

For a video presenting the treaty bodies, please see: <https://www.youtube.com/watch?v=vE0T45t040k&feature=related>

For more information on the human rights treaty bodies, please also see: Simple Guide to the UN Treaty Bodies, International Service for Human Rights, available at: [http://www.ishr.ch/sites/default/files/documents/ishr\\_simpleguide\\_eng\\_final\\_final\\_dec15.pdf](http://www.ishr.ch/sites/default/files/documents/ishr_simpleguide_eng_final_final_dec15.pdf)

### *How do they work?*

Treaty bodies' review of the State's performance is based on the State party's own report and information submitted by civil society and non-governmental organizations (called parallel or alternative reports). When concluding its review, the treaty body issues concluding observations/recommendations to help States implement

their obligations. While not legally binding, they are authoritative since by ratifying the relevant treaty, State parties have accepted the competence of the treaty body to review their compliance with the treaty.

Most of the treaty bodies are also able to consider individual complaints against a State if the latter has expressly accepted the competence of the treaty body to welcome such complaints and provided the claimants fulfilled the admissibility criteria and follow the procedure that applies to each mechanism.

### ➔ PRACTICAL INFORMATION

For more general information, please see: <http://www.ohchr.org/EN/HRBodies/TBPetitions/Pages/HRTBPetitions.aspx>

And for more detailed information on admissibility and other elements of the procedure, please see: <https://www.ohchr.org/EN/HRBodies/TBPetitions/Pages/IndividualCommunications.aspx#overviewprocedure>

To further assist States, treaty bodies develop authoritative interpretations of the rights and provisions contained in their respective treaties. These are called General Comments/Recommendations and provide more information on how a specific right should be implemented.

<sup>13</sup> Alston, P. "Ships Passing in the Night: The Current State of the Human Rights and Development Debate seen through the Lens of the Millennium Development Goals." *Human Rights Quarterly*, vol. 27 no. 3, 2005, pp. 755-829. Project MUSE.

## ➔ PRACTICAL INFORMATION

For more information, please see:

<http://www.ohchr.org/EN/HRBodies/Pages/TBGeneralComments.aspx>

Treaty bodies also have a mechanism for dealing with reprisals (acts of intimidation and reprisal against those who seek to cooperate, cooperate, or have cooperated with the United Nations). This mechanism was laid out in the San José Guidelines,<sup>14</sup> which provide for the appointment of a rapporteur or focal point on intimidation or reprisals within each treaty body, to coordinate the proactive implementation of the Guidelines, their principles and practical measures. Their tasks include receiving and assessing allegations of intimidation or reprisals and determining the appropriate course of action. Actions can include reactive measures when allegations of intimidation or reprisals are received, or preventative measures, to protect individuals or groups at risk.

### **How is their work relevant for SDGs?**

By helping States realize human rights, ensure equality, and prevent people from being left behind, all treaty bodies are relevant for the implementation of the SDGs. Many treaty bodies also specifically address the situation of groups that are more likely to suffer from discrimination and marginalization and, therefore, are more likely to be left behind. These include the UN Committee on the Elimination of Discrimination against Women, the UN Committee on the Elimination of Racial Discrimination, and the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families.

In addition, several treaty bodies have explored the links between the SDGs and the human rights covered by their instrument and/or provided recommendations to support the implementation of specific SDG targets. This helps to incorporate human rights-based approaches to sustainable development. For example, the Committee on the Rights of the Child has begun to link the SDGs to the rights contained in the Convention. In 2019, it urged Australia to ensure that “children’s views are taken into account in developing policies and programs addressing climate change, the environment and disaster risk management and to increase children’s awareness and preparedness for climate change and natural disasters,”<sup>15</sup> with a view to achieving target 13.5 of the SDGs. The UN Committee on Economic, Social and Cultural Rights (CESCR) has also stated that by complying with the normative obligations of its related

Covenant, “States will strengthen their ability to realize the Sustainable Development Goals and fulfil their pledge to leave no one behind.”<sup>16</sup> In a more concrete way, the CESCR has recommended to Slovakia to establish “independent mechanisms to monitor progress and [to treat] beneficiaries of public programs as rights holders who can claim entitlements” in order to facilitate the achievement of the SDGs.<sup>17</sup>

## ➔ PRACTICAL INFORMATION

For an overview of the role that UN human rights mechanisms can play in monitoring the Sustainable Development Goals, please see: [https://www.geneva-academy.ch/joomlatools-files/docman-files/ESCR%20and%20SDGs%20-%20Geneva%20Academy%20Website%20-%202019.6.2020%20\(interactive\).pdf](https://www.geneva-academy.ch/joomlatools-files/docman-files/ESCR%20and%20SDGs%20-%20Geneva%20Academy%20Website%20-%202019.6.2020%20(interactive).pdf)

### **How is their work relevant for climate actions?**

Many treaty bodies address climate change in their work, either through recommendations to States during their periodic review or through public statements, views adopted in relation to individual complaints, and/or general comments. They express concern about the impacts climate change has on the human rights of particular groups and call on State parties to ensure that measures addressing climate change respect, protect and fulfill human rights.

For example, ahead of the Climate Action Summit in September 2019, five treaty bodies issued a joint statement urging all States to consider their human rights obligations as they reviewed their climate commitments. They reiterated that climate change adversely affects the enjoyment by certain groups in situations of the vulnerability of their human rights and committed to monitor the effects of climate change on rights-holders and to support States in meeting their human rights obligations under their respective treaties.<sup>18</sup>

In January 2020, in a landmark decision, the Human Rights Committee opened the door for individuals seeking protection from the effects of climate change to be granted refugee status. The Committee recognized that, in certain cases, climate change could expose individuals to violations of their right to life and freedom from torture and cruel, inhuman, or degrading treatment, hence requiring States to comply with their non-refoulement obligations and not deport individuals seeking asylum in such circumstances.<sup>19</sup>

14 Guidelines against Intimidation or Reprisals (“San José Guidelines”), 27th meeting of chairpersons of the human rights treaty bodies, UN doc (HRI/MC/2015/6), July 2015. Available at: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=HRI/MC/2015/6&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=HRI/MC/2015/6&Lang=en)

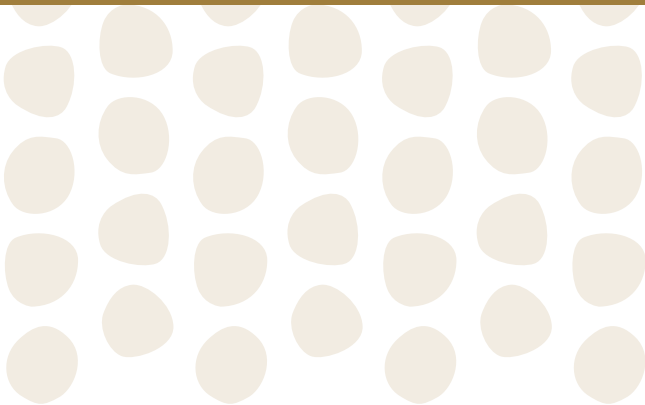
15 Committee on the Rights of the Child, *Concluding observations on the combined fifth and sixth periodic reports of Australia*, UN doc (CRC/C/AUS/CO/5-6), 1 November 2019. Available at <https://undocs.org/Home/Mobile?FinalSymbol=CRC%2FCO%2FAUS%2FCO%2F5-6&Language=E&DeviceType=Desktop>

16 Committee on Economic, Social and Cultural Rights, *The pledge to leave no one behind: the International Covenant on Economic, Social and Cultural Rights and the 2030 Agenda for Sustainable Development*, UN doc (E/C.12/2019/1), 5 April 2019. Available at <https://undocs.org/Home/Mobile?FinalSymbol=E%2FC.12%2F2019%2F1&Language=E&DeviceType=Desktop>

17 Committee on Economic, Social and Cultural Rights, *Concluding observations on the third periodic report of Slovakia*, UN doc (E/C.12/SVK/CO/3), 14 November 2019, para. 63. Accessible at: <https://undocs.org/Home/Mobile?FinalSymbol=E%2FC.12%2FSVK%2FCO%2F3&Language=E&DeviceType=Desktop>

18 *Five UN human rights treaty bodies issue a joint statement on human rights and climate change*: Committee on the Elimination of Discrimination Against Women, Committee on Economic, Social and Cultural Rights, Committee on the Protection of the Rights of the Rights of All Migration Workers and Members of their Families, Committee on the Rights of the Child, Committee on the Rights of Persons with Disabilities, 16 September 2019. Available at <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24998&LangID=E>

19 Human Rights Committee, *Views adopted by the Committee under article 5(4) of the Optional Protocol, concerning communication No. 2728/2016*, 7 January 2020. Available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/127/D/2728/2016&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/127/D/2728/2016&Lang=en)



### How is their work relevant for migration?

Several treaty bodies, and in particular the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, have addressed the situation of migrants' rights and provided advice to States on human rights-based approaches to migration.

On various occasions, the Committee on Migrant Workers has done so by linking States' obligations under the Convention with their commitments under the 2030 Agenda for Sustainable Development. For example, the Committee recommended that Colombia, "in line with target 17.18 of the Sustainable Development Goals and following an approach based on human rights, gender equality and non-discrimination, [...]":

- (a) Further consolidate the national migration statistics system;
- (b) Continue to strengthen the automation of entry and exit processes, by maintaining the quality and reliability of the information at all border points;
- (c) Ensure that the personal information of migrant workers and their families is protected, so that personal data are not used for migration control or for discrimination in public and private services."<sup>20</sup>

The Convention on the Rights of Migrant Workers and Their Families being the least ratified human rights instrument, the Committee reviews few States on the implementation of the rights enshrined in the Convention and it is therefore crucial for other committees to also address the issue of migrants' rights and migration as it relates to their respective Conventions.

Several committees have done so, for example through their General Comments. The Committee on the Elimination of Racial Discrimination (CERD), in its General Recommendation No.30, recommended that States ensure that "immigration policies do not have the effect of discriminating against persons on the basis of race, color, descent, or national or ethnic origin and that non-citizens are not subjected to racial or ethnic profiling or stereotyping."<sup>21</sup>

Accordingly, in its concluding observations addressed to Mexico, the CERD recommends to "intensify its efforts to guarantee that child migrants, child asylum seekers and refugee children have effective access to education"<sup>22</sup> and "redouble its efforts to prevent and combat persistent discrimination, in particular against members of indigenous peoples, persons of African descent, persons with disabilities, migrants, asylum seekers and refugees, and lesbian, gay, bisexual, transgender and intersex persons, including by carrying out awareness-raising campaigns, with a view to ensuring the full exercise of the rights recognized in the Covenant, particularly access to employment, social security, health care and education."<sup>23</sup>

### How can you provide input into their work?

#### ➔ PRACTICAL INFORMATION

**IMPORTANT** Before considering whether to make use of the treaty monitoring system, you should check whether the State about which you want to present information has ratified the relevant treaty.

You can check whether your country has ratified the treaty in question, and any reservations it may have made, at: <http://indicators.ohchr.org/>

You can:

- Give input to governments for the preparation of the state's report by participating in national consultations, if such consultations are organized.

#### ➔ PRACTICAL INFORMATION

Check the schedule of State reports at: [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/MasterCalendar.aspx?Type=Session&Lang=en](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/MasterCalendar.aspx?Type=Session&Lang=en)

The deadlines for States to submit information are available at: [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/MasterCalendar.aspx](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/MasterCalendar.aspx)

- If your country is very delayed or reluctant to submit a periodic report, you can discuss with the treaty body the possibility of reviewing the situation of rights' enjoyment in the absence of a periodic report.

#### BACKGROUND

All treaty bodies, with the exception of the Committee on the Elimination of Racial Discrimination, have established procedures of last resort to examining the situation in States parties in the absence of a report on the basis of all available information, which includes reports by civil society.

<sup>20</sup> Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, *Concluding Observations on the third periodic report of Colombia*, 27 January 2020, para. 20. Available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CMW%2fCO%2f3&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CMW%2fCO%2f3&Lang=en)

<sup>21</sup> Committee on the Elimination of Racial Discrimination, *General Recommendation No.30 of 2005*, 2005, para. 9, available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCERD%2fGEC%2f7502&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCERD%2fGEC%2f7502&Lang=en)

<sup>22</sup> Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined fifth and sixth periodic reports of Mexico*, UN doc (E/C.12/MEX/CO/5-6), 17 April 2018, para. 66. Accessible at: <https://undocs.org/Home/Mobile?FinalSymbol=E%2fC.12%2fMEX%2fCO%2f5-6&Language=S&DeviceType=Desktop>

<sup>23</sup> *Ibid.* para. 16.

