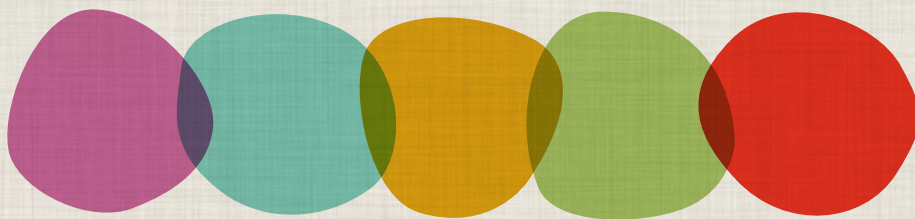


# A TOOLBOX



**HUMAN RIGHTS, SUSTAINABLE DEVELOPMENT  
& 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 and consultant. Madeleine Cowper supported with editing and Paolo Cravero, FI communications officer, coordinated the publication. Graphic design by Cara Pittendrigh.

Other FI advocacy team members have contributed with inputs and comments to the Toolbox and to the process of developing it: Budi Tjahjono, Asia Pacific Program Coordinator; Enkeleda Papa, Africa Program Coordinator; and Etienne Chénier-Lafèche, Americas Program Coordinator. 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, and States’ climate policies. Cédric Chatelangat, FI Project Manager, has also significantly contributed to the implementation of this project.

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

With the support of



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## 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>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 the clear interconnection between extreme poverty, development and climate change (described later in Part 2), the present Toolbox takes a similar and complementary approach to the one of the Handbook. It also gives tools and ideas on how to take a human rights approach to policies and programs in the areas of sustainable development and climate policies.

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

Sustainable development and climate actions 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 impact on the rights to food, to water and to housing of local communities.

Over the last couple of years 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, with its 17 Sustainable Development Goals and 169 associated targets, was solemnly adopted by the United Nations General Assembly. 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 taking action to combat climate change, States must respect, promote and consider their human rights obligations.

### BACKGROUND Climate policies

The impact of climate change on human rights has been recognized. This link has been highlighted explicitly in the latest international climate change agreement: the Paris Agreement that entered into force in November 2016. The Paris Agreement builds upon the United Nations Framework Convention on Climate Change. To date, 170 States have ratified it and have therefore committed to do their best individually, through "Nationally Determined Contributions" (NDCs) and collectively to combat climate change. The Paris Agreement highlights the importance of taking into account existing international norms, in particular those concerning human rights, in the implementation of State climate policies.

However, this has not been backed by the creation of robust review and/or accountability mechanisms that address the issues in an integrated manner. Most of the mechanisms operate in silos, with only limited scope for the human rights mechanisms to feed into them. Similarly, while the SDGs allow for a great role for the private sector and for public-private partnerships, it is not backed up by proper accountability mechanisms that hold businesses and States accountable for non-compliance with human rights.

## 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, poverty eradication and environmental justice by:

- Highlighting the importance of rights-based monitoring of sustainable development/climate change policies and how violations of human rights can harm or hinder the implementation of SDGs and make people more vulnerable to climate change;
- Connecting the dots between human rights, sustainable development and climate change at national and international levels to better inform the various review mechanisms;
- Helping people make full use of existing mechanisms and promote an integrated approach that respects and protects human rights.