- Submit written inputs through two distinct processes at two different stages:

**1.** Firstly, you can send written information relevant to the adoption of the List of Issues (LOIs). The LOIs is a document in the form of questions sent to the State by the treaty body to obtain additional information from the State report already submitted.<sup>24</sup> Your written submission should be as specific, reliable and objective as possible in order to be adopted by the pre-sessional working group of the treaty body that is dealing with the List of Issues in advance of the main review.<sup>25</sup>

**2.** Secondly and subsequently, you can submit your own parallel report for the main review of the State's report by the treaty body.

- Attend the civil society hearing during the pre-sessional working group organized by the treaty body to consult civil society groups on the LOIs.

### ➔ PRACTICAL INFORMATION

Depending on the treaty body, these reports usually need to be electronically transmitted to the respective secretariat, preferably six – or at the latest three – weeks before the beginning of the session. A list of emails to contact the secretariats of the various treaty bodies is provided on page 17.

- Attend the treaty body session for the main review of the State report (i.e. dialogue between the State and the treaty body) if your organization has the capacity to travel to Geneva. Alternatively, there may also be opportunities for interaction with the treaty bodies virtually (eg. through online platforms).

### ➔ PRACTICAL INFORMATION

Representatives of organizations who wish to attend the session or the meeting of the pre-session working group are requested to submit the full name of the organization, names of the representatives, and proposed dates of attendance to the Secretariat by filling out the accreditation request form ten days before the beginning of the session or the pre-session. For more information, please follow the procedure described here on the accreditation page of the United Nations Office at Geneva's website.

Hold briefings for treaty body members.

- Convene press conferences in your own country, both about the process and/or the findings of the treaty body.
- Follow-up and monitor the implementation of recommendations and concluding observations, and report back to the treaty body as well as to national media.
- Use concluding observations and general comments/recommendations in your advocacy with State parties.

- Submit individual complaints alleging violations of the rights contained in the relevant human rights treaty, if your State is party to the relevant optional protocol on individuals communications.

- Send the contact points on reprisals of the concerned treaty body information about acts of intimidation and reprisal against those who seek to cooperate, cooperate, or have cooperated with the United Nations.

### ➔ PRACTICAL INFORMATION

#### Useful information

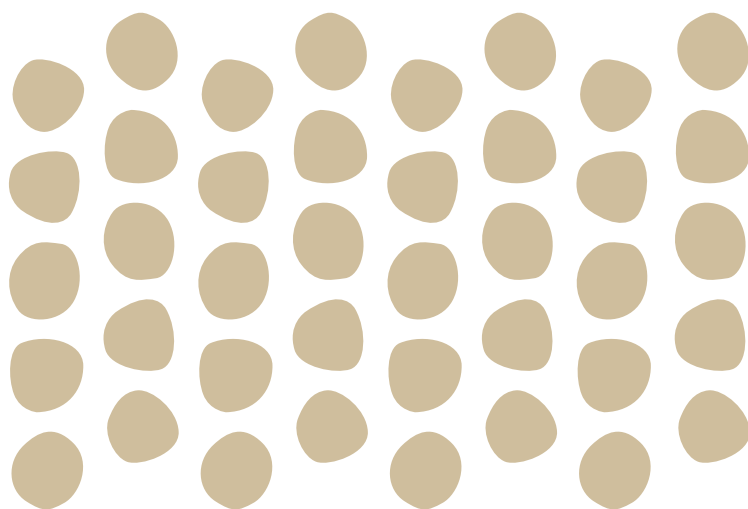
A more comprehensive guide to the treaty bodies is available at: [http://www.ishr.ch/sites/default/files/documents/ishr\\_simpleguide\\_eng\\_final\\_final\\_dec15.pdf](http://www.ishr.ch/sites/default/files/documents/ishr_simpleguide_eng_final_final_dec15.pdf)

For more information on how to provide input into the work of the UN Human Rights Committee, please see: [http://ccprcentre.org/doc/CCPR/Handbook/CCPR\\_Guidelines%20for%20NGOs\\_en.pdf](http://ccprcentre.org/doc/CCPR/Handbook/CCPR_Guidelines%20for%20NGOs_en.pdf)

For more information on how to provide input into the work of the Committee on Economic, Social and Cultural Rights, please see: [http://www.ourvoiceourrights.ie/assets/files/pdf/amenity\\_a\\_guide\\_to\\_shadow\\_reporting\\_on\\_escr.pdf?issuusi=ignore](http://www.ourvoiceourrights.ie/assets/files/pdf/amenity_a_guide_to_shadow_reporting_on_escr.pdf?issuusi=ignore)

For more information on the Committee on Economic, Social and Cultural Rights' activities in a given year, please see its annual Yearbook: <https://www.gi-escr.org/publications/yearbook-of-the-committee-on-economic-social-and-cultural-rights-2020>

For more information on how to provide input into the work of the Committee on the Elimination of Racial Discrimination, please see: <https://www.ohchr.org/Documents/HRBodies/CERD/ICERDManual.pdf>



<sup>24</sup> After submitting information, NGOs can participate in the pre-sessional working groups to directly engage with the treaty body members and raise specific issues to be adopted in the List of Issues and, consequently, discussed with the State. Find more information on the Committee on the Elimination of Discrimination against Women, Committee on Economic, Social and Cultural Rights, Human Rights Committee, Committee on the Rights of Child.

<sup>25</sup> Since 2014, the UN General Assembly has been trying to simplify reporting procedures of the human rights treaty bodies. Some treaty bodies, such as the CESCR and the CRC, offer to some States who have been reporting regularly for a long time the possibility of facilitating their review through a simplified reporting procedure containing a List of issues Prior to Reporting (LOIPR). More information: <https://www.ohchr.org/EN/HRBodies/CRC/Pages/ReportingProcedure.aspx>



For more information on how to provide input into the work of the Committee on the Elimination of Discrimination against Women and the Committee on Economic, Social and Cultural Rights, please see: [https://docs.escr-net.org/usr\\_doc/CEDAW\\_CESCR\\_reporting\\_guidelines\\_FINAL\\_Oct\\_6\\_2010.pdf](https://docs.escr-net.org/usr_doc/CEDAW_CESCR_reporting_guidelines_FINAL_Oct_6_2010.pdf)

## ➔ PRACTICAL INFORMATION

### Secretariat details

You can contact the secretariat of the different treaty bodies at the following e-mails:

**Civil and political rights** [ccpr@ohchr.org](mailto:ccpr@ohchr.org)

**Economic, social and cultural rights** [cescr@ohchr.org](mailto:cescr@ohchr.org)

**Racial discrimination** [cerd@ohchr.org](mailto:cerd@ohchr.org)

**Discrimination against women** [cedaw@ohchr.org](mailto:cedaw@ohchr.org)

**Torture and other ill-treatment** [cat@ohchr.org](mailto:cat@ohchr.org)

**Children rights** [crc@ohchr.org](mailto:crc@ohchr.org)

**Rights of migrant workers and their families**  
[cmw@ohchr.org](mailto:cmw@ohchr.org)

**Rights of people with disabilities** [crpd@ohchr.org](mailto:crpd@ohchr.org)

**Enforced disappearances** [ced@ohchr.org](mailto:ced@ohchr.org)

## b) The Special Procedures of the Human Rights Council

### What are they?

Special procedures are mechanisms established by the UN Human Rights Council to address human rights issues from a thematic or country-specific perspective. Special procedures' mandates usually call on mandate-holders, who are individual or small groups of independent experts, to examine, monitor, advise and publicly report (including to the Human Rights Council and sometimes the General Assembly) on human rights situations, either in specific countries or territories (country mandates),<sup>26</sup> or on major phenomena of human rights violations worldwide (thematic mandates).<sup>27</sup>

## ➔ PRACTICAL INFORMATION

For more information, please see <http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>

### How do they work?

Mandate holders are not employed nor paid by the United Nations but usually have staff supporting them at OHCHR and external advisers (for instance in a university they are linked to).

## BACKGROUND

The Office of the High Commissioner for Human Rights is a UN entity that was created a few months after the adoption of the Vienna Declaration in 1993 by the UN General Assembly. It is composed by the Office (team of experts), and the High Commissioner which aim to promote and protect all human rights by empowering people, assisting governments, and inserting a human rights dimension in all UN programs.

For a better understanding of the UN system and OHCHR, please see the organizational charts page 4.

*Various activities are undertaken by special procedures, including:*

- Writing annual reports on themes and processes that are relevant for their mandate.
- Responding to individual complaints or to issues posed by law and policy-making processes.
- Conducting studies.
- Providing advice on technical cooperation, on policies and laws, at the country level.
- Engaging in general awareness-raising activities.

Each special procedure produces reports and recommendations on both thematic and country-specific issues. They can be used to identify issues affecting those particularly at risk of human rights violations, including those living in poverty.

### How is their work relevant for SDGs?

Several special procedures have, through joint advocacy, thematic studies, and partnerships with United Nations agencies and bodies, worked to integrate human rights in SDG implementation efforts. They have also contributed to monitoring the implementation of the SDGs by identifying best practices and challenges.

For example, the Special Rapporteur on the right to water and sanitation has been working closely with relevant United Nations agencies to ensure that countries integrate the human rights to water and sanitation in their measures to achieve the water and sanitation targets of the SDGs. The Special Rapporteur also noted that "global monitoring of the targets on water, sanitation and hygiene of the Sustainable Development Goals has revealed a lack of disaggregated data on access to water and sanitation by forcibly displaced persons. Without information on the extent to which forcibly displaced persons enjoy human rights, it is difficult to plan and strategize ways to reach them."<sup>28</sup>

Similarly, the Special Rapporteur on the situation of human rights in Cambodia analyzed the framework adopted by Cambodia for implementing the SDGs ahead

<sup>26</sup> The country mandates include Syrian Arab Republic; Myanmar; Belarus; the Occupied Palestinian Territories; the Democratic People's Republic of Korea; among others. More information: <https://spinternet.ohchr.org/ViewAllCountryMandates.aspx>

<sup>27</sup> Thematic issues covered by Special Procedures include the rights to adequate housing, health, food, education, freedom of assembly; extreme poverty and human rights; arbitrary detention; sale of children; extrajudicial executions; torture, and environment and human rights.

<sup>28</sup> Human Rights Council, *Report of the Special Rapporteur on the human rights to safe drinking water and sanitation*, UN doc (A/HRC/39/55), 3 August 2018. Available at <https://undocs.org/en/A/HRC/39/55>.

of the country's national voluntary review under the HLPF. Of note, the Special Rapporteur highlighted that some individuals and groups in situations of vulnerability, such as indigenous peoples, were not explicitly referred to. The Special Rapporteur recommended that the State considers developing a network of trained social workers to "identify and work with those most likely to be left behind."<sup>29</sup>

### **How is their work relevant for climate action?**

From 2009, numerous special procedures have drawn attention to the impacts of climate change and climate actions on human rights, and to the situation of Small Island Developing States. The policies and situations in industrialized States such as Finland, Norway, Sweden, or the USA have also come under scrutiny.<sup>30</sup>

In 2014, the special procedures sent an open letter to the State parties of the UNFCCC calling on them to ensure coherence between their human rights obligations and their efforts to address climate change.

In 2016, the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, healthy and sustainable environment prepared a report specifically detailing the effect of climate change on human rights and sets out human rights obligations with regards to climate change.<sup>31</sup> In 2019, the Special Rapporteur issued another report discussing the "urgent need for action to ensure a safe climate for humanity."<sup>32</sup>

In 2019, ahead of the UN Climate Action Summit in New York, 13 Special Rapporteurs and members of Working Groups issued a press release calling to phase out fossil fuels. The special procedures' mandate holders took note of the interlinkages between climate change and human rights, not only by emphasizing the adverse impacts of climate change on the realization of human rights, but also by illustrating that upholding human rights – and in particular, indigenous peoples' rights – can contribute to curbing the effects of climate change.<sup>33</sup>

As of August 2021, the UN Human Rights Council is considering creating a new dedicated mandate of a Special Rapporteur on human rights and climate change.

### **How is their work relevant for migration?**

The Special Rapporteur on the human rights of migrants conducts visits, workshops, holds webinars, delivers speeches, gives lectures, and participates in events to

raise awareness on the human rights situation of migrants and to recommend actions that States can undertake to address related issues. For example, in his 2020 report on the right to freedom of association of migrants, the Special Rapporteur brought to light the need for migrants to be able to exercise their right to freedom of association, through which they are empowered to claim other rights. He further recommended that States extend labor protection in national laws to migrant workers and establish laws, policies, and practices that are supportive of trade union membership for migrants.<sup>34</sup>

Several other special procedures have also drawn attention to the human rights issues faced by migrants at various stages of the migration journey and urged States to take specific actions. For example, the Working Group on Arbitrary Detention has repeatedly stressed that administrative detention in the context of immigration should be a measure of last resort, necessary and proportionate, and not punitive in nature.<sup>35</sup> The Independent Expert on human rights and international solidarity also stressed the importance of human rights-based solidarity to address key global migration concerns.<sup>36</sup>

### **How can you provide input into their work?**

You can work with special procedures in all areas of their activities:

- Communications (complaints on individual cases): civil society is often the main source of information for allegations of human rights violations. In addition to targeting States, special procedures have also addressed the conduct and acts of private actors and organizations (e.g. World Bank) in their urgent actions and communications.

## PRACTICAL INFORMATION

Detailed information on how to use the communications procedures can be found at: <https://spsubmission.ohchr.org>

Communications are also considered even when they are not submitted in the form of a questionnaire. Such cases can be submitted by email to [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org) or by postal mail to:

**OHCHR-UNOG**  
8-14 Avenue de la Paix  
1211 Geneva 10  
Switzerland

29 Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in Cambodia*, UN doc (A/HRC/42/60), 27 August 2019. Available at <https://undocs.org/en/A/HRC/42/60>

30 Duyck, S., Lador, Y. "Human Rights and International Climate Politics Human Rights into Climate Actions After Paris: Opportunities for the UNFCCC, the Human Rights Institutions and the G-20.", Human Rights and International Climate Politics, Friedrich Ebert Stiftung, November 2016. Available at <http://library.fes.de/pdf-files/iez/12893.pdf>

31 United Nations, Human Rights Council, *Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment*, UN doc (A/HRC/31/52), 1 February 2016, para. 22. Accessible at: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/HRC/31/52](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/31/52)

32 General Assembly, *Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment*, UN doc (A/74/161), 15 July 2019. Available at <https://undocs.org/A/74/161>

33 United Nations Climate Action Summit New York, *Our addition to fossil fuels causes climate emergency, say human rights experts*, 23 September 2019. Available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25003&LangID=E>

34 Human Rights Council, *Right to freedom of association of migrants and their defenders*, *Report of the Special Rapporteur on the human rights of migrants*, UN doc (A/HRC/44/42), 13 May 2020, para 89. Available at: <https://undocs.org/A/HRC/44/42>

35 Human Rights Council, *Report of the Working Group on Arbitrary Detention on its visit to the United States of America*, UN doc (A/HRC/36/37/Add.2), para 21, 17 July 2017. Available at <https://www.undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F36%2F37%2FAdd.2&Language=E&DeviceType=Desktop>

36 General Assembly, *Report of the Independent Expert on human rights and international solidarity*, UN doc (A/73/206), 20 July 2018. Available at <https://undocs.org/A/73/206>

- In country visits: civil society frequently helps prepare country visits (suggesting which countries to be visited, supporting the organization of the visit, providing information during visits and following up on the recommendations).

### ➔ PRACTICAL INFORMATION

Information on country visits can be found at:

<http://www.ohchr.org/EN/HRBodies/SP/Pages/CountryandothervisitsSP.aspx>

- Thematic studies and reports: you can submit information for the preparation of reports or provide suggestions and thematic expertise for studies.
- Awareness-raising activities: civil society organizations organize seminars and conferences to disseminate the work of special procedures. They also engage in training activities on UN human rights mechanisms, including special procedures.

#### BACKGROUND

Special procedures have voiced human rights concerns raised by civil society and given legitimacy and international visibility to their claims. Different mandates have developed different forms of participation and collaboration.

### ➔ PRACTICAL INFORMATION

#### Useful information

#### OHCHR website

<http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>

Guides for interacting with the special procedures:

[https://www.flac.ie/download/pdf/guide\\_for\\_engagement\\_with\\_un\\_special\\_procedures\\_mandate\\_holders.pdf](https://www.flac.ie/download/pdf/guide_for_engagement_with_un_special_procedures_mandate_holders.pdf)

<http://www.ijrcenter.org/un-special-procedures/>

[https://www.eda.admin.ch/content/dam/eda/en/documents/publications/InternationaleOrganisationen/Uno/Human-rights-Council-practical-guide\\_en](https://www.eda.admin.ch/content/dam/eda/en/documents/publications/InternationaleOrganisationen/Uno/Human-rights-Council-practical-guide_en)

For information on the individual mandates, including contact details, please see:

*For thematic mandates:*

<https://spinternet.ohchr.org/ViewAllCountryMandates.aspx?Type=TM&lang=en>

*For country mandates:*

<https://spinternet.ohchr.org/ViewAllCountryMandates.aspx?lang=en>

## c) The Universal Periodic Review mechanism

### What is it?

The Universal Periodic Review (UPR) is a mechanism of the Human Rights Council (HRC) that comprehensively reviews the implementation of all human rights obligations of a given State.

### What does it do? How does it work?

Under the UPR mechanism, the HRC reviews States' human rights performance on the basis of:

- A National Report prepared by the State concerning the human rights situation in the country;
- A compilation prepared by the Office of the High Commissioner on Human Rights containing information from treaty bodies, special procedures, and UN agencies such as the United Nations Development Programme and United Nations International Children's Emergency Fund (UNICEF); and
- A summary of ten pages prepared by the OHCHR containing information from civil society.

Following its review, the Human Rights Council issues an 'outcome report' that provides a summary of the questions, comments and recommendations made by States to the country under review, as well as the responses by the reviewed State that include whether or not it accepts the recommendations. This outcome document carries significant weight as it represents the voice of the international community.

After one review and before the next, States should implement the recommendations they have accepted and the voluntary pledges they have taken.

### ➔ PRACTICAL INFORMATION

Basic facts: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx>

### Roles of different actors

UN agencies can play a critical role in helping States to follow up on the review process and implement the recommendations laid out in the outcome document, especially by translating and disseminating the recommendations, providing technical support and helping mobilize the necessary resources.

### **How is the UPR relevant for the SDGs, climate actions, and migration?**

Through the UPR review process, several States have received recommendations to ensure that their development and migration policies are in line with international human rights law. For example, during Australia's third review under the UPR, it was recommended that the State ensures, prior to the approval of large-scale projects, that environmental impact assessments are prepared with the participation of affected communities in full transparency, as well as to reduce its emissions of greenhouse gases given that Australia continues investing in extractive industries. Similarly, El Salvador received a recommendation to ensure that its national immigration legislation is compatible with international standards, such as the protection of unaccompanied migrant children.<sup>38</sup>

In addition, the UPR can serve as a comprehensive source of information to monitor the implementation of the Sustainable Development Goals and to share best practices on how to integrate human rights into policies implementing the 2030 Agenda. For example, during the second review of Papua New Guinea (PNG) under the UPR, the Philippines called the international community to continue assisting PNG as it faces the adverse impact of climate change while pursuing its mitigation efforts.<sup>39</sup>

### **How can you provide input into the UPR**

While the UPR mechanism is a State-driven process, you can play a significant role and influence the process throughout its various stages.

#### *Before the review you can:*

- Organize national campaigns to promote the UPR and bring it to the attention of the general public and the media.
- Take part in the national consultations that should be held throughout the country prior to the drafting of the national report that is to be submitted by the State to the working group for the review.<sup>40</sup>
- Send information about the human rights situation in the country to the OHCHR to be included in the summary report prepared by the OHCHR. Your organization does not need to have ECOSOC status to submit such information.

### **➔ PRACTICAL INFORMATION**

For detailed information on how to submit information, please see: **OHCHR Technical guidelines** (updated in March 2015). For written contributions to the UPR documentation, submissions should be sent six to eight months before the review through the "On-line UPR Submissions Registration System," using the following link: <https://uprdoc.ohchr.org>.

- Lobby State members of the working group to bring specific issues and concerns to their attention. You can also provide key State delegations with a note in advance presenting your main questions and recommendations. These key delegations may be those who have a specific interest in the situation of the State under review or in a specific human rights issue that you want to address.

### **➔ PRACTICAL INFORMATION**

To help you identify these delegations, you can consult the database on recommending States in the UPR Info database at <https://www.upr-info.org/database/>.

#### *During the review, you can:*

- Attend the review if you are part of or can collaborate with an organization that has ECOSOC consultative status.
- Hold a side event (a parallel event at the HRC).<sup>41</sup>
- Organize a screening in the country of the webcast that is usually ensured by the UN.<sup>42</sup>
- Hold a press conference or release statements right after the review to share your assessment of the review.

#### *Between the review and the adoption of the report at the Human Rights Council, you can:*

- Lobby the State under review to accept recommendations and ensure that the government submits an "addendum" to the HRC containing clear and detailed responses to each recommendation received, which then become the so-called 'pledges'.

#### *After one review and before the next, you can play a crucial role in:*

- Making recommendations and pledges public.
- Monitoring their implementation.
- Reporting to the HRC on the State's progress by publishing a mid-term report or, if your organization has ECOSOC consultative status, by making a statement at any "general debate" of the Council's sessions.

37 Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, UN doc (A/HRC/WG.6/37/AUS/2), 24 March, 2021. Accessible at: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FWG.6%2F37%2FAUS%2F2&Language=E&DeviceType=Desktop>

38 Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, UN doc (A/HRC/43/5), 2 January 2020. Accessible at: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F43%2F5&Language=F&DeviceType=Desktop>

39 Human Rights Council, *Report of the Working Group on the Universal Periodic Review*, UN doc (A/HRC/33/10), 13 July, 2016. Accessible at: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F33%2F10&Language=E&DeviceType=Desktop>

40 The State under review is "encouraged" to hold a "broad consultation process at the national level with all relevant stakeholders" Human Rights Council Resolution 5/1, Institution-building of the United Nations Human Rights Council, UN doc (A/HRC/RES/5/1), 18 June 2007, para. 15(a). Available from [http://ap.ohchr.org/documents/alldocs.aspx?doc\\_id=13360](http://ap.ohchr.org/documents/alldocs.aspx?doc_id=13360)

41 However, side events the day before the review should not be organized for lobbying as it will have limited impact on delegations' statement.

42 Each review is "webcasted", which means filmed by the UN and accessible live and in archive on the UN website. NGOs can organise in a cinema or in a conference room the screening of the review and invite civil society, the media, the parliamentarians, the opposition, the UN agencies, etc.

## ➔ PRACTICAL INFORMATION

To facilitate the establishment of linkages between SDGs, climate actions, migration, the OHCHR has upgraded the Universal Human Rights Index (UHRI)<sup>43</sup> to introduce new search categories so that recommendations or observations made by human rights mechanisms (the human rights Treaty Bodies, the Universal Periodic Review, and the Special Procedures) are searchable by Sustainable Development Goal, themes, regions, affected persons, etc.

### Contact information

- UPRsubmissions@ohchr.org
- hrcngo@ohchr.org (NGOs)
- nhri@ohchr.org (NHRIs)

Country-specific information, including reports submitted, etc., is available at:

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>

### Guides to the UPR mechanism

The role of non-governmental organizations at the UPR: <https://www.upr-info.org/en/how-to/role-ngo>

The Civil Society Compendium is a comprehensive guide for Civil Society Organizations (CSOs) engaging with the Universal Periodic Review:

[www.upr-info.org/sites/default/files/general-document/pdf/upr\\_info\\_cso\\_compendium\\_en.pdf?utm\\_source=UPR+Trax&utm\\_campaign=3e5c264afa-EMAIL\\_CAMPAIGN\\_2017\\_April&utm\\_medium=email&utm\\_term=0\\_8f42452aa2-3e5c264afa-101553553](http://www.upr-info.org/sites/default/files/general-document/pdf/upr_info_cso_compendium_en.pdf?utm_source=UPR+Trax&utm_campaign=3e5c264afa-EMAIL_CAMPAIGN_2017_April&utm_medium=email&utm_term=0_8f42452aa2-3e5c264afa-101553553)

## 3.2 Sustainable Development Goals

### BACKGROUND

#### SDGs and human rights

Under the 2030 Agenda, the SDGs must be implemented in line with international human rights law. Governments must focus on reaching those furthest behind first and leave no one behind, in compliance with the human rights principles of non-discrimination and equality. All goals can be related to relevant human rights standards and obligations pertaining to economic, social and cultural rights. The 2030 Agenda also includes a goal that addresses more specifically some key civil and political rights: Goal 16 calls on States to promote peaceful and inclusive societies for sustainable development, to provide access to justice for all and to build effective, accountable and inclusive institutions at all levels.

### a) National level

As part of its follow-up and review mechanisms, the 2030 Agenda for Sustainable Development encourages member States to “conduct regular and inclusive reviews of progress at the national and sub-national levels, which are country-led and country-driven.”<sup>44</sup> These national reviews, entitled Voluntary National Reviews (VNRs), are expected to serve as a basis for the regular reviews by the High-Level Political Forum (HLPF) at the international level, which will be described later in the Toolbox.

#### How does a Voluntary National Review work?

Each country can decide on the scope of their review and the format in which they want to present their findings as long as it accelerates the implementation of the 2030 Agenda.

However, the UN Secretary-General has stated that the national review processes should comply with Article 74 of the 2030 Agenda<sup>45</sup> and should, among others:

- Be voluntary and country-led, and take into account different national realities, capacities and levels of development. It should also respect policy space and priorities.
- Track progress in implementing the universal Goals and targets, including the means of implementation that respect their universal, integrated and interrelated nature and the three dimensions of sustainable development (economic, social and environmental).
- Maintain a longer-term orientation, identify achievements, challenges, gaps and critical success factors and support countries in making informed policy choices.
- Be open, inclusive, participatory and transparent for all people and support the reporting by all relevant stakeholders.
- Be people-centered, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind.
- Build on existing platforms and processes where these exist, avoid duplication and respond to national circumstances, capacities, needs and priorities.
- Provide enhanced capacity-building support for developing countries, including the strengthening of national data systems and evaluation programs, particularly in African countries, Least Developed Countries, Landlocked Developing Countries and Small Island Developing States and middle-income countries.
- Benefit from the active support of the UN system and other multilateral institutions.

43 More information: <http://uhri.ohchr.org/en/>

44 United Nations, General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, UN doc (A/RES/70/1), 21 October 2015, para. 79. Accessible at: [https://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E)

45 United Nations, General Assembly, *Critical milestones towards coherent, efficient and inclusive follow-up and review at the global level: report of the Secretary-General*, UN doc (A/70/684), 15 January 2016. Accessible at: [https://www.un.org/ga/search/view\\_doc.asp?symbol=A/70/684](https://www.un.org/ga/search/view_doc.asp?symbol=A/70/684)

The reviews must also draw on contributions from indigenous peoples, civil society, the private sector and other stakeholders, in line with national circumstances, policies and priorities. National parliaments and other institutions can also support these processes.

#### BACKGROUND

The outcome of national processes is the foundation for the reviews at regional and international levels since the global review is primarily based on national official data sources.

#### *What type of information should the reviews be based on?*

This is up to individual countries. However, the 2030 Agenda clearly states that the reviews must be based on evidence and data that is high-quality, accessible, timely, reliable and disaggregated by income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts.

The UN Statistical Commission developed a global indicator framework to help assess how countries are performing with respect to the implementation of the SDGs. The indicators are tiered according to whether the indicator is conceptually clear, has an internationally established methodology and regular data collection. Examples of indicators for Goal 1 on eradicating poverty include proportion of population below the international poverty line, by sex, age, employment status and geographical location (urban/rural).

#### ➔ PRACTICAL INFORMATION

For an up-to-date list of the suggested indicators see: [https://unstats.un.org/sdgs/files/Tier%20Classification%20of%20SDG%20Indicators\\_20%20April%202017\\_web.pdf](https://unstats.un.org/sdgs/files/Tier%20Classification%20of%20SDG%20Indicators_20%20April%202017_web.pdf)

Please also see the following link for a report entitled “The Indicators and a Monitoring Framework for the Sustainable Development Goals Launching a data revolution for the SDGs?” <https://resources.unsdsn.org/indicators-and-a-monitoring-framework-for-sustainable-development-goals-launching-a-data-revolution-for-the-sdgs>

#### BACKGROUND

Within and beyond indicators, human rights information is fundamental to uncover inequalities, legal and policy gaps, and thus demonstrate who is being left behind and why. This information relates to all rights: civil, cultural, economic, political, and social. Analyzing and measuring compliance with human rights should particularly apply to public budgets and to fiscal and economic policies. In that context, the High Commissioner for Human Rights launched the Surge initiative in September 2019. Its major goal was to document impactful changes and explore measures to reproduce or scale up good practices on economic and social rights in order to support UN Country Teams to further implement the 2030 Agenda on the field. To date, the Surge initiative provided rights-based macroeconomics analysis in more than 110 countries. For example, in Ecuador, the UN Country Team was supported in analyzing and advising on the Government's COVID-19 emergency draft law, and assessing obstacles faced by the vulnerable groups of indigenous people, Afro-Ecuadorians, persons with disabilities and persons deprived of their liberty, in accessing COVID-19 socio-economic governmental measures.

#### *Role of UN agencies*

In line with the UN's commitment to supporting countries in reviewing and reporting on their progress, the UN has drafted guidelines to ensure that national implementation is conducted in line with the core principles of the 2030 Agenda.

#### ➔ PRACTICAL INFORMATION

These guidelines are available at: <https://unsdg.un.org/sites/default/files/Guidelines-to-Support-Country-Reporting-on-SDGs-1.pdf>

Further UN guidance for national reviews is available at: <http://sdg.iisd.org/news/un-secretariat-issues-guidance-on-2017-hlpf-voluntary-national-reviews/>

#### BACKGROUND

The United Nations Country Teams (UNCTs) are the representation of the UN at the national level. They refer to the inter-agency body operating in more than 130 countries where there are UN programs on emergency, recovery, transition and sustainable development. Led by a UN Resident Coordinator, the UNCT ensures coordination and decision-making between the UN entities at the local level.<sup>46</sup>

46 More information: <https://unsdg.un.org/about/how-we-work>

### **How can you contribute to the national review process?**

Essentially it is up to the State in question. There should be open consultations and you should be able to submit information. Human rights information is particularly useful in complementing statistical data.

If there are practical safety and protection concerns, it may be easier and more productive for you to feed work into the UN agencies in order to help the government develop a national review process.

*Specific actions can include:*

- Building strong civil society networks to advocate for the inclusion of civil society organizations in official processes.
- Launching media campaigns at the national level to bring greater attention to the SDGs and the need for an inclusive approach to the national review, which should provide for the effective participation of civil society and, wherever possible, people living in extreme poverty.
- Monitoring and reviewing, from a human rights perspective, the national action plans set out for delivering the 2030 Agenda.
- Highlighting concrete situations in which development measures failed to reach the most disadvantaged and where gaps will not be addressed; or situations where measures to implement the SDGs have had a negative impact on the rights of individuals and communities.
- Suggesting and designing national participatory and review mechanisms that can be used by all people, including those who are the hardest to reach. Examples of such mechanisms include social audits, scorecards, surveys and online polling.

## **b) Regional level**

### **What will regional reviews do?**

The purpose of regional reviews is to “provide useful opportunities for peer learning, including through voluntary reviews, sharing of best practices and discussion on shared targets.”<sup>47</sup> Inclusive regional processes draw on national-level reviews and contribute to the follow-up and review at the global level, including at the High-Level Political Forum on Sustainable Development.

More specifically, these regional reviews are a chance for countries to share lessons and best practices. They are an occasion to focus on regional priorities such as trade and market integration, regional connectivity and cooperation, as well as to tackle regional concerns such as disaster risk reduction, climate change, job creation, and achieving sustainable development.

### **How will they work?**

It depends on the region and the organizing bodies. Regionally, countries are encouraged to identify institutions best able to facilitate the sharing of experiences. The African Peer Review Mechanism is an example of this kind of institution.<sup>48</sup>

A prominent role is played by the UN regional commissions such as the Economic and Social Commission for Asia and the Pacific (ESCAP), the Economic Commission for Africa (ECA), the Economic Commission for Latin America and the Caribbean (ECLAC), the Economic and Social Commission for Western Asia (ESCWA) and the UN Economic Commission for Europe (UNECE).<sup>49</sup> On the one hand, these commissions are responsible for convening Regional Forums for Sustainable Development in which concrete solutions to achieve the SDGs are discussed. On the other, they provide regional inputs into the work of the High-Level Political Forum.

### **➔ PRACTICAL INFORMATION**

For more information, please see: [https://www.unece.org/fileadmin/DAM/sustainable-development/Civil\\_Society\\_Position\\_Paper\\_for\\_Regional\\_Forum.pdf](https://www.unece.org/fileadmin/DAM/sustainable-development/Civil_Society_Position_Paper_for_Regional_Forum.pdf)

However, as with the national reviews, regional reviews should comply with Article 74 of the 2030 Agenda<sup>50</sup> and should be open, inclusive, participatory and transparent for all people. Additionally, reviews should be people-centered, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind. The reviews must also draw on contributions from indigenous peoples, civil society, the private sector and other stakeholders in line with national circumstances, policies and priorities. National parliaments and other institutions can also support these processes.

### **How can you input into the regional reviews?**

While there is a clear mandate for civil society to participate in regional reviews, organizing bodies are responsible for deciding on the modalities for such participation. Some may organize civil society forums prior to the formal review, others may allow them to submit information and make presentations. For example, in 2020, the UNECE organized a virtual Civil Society Forum ahead of the fourth Regional Forum on Sustainable Development of the Economic Commission for Europe.<sup>51</sup>

*Possible actions include:*

- Develop ideas of what the regional review should look like and raise them with the States and organizing bodies.

47 United Nations General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, UN doc (A/RES/70/1), 21 October 2015, para. 80. Accessible at: [https://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E)

48 More information is available at: [www.aprm-au.org](http://www.aprm-au.org)

49 More information is available at: <https://research.un.org/c.php?g=98272&p=5600641>

50 United Nations, General Assembly, *Critical milestones towards coherent, efficient and inclusive follow-up and review at the global level: report of the Secretary-General*, UN doc (A/70/684), 15 January 2016. Accessible at: [https://www.un.org/ga/search/view\\_doc.asp?symbol=A/70/684](https://www.un.org/ga/search/view_doc.asp?symbol=A/70/684)

51 UNECE, *Regional Forum 2020: “We have a mountain to climb over the coming decade,”* 26 March 2020. Accessible at: <https://unece.org/sustainable-development/press/regional-forum-2020-we-have-mountain-climb-over-coming-decade>

- Suggest and design new participatory mechanisms for all people in the region, including those who are the hardest to reach.
- Continue lobbying States and the organizing body to create robust review mechanisms with the active participation of civil society.
- Increase public awareness of the SDGs at a regional level and the importance of the regional reviews and the role they could take.

## c) International level

The High-Level Political Forum on Sustainable Development is the global inter-governmental platform for the follow-up and review of the 2030 Agenda for Sustainable Development and its related SDGs. It is tasked with assessing progress, achievements and challenges faced by both developing and developed countries, building on existing reviews and reporting mechanisms. It meets annually under the United Nations Economic and Social Council and every fourth year under the United Nations General Assembly.

**However, many human rights practitioners would like the HLPF to be a robust accountability mechanism, systematically integrating recommendations from all UN human rights monitoring mechanisms that are described in this Toolbox (the UPR, the human rights treaty bodies, and the special procedures) into its global review, to ensure coherence and minimize redundancies and inconsistency. While more and more good practices are shared among the member states, the HLPF still does not constitute a space for effective accountability for human rights compliant SDG implementation.**

### How does it work?

HLPF's annual meetings are essentially divided into two parts. First, there is a thematic part during which several goals and targets are discussed in more detail.<sup>52</sup> Second, there is a part dedicated to the review of the situation in States who volunteered to present their written reports based on the Voluntary National Reviews.<sup>53</sup>

Each country is invited to present a progress report to the HLPF every four years. This model was inspired by the Human Rights Council's Universal Periodic Review mechanism.

Review document: The document should include the 17 SDGs, but each country is allowed to set its own priorities. While several issues are obligatory (preventing

discrimination, human rights, etc.), others are dependent on the local context. States are encouraged to consult civil society when elaborating their national report.

In parallel, United Nations' specialized agencies and programs like the Commission on the Status of Women or the Committee on World Food Security update the HLPF on the progress made in their respective fields during a theme-based review. The HLPF also ensures that the commitments made during the Conference on Development Financing held in Addis Ababa in July 2015 are honored.

### Relationship with human rights bodies

The President of the ECOSOC invited the President of the Human Rights Council and the chairpersons of the treaty bodies to contribute to the HLPF review.<sup>54</sup> Treaty bodies can provide information on how they address goals and targets related to the rights covered by their respective instruments. In addition, human rights treaty bodies have an important role to play in monitoring the implementation of the SDGs at the country level and in reinforcing States' capacities to address SDG-related challenges.

#### BACKGROUND

Formal relationships between human rights mechanisms and the 2030 Agenda have been promoted the will of some States who came together in a joint statement<sup>55</sup> during the 34th session of the Human Rights Council in March 2017. On this basis, one year later, in March 2018, a new resolution of the Human Rights Council confirmed the will to create formal bridges and foster practical cooperation between the Human Rights Council and the High Level Political Forum. The 2018 resolution was renewed in 2020 and the work prolonged until 2023. In particular, the resolutions mandate the holding of intersessional meetings of the Human Rights Council in advance of the sessions of the HLPF.<sup>56</sup> Indeed, each of these intersessional meetings was held prior to the HLPF in order to use the key conclusions and recommendations as inputs and to reflect the themes that will be discussed in New York. For example, the third intersessional meeting was held in January 2021 on the theme of "Building back better: Integrating human rights in sustainable and resilient recovery from the COVID-19 pandemic"<sup>57</sup> in response to the 2021 theme on "Sustainable and resilient recovery from the COVID-19 pandemic" of the HLPF that took place in July 2021.<sup>58</sup>

52 For example, the 2017 HLPF was dedicated to the theme: "Eradicating poverty and promoting prosperity in a changing world", with goals such on 1 - ending poverty; 2 - ending hunger; 3 - ensuring health and well-being; 5 - achieving gender equality; 9 - promoting resilient infrastructure and sustainable industrialization and innovation; and 14 - the sustainable use of oceans.

53 See Section 3.2 a), p21.

54 Human Rights Council, *The need for an integrated approach to the implementation of the 2030 Agenda for Sustainable Development for the full realization of human rights, focusing holistically on the means of implementation*, UN doc (A/HRC/RES/37/25), 6 April 2018. Available at: [https://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/RES/37/25](https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/37/25)

55 Chile, Denmark, Ecuador, Luxembourg, Portugal, Rwanda and Uruguay.

56 Human Rights Council, *Promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development*, UN doc (A/HRC/RES/37/24). Accessible at: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F37%2F24&Language=E&DeviceType=Desktop>

57 For more information: <https://www.ohchr.org/EN/HRBodies/HRC/Pages/IntersessionalMeeting2030Agenda3rd.aspx>

58 For more information: <https://sustainabledevelopment.un.org/hlpf/2021>



## How can civil society contribute?

### Suggestions for civil society

Civil society's participation is essentially organized through the so-called "Major Groups," clustering various constituencies. These include among others: NGOs, women, children and youth, indigenous people, workers and trade unions, and farmers. Specific modalities for major groups and other stakeholders' participation in the HLPF have been set. Of note, they are allowed:

- (a) To attend all official meetings of the forum;
- (b) To have access to all official information and documents;
- (c) To intervene in official meetings;
- (d) To submit documents and present written and oral contributions;
- (e) To make recommendations;
- (f) To organize side events and round tables, in cooperation with Member States and the Secretariat.<sup>59</sup>

It must be highlighted here that the possibility for intervention by civil society in official meetings even if foreseen is in practice very limited.

### Examples of Voluntary National Review

During the 2017 High-level Political Forum, FI closely followed the review of Kenya. The latter has played a major role in the adoption of the 2030 Agenda and the SDGs. It has introduced initiatives at national and regional levels and put in place a quite elaborate and comprehensive process of consultation and inclusion of civil society in the reporting process for the HLPF. However, because of the content of the goals and the nature of the process in New York, FI's experience shows that it is necessary to bring the human rights perspective into the process. In this case, it means ensuring the participation of social movements and people affected by human rights violations – including those living in extreme poverty – in the fight for better accountability. It also means bringing evidence and concrete examples of remaining gaps and of people who are unreached by development measures and policies.

In the same vein, in 2018, FI organized activities at the HLPF to give the opportunity to activists from El Salvador to present their work in the defense of the right to water during the review of the implementation of SDG 6 on access to water and sanitation for all. This work is embedded in a longer process of addressing the detrimental effects that metal mining has on the quantity and quality of water in El Salvador. In particular, a representative of the civil society groups working on the ban of metal mining in the country and fighting for the protection of water including in a transboundary context could speak at a high level official side event of the HLPF in New York. The event gathered 200 persons including diplomats, human rights experts, and NGOs as well as the UN Special Rapporteur on the rights to water and

sanitation. It was thus the occasion to concretely make a link between SDGs and human rights. To date, activists in El Salvador continue their advocacy work at the national and international level, using various international mechanisms, with the hope of securing a transboundary water management agreement between Honduras, Guatemala and El Salvador.

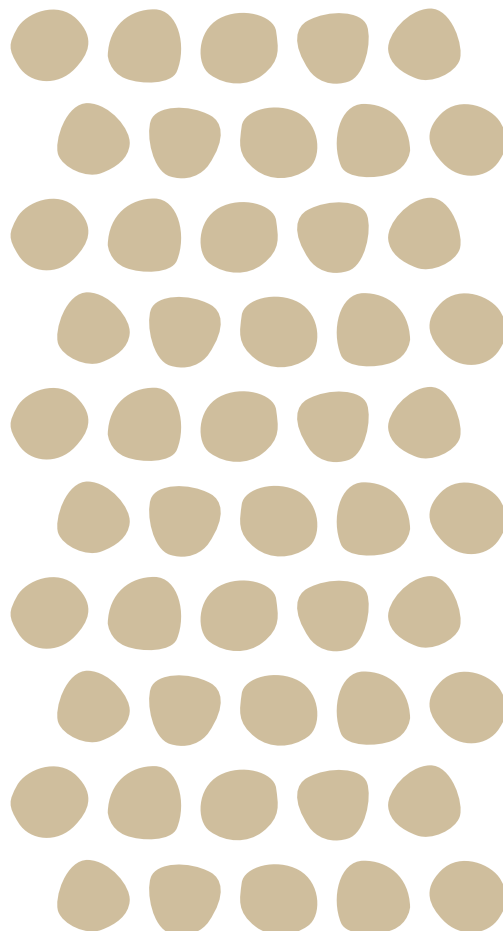
### Improving the HLPF

#### Country specific

- Find out when your country is reporting from your national authorities (i.e. the Ministry of Foreign Affairs, Human Rights Commission or Ombudsperson) or the UN website dedicated to the HLPF (indicated hereafter).
- In addition to the abovementioned actions through which you can engage directly with the HLPF, you can also prepare information, alternative reports, spotlight reports or other inputs. Such reports can be used in media campaigns or distributed in civil-society forums, side events and public conferences during the HLPF. You could also send it to key delegations and UN agencies well in advance of the review.

### ➔ PRACTICAL INFORMATION

Official information about the HLPF, including when countries are signing up to be reviewed, is available at <https://sustainabledevelopment.un.org/hlpf>



59 General Assembly, *Format and organizational aspects of the high-level political forum on sustainable development*, UN doc (A/RES/67/290), 23 August 2013. Available at <https://undocs.org/A/RES/67/290>

## 3.3 Climate change

### BACKGROUND

#### Climate change and human rights:

Climate change is undermining the enjoyment of human rights for many people by affecting their livelihoods and access to housing, water, food, decent work, etc.

States are obligated to: **mitigate** climate change and to prevent its negative human rights impacts; ensure that all persons have the necessary capacity to **adapt** to climate change; ensure accountability and an **effective remedy** for human rights harms caused by climate change; mobilize the maximum available resources for sustainable, human rights-based development; ensure equity in climate action; guarantee that everyone enjoys the benefits of science and its applications; protect human rights from business harms; ensure that the rights of persons displaced in the context of climate change are protected; guarantee equality and non-discrimination; and ensure meaningful and informed participation – including free, prior and informed consent by indigenous peoples – in climate change mitigation and adaptation decision-making.

### a) The process so far

In 1992, States adopted the United Nations Framework Convention on Climate Change to combat climate change by limiting increases in average global temperature, and by coping with climate impacts.

In 1997, States adopted the Kyoto Protocol, building on the UNFCCC. The Kyoto Protocol legally binds developed State Parties to emission reduction targets. The Protocol's first commitment period started in 2008 and ended in 2012. The second commitment period began on 1 January 2013 and will end in 2020. The Paris Agreement, adopted on 12 December 2015, marks the latest step in the evolution of the UN climate change regime and builds on the work undertaken in the Framework Convention.

### BACKGROUND

In all these processes, NGOs play a role in documenting and denouncing human rights violations resulting from climate change and/or climate action, as well as the realities of climate change for different groups of people.

### b) Mechanisms under the Paris Agreement

#### What is the Paris Agreement?

The Paris Agreement is the first international agreement under which countries committed to reducing their emissions and strengthening their adaptation capacities. It requires States when taking action to address climate change to:

“*respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity.*”<sup>60</sup>

#### ➔ PRACTICAL INFORMATION

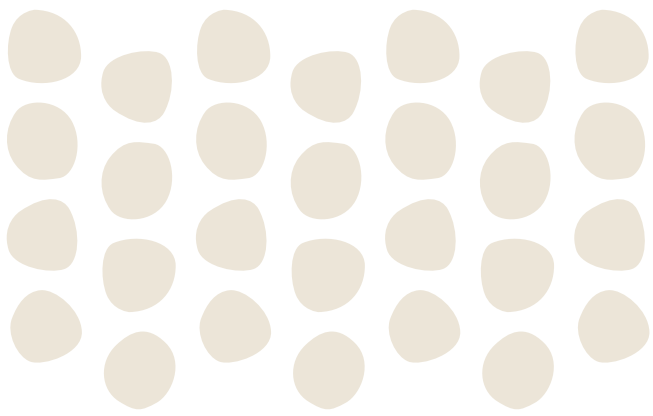
You can check whether your country has ratified the Paris Agreement at:

[http://unfccc.int/paris\\_agreement/items/9444.php](http://unfccc.int/paris_agreement/items/9444.php)

#### Principles in the Paris Agreement

The Paris Agreement recognizes the importance of considering cross-cutting principles when implementing climate actions, which include:

- Human Rights
- Food Security
- Participation & Information
- Rights of Indigenous Peoples
- Gender
- Ecosystem Integrity
- Just transition



<sup>60</sup> The Paris Agreement highlights the importance of public participation and access to public information in relation to all matters addressed by the Agreement (preamble, para. 10) and stresses the commitment of its parties to take measures to enhance public participation and access to public information (article 12). The agreement emphasizes that further action is needed from parties in order to promote public participation and access to public information. This commitment to participatory climate action is further stressed in specific provisions of the agreement related to adaptation (art. 7.5) and to capacity building (11.2).

These principles all directly or indirectly relate to the enjoyment of human rights. However, the operational impact and importance of these principles were undermined with the adoption of the implementation guidelines for the Agreement in 2018, which fail to refer to human rights, indigenous people and gender equality. As of August 2020, continuing negotiations for Article 6 of the agreement leave uncertainty regarding the inclusion of human rights safeguards. COP26 in Glasgow, in October - November 2021, will play a determinant role on this matter.

### **What are the review mechanisms under the Paris Agreement and how do they work?**

The Paris Agreement sets out several preliminary reporting mechanisms.

*The Paris Agreement establishes the following:*

A transparency mechanism (article 13) that requires States to:

- Regularly submit national greenhouse gas emission inventories<sup>61</sup> and report on progress toward achieving their Nationally Determined Contributions (NDCs) for mitigating and preventing climate change. These should be guided by the principles of environmental integrity, transparency, accuracy, completeness, comparability and consistency and the avoidance of double counting. All countries will report every two years, with the exception of the least developed countries (LDCs) and small island developing States (SIDS) who will report at their discretion.

#### **BACKGROUND**

##### **Integrating human rights in NDCs**

In November 2019, UN High Commissioner for Human Rights Michelle Bachelet sent a letter to Permanent Missions in New York and Geneva urging States to align the ambition of their NDCs with their obligations to respect, protect and fulfill human rights for all. She further stressed that ensuring the right to participation in the development and implementation of NDCs would promote more “effective, equitable and long-lasting climate solutions.”<sup>62</sup>

- Provide regular updates on their adaptation efforts, with developed countries sharing information on support they have provided (including financial support), and developing countries sharing information on support they have received or provided.

#### **BACKGROUND**

According to the OHCHR, to fully reflect the Paris Agreement's commitment to human rights, Adaptation Communications that may include Nationally Determined Contributions (NDCs) should:

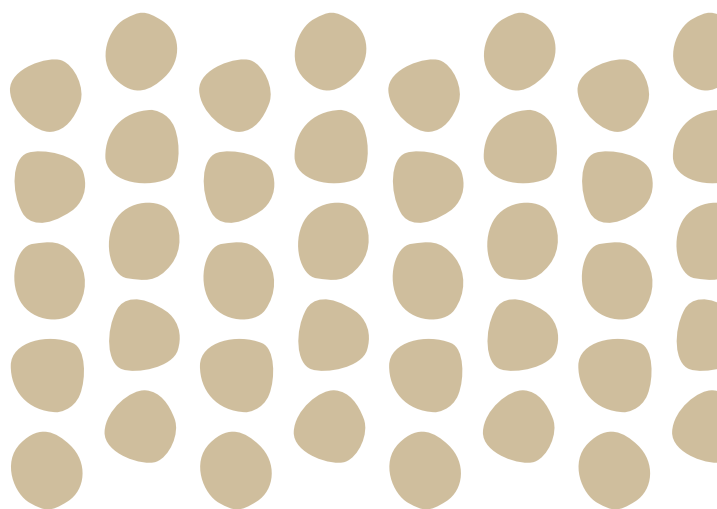
- **Explicitly address human rights considerations**, including climate justice, equity, food security, the right to health, participation, transparency, access to remedy, accountability, gender equality, and the rights of minorities, migrants, older persons, children, persons with disabilities, indigenous peoples, including with regard to their traditional knowledge and others in vulnerable situations.
- **Highlight efforts to protect the rights of those in particularly vulnerable situations** on the adverse effects of climate change, including through impact assessments and protective measures taken, as well as processes for ensuring meaningful participation in climate action.
- Integrate **inclusive, participatory and gender-responsive approaches** that include civil society, relevant stakeholder groups and potentially affected persons.

This information will be considered by a technical expert review process. In addition to reviewing progress made, the expert review will also identify capacity-building needs.

#### **➔ PRACTICAL INFORMATION**

The following report and website “*Delivering on the Paris Promise: Protecting Human Rights in Combating Climate Change*” is valuable on this matter. Accessible at:

<https://www.deliveringonparis.com/>



61 Which are based on international scientific standards from the Intergovernmental Panel in Climate Change.

62 United Nations Human Rights Office of the High Commissioner, *Open-Letter from the United Nations High Commissioner for Human Rights to Member States on priorities for human rights-based climate action at the 25th Conference of the Parties to the United Nations Framework Convention on Climate Change*, 27 November 2019. Available at [https://www.ohchr.org/Documents/Issues/ClimateChange/UNFCCCOP25\\_OpenletterfromHCMemberStates\\_Nov2019.pdf](https://www.ohchr.org/Documents/Issues/ClimateChange/UNFCCCOP25_OpenletterfromHCMemberStates_Nov2019.pdf)

## BACKGROUND

### OHCHR suggestions for this review

According to OHCHR, the 'Transparency Framework' should include an analysis of States' human rights commitments and draw on existing international reporting mechanisms, including human rights mechanisms, so as to reflect a comprehensive approach and foster coherence and synergies across the human rights, development and climate spheres.

Guidelines for reviews should be developed to facilitate the exchange of ideas and incorporate full participation among and between civil society and other relevant actors at national and international levels.

Reviews should identify capacity-building needs and areas of improvement for Parties, including with regards to the integration of human rights considerations in climate actions while taking into account the respective national capabilities and circumstances of developing country Parties and ensuring facilitative, non-intrusive, non-punitive and respectful implementation.

### A five year review

The Global Stocktake will review this information every five years alongside scientific reports in order to consider the aggregate process towards meeting the objectives of the Paris Agreement. The first of these will take place in **2023**. It will assess whether the net result of the climate actions being taken is consistent with the goal of keeping the increase in global average temperature from pre-industrial times to well below 2 degrees Celsius. It will help the world determine whether it needs to do more — and how much more. It is a collective assessment. While every country is required to participate in the global stocktake, the exercise will not assess whether actions of any individual country are adequate or not, but rather assess the "collective" efforts of the world.

## BACKGROUND

OHCHR has called on the Stocktake to examine the impacts of climate change on the enjoyment of human rights using disaggregated data, as well as relevant reports of human rights mechanisms and review processes for the 2030 Agenda and the Addis Ababa Action Agenda, among others.

*The Global Stocktake should also:*

- Consider how climate actions have respected and promoted human rights and identify good practices and associated safeguards. In consultation with relevant stakeholders, a report could be prepared that identifies good practices, lessons learned and key challenges related to the integration of human rights in climate actions.

- Include a review of commitments and actions and an exchange of experiences and good practices by all relevant actors, including businesses, civil society, indigenous peoples, local governments, intergovernmental organizations, UN agencies and research institutions. Particular attention should be paid to the compliance of businesses with their responsibility to respect human rights in climate action and to do no harm.
- Include meaningful participation and inputs from all relevant stakeholders. Special focus should be given to the situation of individuals and groups that are most vulnerable to the effects of climate change and to the level of mitigation ambition that is necessary to avert the worst impacts of climate change according to the best available science.<sup>63</sup>

### Role of National Human Rights Institutions (NHRIs)

*NHRIs can play an important role by:*

- Raising awareness in their home country.
- Submitting parallel reports on human rights and climate change to the UNFCCC and human rights mechanisms.
- Providing technical advice to their governments and parliaments.
- Supporting the integration of human rights into national climate policies and communications.
- Investigating States' and businesses' responsibilities for human rights violations resulting from climate change.
- Providing a platform to air complaints about human rights and climate-related issues.

### How can you provide input into the review process?

It is important to analyze and monitor climate commitments, adaptation, and mitigation policies from a human rights perspective. Civil society can contribute to this work by, for example, identifying States that are not fulfilling their promises to reduce greenhouse gas emissions, or by documenting and denouncing adaptation policies or measures that have negative impacts on the rights of individuals and communities.

Additionally, you can generally engage with national climate policy processes to ensure that communities are involved, and to ask that human rights be respected in climate actions.

<sup>63</sup> A major reference is the work of the International Panel on Climate Change and its reports and other publications. Available at: <https://ipcc.ch/>

## BACKGROUND

As a result of such civil society engagement, recommendations from treaty bodies on national climate policies have begun to emerge. For example, the UN Committee on Economic, Social and Cultural Rights has engaged in such work in its recent concluding observations and recommendations on Bangladesh and Norway.

### Climate change & Bangladesh (2018)

“The Committee recommends that the State party ensure that strategies and action plans on climate change and disaster response and risk reduction are formulated and implemented on the basis of human rights and with the meaningful participation of affected communities and civil society.

It also recommends that the State party further strengthens international cooperation in order to mobilize the financial and technological support to which it is entitled in mitigating and responding to the effects of climate change.”<sup>64</sup>

### Climate change & Norway (2020)

“The Committee recommends that the State party intensify its efforts to achieve its nationally determined contribution under the Paris Agreement to reduce emissions by at least 50 per cent and towards 55 per cent compared to 1990 levels by 2030, and to promote alternative and renewable energy sources.

It also recommends that the State party reconsider its decision to increase oil and natural gas exploitation and take its human rights obligations as a primary consideration in its natural resource exploitation and export policies.”<sup>65</sup>

## 3.4 Migration

### BACKGROUND

#### Migration and human rights

Various factors can force people to move inside their countries or migrate across international borders: violence, conflicts, climate change, poverty, and corruption are all examples of drivers of forced human mobility. In 2019, it was estimated that there were approximately 272 million international migrants in the world – a number equivalent to 3.5 per cent of the global population.<sup>66</sup>

International migrants, i.e. those who cross States’ borders, and migrants in irregular situations are particularly vulnerable to human rights abuses. Such violations can happen at all stages of their migration journey: at borders, in transit, and in destination countries. Migrants in irregular situations are less likely to defend their rights for lack of access to protection mechanisms or out of fear of law enforcement and/or deportation.

When migration is addressed merely from security or humanitarian lens, it fails to efficiently protect the human rights of migrants, which are often violated with complete impunity. It is therefore essential to put migrants’ human rights at the center of migration policies and governance and ensure that migrants themselves participate in processes and negotiations that affect their lives.

### a) The process so far

In September 2016, as a result of increased migration flows linked to the humanitarian crisis in Syria, members States of the United Nations adopted the New York Declaration for Refugees and Migrants, through which they recognized their shared responsibility to manage human mobility and the importance of international cooperation to do so. The Declaration led to the adoption of two global compacts by the United Nations General Assembly in 2018: The Global Compact for Refugees and the Global Compact for Safe, Orderly and Regular Migration (GCM). In this toolbox, we will focus on the latter.

#### **What is the Global Compact for Safe, Orderly and Regular Migration (GCM)?**

The GCM, adopted in December 2018, is the first inter-governmentally negotiated agreement that covers some dimensions of international migration. The GCM was conceived to rest on international human rights law and the Paris agreement, among others, and is framed consistently with target 10.7 of the 2030 Agenda which requires States to “facilitate orderly, safe, regular and responsible migration **and mobility of people, including through the implementation of planned and well-managed migration policies.**” While non-binding and not replacing already existing and stronger international human rights law, the GCM holds a certain political legitimacy, having been formally adopted by a majority of countries. The GCM is comprised of 23 objectives,

64 Committee on Economic, Social and Cultural Rights, *Concluding observations on the initial report of Bangladesh*, UN doc (E/C.12/BGD/CO/1), 18 April 2018. Available at <https://undocs.org/E/C.12/BGD/CO/1>

65 Committee on Economic, Social and Cultural Rights, *Concluding observations on the sixth periodic report of Norway*, UN doc (E/C.12/NOR/CO/6), 2 April 2020. Accessible at: <https://undocs.org/Home/Mobile?FinalSymbol=E%2FC.12%2FNOR%2FCO%2F6&Language=E&DeviceType=Desktop>

66 International Organization for Migration, *World Migration Report 2020*, 2020. Available at [https://publications.iom.int/system/files/pdf/wmr\\_2020.pdf](https://publications.iom.int/system/files/pdf/wmr_2020.pdf)

declined in general commitments and possible actions that States can undertake to develop their national, regional, and international migration responses. The success of the GCM will depend on its implementation together with international human rights law.

### ➔ PRACTICAL INFORMATION

You can check if your country has formally adopted the GCM at: <https://digitallibrary.un.org/record/1656414?ln=en>

Read the full text of the Global Compact at: <https://undocs.org/A/RES/73/195>

## b) Mechanisms under the GCM

The review process for the GCM will be organized under the International Migration Review Forum (IMRF), expected to take place every four years starting from 2022. The Forum will serve as a global platform for dialogue to share progress on the implementation of the agreement with the participation of all stakeholders. Each Forum will consist of:

- Four interactive multi-stakeholder roundtables, during which the implementation of all 23 objectives of the GCM will be discussed;
- A policy debate, which will focus on challenges in implementing the GCM;
- A plenary session divided into an opening statement (featuring statements from the President of the General Assembly, the Secretary-General, the Director-General of the International Organization for Migration, one representative from the migrant community, and one representative from civil society), a general debate, and a closing segment.

To inform each session of the Forum, inclusive consultations will be organized at the regional level starting from late 2020. Member States are also expected to develop ambitious national responses to implement the GCM and conduct regular and inclusive reviews, at the national level, of the progress they made. During the forums, States will be able to – on a voluntary basis – present the result of their reviews of the progress they made in implementing the GCM. The United Nations Network on Migration will be responsible for providing support to member States in their implementation, follow-up, and review of the GCM.

### BACKGROUND

The United Nations Network on Migration is a network created in 2018 and composed of numerous UN system entities (i.e. IOM, UNICEF, UNHCR, ILO, etc.) whose main goal is to assist and facilitate member States' involvement in the GCM. Within that network, an Executive Committee, a Coordinator, and a Secretariat, all comprised of those entities, were established to ensure proper implementation of its objectives while respecting the principles of the GCM and the guidance of the United Nations Charter, international law, and the 2030 Agenda for sustainable development.<sup>67</sup>

### How can you provide inputs into the process?

There is still uncertainty regarding specific modalities under which civil society will be able to participate in the review process of the GCM, though it is intended to be inclusive.

### How is the GCM relevant for human rights?

The GCM reflects many provisions of key human rights instruments. For example, the GCM supports the facilitation of fair and ethical recruitment and safeguard conditions that ensure decent work. To this end, it promotes the implementation of international instruments related to international labor migration, labor rights, decent work, and the prohibition of forced labor.

However, and while the GCM provides an opportunity for States to further integrate human rights in their efforts to address and regulate migration, as mentioned in Section 2.3 it is significantly less protective than the human rights framework. For instance:

- The GCM reinforced in practice a differentiation between “regular” (documented) and “irregular” (undocumented) migrants, thus limiting the access of the latter to public services.
- It does not address the principle of *non-refoulement* nor prohibits the criminalization of migrants, which will exacerbate the harm that Franciscan communities witness on the ground.
- The GCM does not ensure the existence of ‘firewalls’ for migrants to effectively have access to emergency and essential services and report crimes, as well as the legal protection of human rights defenders.
- While the GCM puts great emphasis on the need to collect data on international migration, little attention is placed on supporting data collection on the rights of migrants. Inversely, human rights norms and mechanisms have repeatedly supported the collection of data focused on the human and labor rights aspects

<sup>67</sup> For more information: <https://migrationnetwork.un.org/about>

<sup>68</sup> International Labour Organization, *Convention No. 97 of 1949, Article 1(b)*, 1949. Available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEX-PUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312242](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEX-PUB:12100:0::NO::P12100_INSTRUMENT_ID:312242)

<sup>69</sup> International Labour Organization, *Convention No. 143, Article 2(1)*, 1975. Available at: [https://www.ilo.org/dyn/normlex/fr/f?p=1000:12100:0::NO::P12100\\_INSTRUMENT\\_ID,P12100\\_LANG\\_CODE:312288,en:NO](https://www.ilo.org/dyn/normlex/fr/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID,P12100_LANG_CODE:312288,en:NO)

of migration. ILO Conventions No. 97<sup>68</sup> and 143<sup>69</sup> both require States to collect information on migrants' conditions of work and livelihoods. The Special Rapporteur on the human rights of migrants, in its report on a 2035 agenda for facilitating human mobility, also stated that "States must focus on collecting and assessing data on the human rights situation of migrants."<sup>70</sup>

Civil society will therefore have an important role to play in providing human rights analysis and information in the review process under the International Migration Review Forum,<sup>71</sup> as well as during the regular reviews conducted by States at the national level.

### How is the GCM relevant for the SDGs?

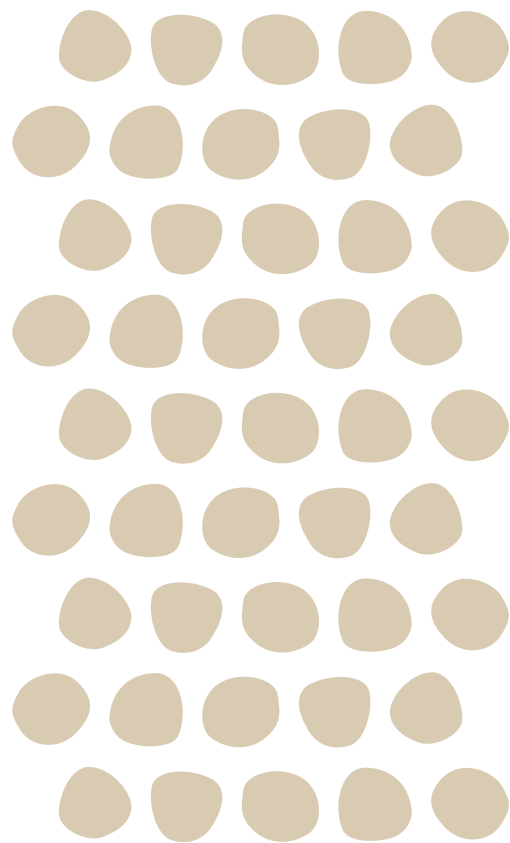
The GCM is rooted in the 2030 Agenda for Sustainable Development and "builds upon its recognition that migration is a multidimensional reality of major relevance for the sustainable development of countries of origin, transit and destination, which requires coherent and comprehensive responses."<sup>72</sup> The GCM acknowledges that migration, if properly managed, can contribute to realizing the goals of the 2030 Agenda. This idea is also supported by the declaration that accompanied the adoption of the SDGs, through which States recognized the positive contribution of migrants for inclusive growth and sustainable development. The GCM therefore provides an opportunity for States to reaffirm the commitments made under the 2030 Agenda. Inversely, the GCM also recognizes that the implementation of the 2030 Agenda helps to minimize the adverse drivers and structural factors that can compel people to leave their country of origin.

Some objectives of the GCM therefore reflect, directly or indirectly, some key aspects of the SDGs. For example, the GCM aims to "prevent, combat and eradicate trafficking in persons in the context of international migration,"<sup>73</sup> echoing target 5.2 of the 2030 Agenda for Sustainable development, which aims at eliminating all forms of violence against women and girls including trafficking and sexual and other types of exploitation.

### How is the GCM relevant for climate action?

Extreme weather events, as well as the slow-onset adverse effects of climate change (sea-level rise, desertification, water scarcity...), can force people to move within their country or across international borders. The GCM provides a unique opportunity to consider climate change as a driver of human mobility in the global governance of migration, and it also explicitly refers to the UNFCCC and the Paris agreement. Indeed, under its Objective 2,<sup>74</sup> the GCM states that it aims to invest in programs that accelerate States' fulfillment of the SDGs with the objective of eliminating adverse drivers of migration including through, inter alia, resilience and disaster risk reduction, and climate change mitigation and adaptation.

While the Global Compact on Refugee (GCR) introduced language related to disaster displacement and climate change by affirming that "climate, environmental degradation and natural disasters increasingly interact with the drivers of refugee movements,"<sup>75</sup> both international negotiations on the GCM and the GCR failed to formally recognize the status of "climate refugees" nor provide comprehensive actions to address climate change-related displacement.



70 Human Rights Council, *Report of the Special Rapporteur on the human rights of migrants on a 2035 agenda for facilitating human mobility*, UN doc (A/HRC/35/25), 28 April 2017, para 75. Available at <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F35%2F25&Language=F&DeviceType=Desktop>  
 71 For more information: <https://migrationnetwork.un.org/international-migration-review-forum-2022>  
 72 United Nations General Assembly, *Global Compact for Safe, Orderly and Regular Migration*, UN doc (A/RES/73/195), 11 January 2019, p4. Accessible at: [https://refugeesmigrants.un.org/sites/default/files/180711\\_final\\_draft\\_0.pdf](https://refugeesmigrants.un.org/sites/default/files/180711_final_draft_0.pdf)  
 73 *Ibid*, p5.  
 74 General Assembly of the United Nations, *Global Compact for Safe, Orderly and Regular Migration*, UN doc (A/RES/73/195), 11 January 2019, para. 18. Accessible at: [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/73/195](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195)  
 75 United Nations High Commissioner for Refugees, *Part II Global compact on refugees*, UN doc (A/73/12 Part II)\*, 2 August 2018, p2. Accessible at: [https://undocs.org/Home/Mobile?FinalSymbol=A%2F73%2F12%2520\(PART%2520II\)&Language=E&DeviceType=Desktop](https://undocs.org/Home/Mobile?FinalSymbol=A%2F73%2F12%2520(PART%2520II)&Language=E&DeviceType=Desktop)

## 4 Overview Areas of overlap

This Section aims to help visualize how the various review and monitoring mechanisms operate, where the issues they consider overlap, and how their respective work can be reinforced through collaboration and coordination.

### 4.1 How do the different review mechanisms work?

REVIEW MECHANISM	PERIODICITY	OTHER REPORTS/INPUTS ALLOWED	PARTICIPATION OF CIVIL SOCIETY
<b>TREATY BODIES (TBs)</b>	Every three to five years	Can consider the reports of UN agencies	Alternative/parallel report
<b>UPR</b>	Every five years	A compilation prepared by the Office of the High Commissioner on Human Rights (OHCHR) containing information from treaty bodies, special procedures and UN agencies such as UNDP and UNICEF;	OHCHR summarizes NGO contributions
<b>HLPF</b>	Every four years	Not formal	Unclear
<b>GLOBAL STOCKTAKE</b>	Every five years	Report of technical review process	Unclear
<b>IMRF</b>	Every four years	Unclear	Unclear

### 4.2 What is being reviewed by whom?

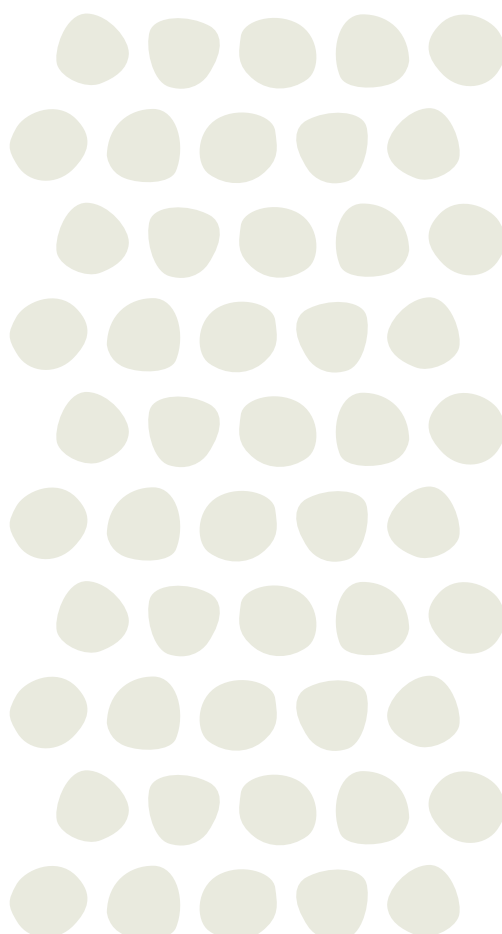
#### Human rights (examples)

RIGHT	MECHANISM					
	TBs	UPR	SPs (Special Procedures), including SR (Special Rapporteurs)	HLPF – 2030 agenda	Climate change – UNFCCC and additional instruments	IMRF
<b>RIGHT TO EDUCATION</b>	ICESCR, CRC, CEDAW, CERD, CRPD, CMW	Yes	SR on the right to education as well as country specific mandates	Goal 4 ensures access to inclusive and equitable quality education, Goal 16 including access to justice	Article 6 of the UNFCCC	Objectives 1, 2, 5, 7, 13, 15, 16 and 20.
<b>RIGHT TO AN ADEQUATE STANDARD OF LIVING (food, housing)</b>	ICESCR, CRC, CEDAW, CERD, CRPD, CMW	Yes	SRs on the rights to food and housing, as well as country specific mandates	Goal 1 to end poverty, Goal 2 to end hunger, Goal 11 make cities safe and inclusive, Goal 16 including access to justice	Paris Agreement Principle: food security + principle of ensuring just transition for workers	Food security and access to food (Objectives 2 and 13) + poverty eradication (Objective 2)
<b>RIGHT TO HEALTH</b>	ICESCR, CRC, CEDAW, CERD, CRPD, CMW+ Human Rights Committee (link right to health with civil and political rights such as right to life or right to be free from torture and other ill-treatments)	Yes	SR on the right to health, as well as country specific mandates	Goal 3 to ensure healthy lives, Goal 16 including access to justice	Paris Agreement Principle: respect of obligations on right to health	Objectives 1, 2, 6, 7, 13, 15, 16 and 22.
<b>RIGHT TO SOCIAL SECURITY</b>	ICESCR, CRC, CEDAW, CERD, CRPD, CMW	Yes	SRs on the right to food and extreme poverty and human rights, as well as country specific mandates	Goal 1 to end poverty, Goal 2 to end hunger, Goal 16 including access to justice	Paris Agreement Principle: general respect of obligations on human rights + principle of ensuring just transition for workers	Objectives 5 and 22.



*The situation of particular population groups (examples)*

GROUPS OF PEOPLE	MECHANISM					
	TBs	UPR	SPs	HLPF – 2030 agenda	Climate change	IMRF
<b>WOMEN</b>	All given the cross-cutting importance of non-discrimination and equality but especially CEDAW, ICCPR, ICESCR	Yes	SR violence against women + country mandates. Other thematic mandates can also address gender discrimination	SDG Leave no-one behind principle Goal 5 – gender equality	Paris Agreement Principle: Gender Equality	Human rights and gender responsiveness as cross-cutting and guiding principles
<b>PERSONS WITH DISABILITIES</b>	All given the cross-cutting importance of non-discrimination and equality but especially CRPD	Yes	Specifically SR rights of persons with disabilities. But other thematic mandates can also address their rights, as well as all country mandates	Goal 10 – reduction of inequalities + Goal 11 – sustainable and inclusive cities and communities	Paris Agreement Principle: Rights of persons with disabilities	Referred to in Objectives 7 and 20
<b>MINORITIES</b>	All given the cross-cutting importance of non-discrimination and equality but especially CERD	Yes	Specifically SR minorities. But other thematic mandates can also address their rights, as well as all country mandates	Goal 10 – reduction of inequalities	Paris Agreement Principle: Rights of indigenous peoples	Reference to ethnic and religious minorities in Objective 7
<b>MIGRANTS</b>	All given the cross-cutting importance of non-discrimination and equality but especially CMW	Yes	SR Migrants	Goal 10 – reduction of inequalities	Paris Agreement Principle: Rights of migrants	All Objectives of the GCM



## Climate change (examples)

BODIES	ISSUE	Protecting against climate change	Impact of climate change mitigation/adaptation policies and compliance with IHRL (International Human Rights Law)	Groups of people	Gender analysis
TBs - Concluding observations	Expressed concern about the impact of climate change on human rights	They have inter alia noted the lack of adequate measures to address the adverse effect of climate change.	Noted with concern that policies and programs addressing climate change do not address the special vulnerabilities and needs of children, and that data available to formulate policies do not identify the types of risk faced by children	Highlighted the situation of children, women, indigenous peoples. Calling on Finland to adopt the appropriate measures to address the adverse effect of climate change on the Saami people's land and resources; Noting in Australia the negative impact of climate change on the right to an adequate standard of living, including on the right to food and the right to water, affecting in particular indigenous peoples, in spite of the State party's recognition of the challenges imposed by climate change.	<i>Often noted the:</i> <ul style="list-style-type: none"> <li>disproportionate impact of climate change and natural disasters on women and children, especially in rural areas.</li> <li>Limited participation of women in disaster reduction and climate change mitigation strategies</li> </ul>
Special procedures, Annual reports, and country missions	Confirms the damages of climate change on billions of people, violations of human rights, exacerbation of inequality and perpetuation of injustice. Calls on developed States and other large emitters to reduce their emissions at a rate consistent with their international commitments to comply with their human rights obligations <sup>76</sup>	Calls on international community to support adaptation by small island states threatened by global warming (Maldives SR Housing) Requiring states to improve the ability of smallholder farmers to adapt to climate change <sup>77</sup>	Employment and training opportunities for workers affected by the transition can be provided by public employment programs. These programs can also allow the enhancement of the infrastructures for climate mitigation and resilience <sup>78</sup>	Indigenous people: in consultation with the Saami parliaments, Finland/Norway/Sweden should consolidate measures to address the adverse effects of climate change on the Saami people. <sup>79</sup>	
UPR - Recommendations	The UPR has called on states to examine the human rights implications of climate change, particularly regarding socioeconomic rights	<i>The UPR has called on states to:</i> strengthen adaptation measures to curb the long term effects of climate change; examine the human rights implications of climate change, particularly regarding socioeconomic rights; Actively pursue international cooperation aimed at adapting to the adverse effects of climate change;	Ensure that its climate change-related policies are informed by its human rights commitments and obligations	Its premise to leave no one behind means that the national and international review process should examine all persons living in vulnerable situations	
SDGs	Recognition of climate change as an adverse driver of human mobility	States are required to take urgent action to combat climate change	It is clear that all climate change adaptation/mitigation policies and programs must comply with human rights principles and standards	Highlights the situation of children and women	The GCM mainstreams a gender perspective, promotes gender equality and the empowerment of women and girls
IMRF		Supports climate change mitigation and adaptation activities through investment, joint analysis and sharing of information			

76 United Nations, General Assembly, *Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment*, David R. Boyd, UN doc (A/74/161), 15 July 2019, para 73. Available from: <https://undocs.org/Home/Mobile?FinalSymbol=A%2F74%2F161&Language=E&DeviceType=Desktop>

77 United Nations, General Assembly, *Report of the Special Rapporteur on the right to food*, Olivier De Schutter Addendum Mission to Mexico, UN doc (A/HRC/19/59/Add.2), 17 January 2012. Available from <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F19%2F59%2FAdd.2&Language=E&DeviceType=Desktop>.

78 United Nations, General Assembly, *Report of the Special Rapporteur on extreme poverty and human rights*, Olivier De Schutter, UN doc (A/75/181/Rev.1), 7 October 2020, para. 11. Available from: <https://undocs.org/Home/Mobile?FinalSymbol=A%2F75%2F181%2FREV.1&Language=E&DeviceType=Desktop>

79 United Nations, General Assembly, *Report of the Special Rapporteur on rights of indigenous peoples*, James Anaya Addendum The situation of the Sami people in the Sampi region of Norway, Sweden and Finland, UN doc (A/HRC/18/35/ADD.2), 6 June 2011. Available from <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F18%2F35%2FAdd.2&Language=E&DeviceType=Desktop>

## 5 Opportunities to improve coherence and promote a human rights-based approach

This section builds on Section 3, which details how you can use the individual mechanisms, to suggest different actions you can take to help ensure an integrated and coherent approach to these mechanisms that respects and protects human rights and promotes accountability for all actors. It spans actions at all levels, from diagnosing problems to raising issues at the international level, providing examples of how information can be gathered and used.

### 5.1 Diagnosing problems

You can play a decisive role in diagnosing the bottlenecks that can hamper the achievement of SDGs for all; helping identify who is being left behind and why or who may be most negatively affected by climate change and its mitigation or adaptation strategies, as well as by forced mobility and by discrimination on the basis of migratory and legal status.

Such analysis is a solid basis for all interventions, including parallel reporting to treaty bodies, press releases, oral/written contributions and alternative reports to the HLPF, information for special procedures, NGO submissions to UPR or press campaigns, etc. It is also very relevant to advocacy interventions in climate negotiations and debates on migration.

#### **Indicators and disaggregated data**

Disaggregated data is imperative in identifying who is being left behind. However, some groups that are being left behind may not be reflected in disaggregated data, wishing to maintain privacy for protection concerns or other reasons. This may include lesbian, gay, bisexual, transgender and intersex people or the homeless.

*You can:*

- Collect disaggregated data following human rights principles such as non-discrimination and transparency. However, it is necessary to take into account that groups at risk may need specific privacy and safety protection measures.
- Make sure that disaggregated data collected by the State reflects all groups to the greatest extent possible, and that data collection is conducted in line with international human rights standards and principles.

#### PRACTICAL INFORMATION

##### **Useful information**

Human rights indicators: <http://www.ohchr.org/EN/Issues/Indicators/Pages/HRIndicatorsIndex.aspx>.

Human rights-based approach to data collection: <https://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>

#### **Qualitative reporting/monitoring:**

While disaggregated data is imperative to identify who is being left behind and who is most affected by climate change, it must also be accompanied by qualitative human rights monitoring and analysis to determine their root causes, including indirect and direct discrimination, marginalization, and exclusion. Disaggregated data should include information on civil and political rights, especially on the freedom of expression and assembly for particular groups, access to justice for these groups, and the situation of human rights defenders.

It is also important to conduct human rights monitoring of policies and programs designed to help achieve the SDGs, and of those related to climate change and migration, as they may undermine or violate human rights.

*You can:*

- Engage in general human rights monitoring to identify who is being left behind and why, and who is most vulnerable to climate change, is forcibly displaced or forced to migrate.
- Monitor climate change mitigation/adaptation strategies from a human rights perspective: are they violating human rights? Are they addressing the factors that leave people behind or are they making them more vulnerable to climate change?
- Monitor the actions of businesses and the responses of governments. What is the government doing to regulate these actions? What should it be doing? Are there appropriate and robust accountability mechanisms available to ensure an effective remedy to anyone whose rights may be adversely impacted by the private sector (including by public-private partnerships)?
- Contribute to monitoring the implementation of the SDGs from a human rights perspective and draw attention to policies that can exacerbate inequalities and discrimination, such as, for example, organizing health services around people who can afford to pay user fees, while basic health care centers in remote areas are not established, maintained, or improved.

## ➔ PRACTICAL INFORMATION

### Human rights monitoring information and tools

<http://www.ohchr.org/Documents/Publications/OHCHRIntro-12pp.pdf>

Human Rights Monitoring. A Field Mission Manual:

<https://www.humanrights.dk/research/list-of-publications/human-rights-monitoring-field-mission-manual>

Making Human Rights Work for People Living in Extreme Poverty:

[http://franciscansinternational.org/fileadmin/media/2015/extremepoverty\\_publication\\_handbookonextremepoverty\\_sept2015\\_eng.pdf](http://franciscansinternational.org/fileadmin/media/2015/extremepoverty_publication_handbookonextremepoverty_sept2015_eng.pdf)

## 5.2 Working with bodies at the national level

As established in Section 3, each of the review mechanisms requires work from governments at the national level, such as States' periodic reports to the human rights treaty bodies, national reports to the HLPF, the inputs into the transparency mechanisms of the Paris Agreement and the Global Stocktake, and States' reviews of their national implementation efforts under the GCM. Many of these may deal with similar issues and should all take a human rights perspective. Ideally, these reports should be elaborated through a consultative process, but this may depend on the State involved, the space for civil society, and protection concerns.

*At the national level, you can play a key role in promoting coherence by:*

- Using human rights analysis to alert the government and relevant international actors (including UN agencies, donor communities, diplomats, etc.) of who is being left behind and why, and who is most affected by climate change and forced mobility.
- Highlighting the role that the implementation of human rights instruments plays in the realization of SDGs.

This should include:

- Elaborating the links between leaving no one behind and all human rights, including civil and political rights.
- Demonstrating how curtailing civil society space through violations of civil and political rights (including reprisals) threatens the realization of all SDGs.
- Drawing the attention of governments and other relevant actors at the national level like NHRIs to the decisions; general comments; concluding observations; recommendations of human rights mechanisms, including treaty bodies, the special procedures and the UPR, and demonstrating their value in identifying priority areas and actions that will be conducive to the realization of both the GCM and the SDGs while making sure that no one is left behind.
- Encouraging States to report on their progress in implementing the recommendations of the human rights mechanisms as part of realizing the SDGs and protecting people against climate change.

- Engaging with governments to ensure that climate change and migration policies comply with human rights norms.
- Encouraging States to consider human rights indicators and benchmarks when preparing NDCs (especially relating to energy, transportation, land management, and urban planning policies).
- Working with governments to ensure that NDCs address human rights in line with the OHCHR's suggestions, including how governments plan to integrate human rights in their climate change actions.
- Encouraging governments to develop responses for the implementation of the objectives of the Global Compact through, for example, the elaboration of a national implementation plan, coordination with other States and by conducting inclusive reviews and regular follow-ups of progress at the national level.

## ➔ PRACTICAL INFORMATION

Where it is not possible to work with the government or NHRIs on these issues, you can reach out to the UN country team and other relevant international actors or raise awareness at the national level and organize campaigns that focus on urging the government to look into these issues.

## 5.3 Using the international mechanisms

In addition to working with governments or other actors at the national level, you can provide alternative information to the different international mechanisms. Given that these review mechanisms often operate in silos, it is important to start establishing precedents that promote and ensure an integrated approach, as well as improve the accountability of States and non-State actors.

80 General Assembly of the United Nations, *Global Compact for Safe, Orderly and Regular Migration*, UN doc (A/RES/73/195), 11 January 2019, para. 29. Accessible at: [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/73/195](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195)

You can:

## 1 When submitting country information to human rights mechanisms

This includes:

- Use language that echoes the SDGs and the objectives of the GCM frameworks such as ‘leaving no one behind’ or as “use immigration detention only as a measure of last resort and work towards alternatives.”<sup>78</sup> This is important for all groups, especially those who may not be thought of, such as juvenile detainees. This can help make the recommendations of the TBs, UPR, and special procedures more relevant to the SDGs or for the Regional Review Processes in the context of the International Migration Review Forum (IMRF) framework.
- Link the realization of all human rights, including civil and political rights such as the freedom of expression, with ‘leaving no one behind’ and climate justice.
- Provide human rights analysis of the implications and effects of climate change mitigation and adaptation measures.
- Provide information on whether the actions taken to implement the objectives of the GCM and the SDGs comply with human rights norms and whether they will contribute to better enjoyment of these rights over time.

## 2 When submitting information to or raising issues at the HLPF

- Be clear on how the government is respecting and complying with international human rights law in its programs and policies designed to realize the SDGs.
- Provide information on how your government has implemented the recommendations of the human rights mechanisms, and their relevance for the SDGs.
- Provide human rights analysis of why people are being left behind.

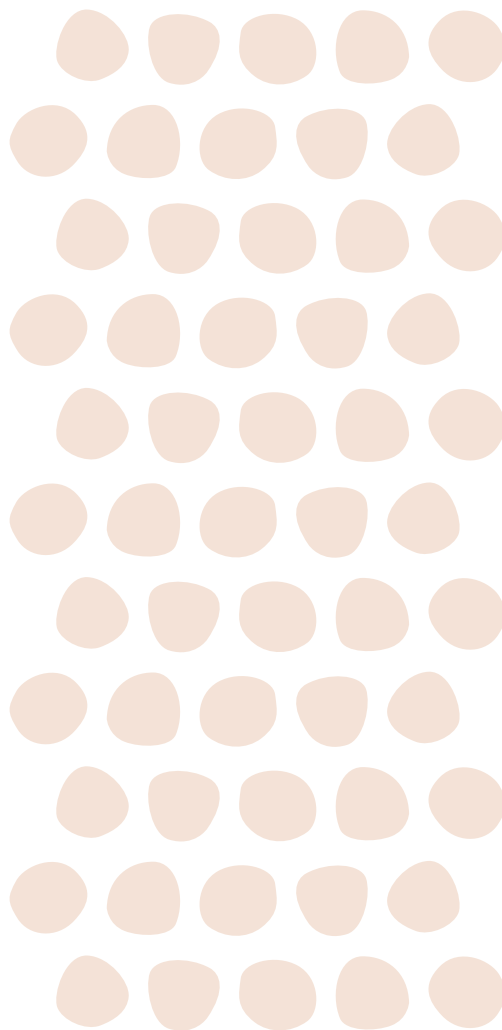
### BACKGROUND

The recommendations and concluding observations of human rights mechanisms play an important role in identifying key human rights issues at the country level and in prioritizing the most excluded and marginalized individuals and groups, which will be relevant to the implementation of the SDGs.

- Working with the UNFCCC mechanisms so that they better consider and comply with human rights obligations and principles (in advising States and in monitoring performance/progress).
- Encouraging the Conference of the Parties to the UNFCCC (the COP), which serves as the meeting place for the Parties to the Paris Agreement who are tasked with progressing the Agreement and deciding on the necessary rules and processes, to integrate human rights considerations into their work, including the need for inclusive participation.

## 3 Convince States that

- They should coordinate their reporting. For example, States being reviewed by the UPR can use their national reports to provide human rights inputs into the HLPF and other mechanisms outside of the human rights system.
- The SDGs and the GCM do not replace the human rights framework.
- Human rights help realize the SDGs and make sure that no one is left behind.
- Implementation of the SDGs must be done in compliance with human rights law. If not, development programs and policies can exacerbate inequalities and result in more people being left behind.
- Business accountability for human rights abuses must be ensured.
- Better realization of human rights can address forced mobility and climate change issues through more effective policies and outcomes.









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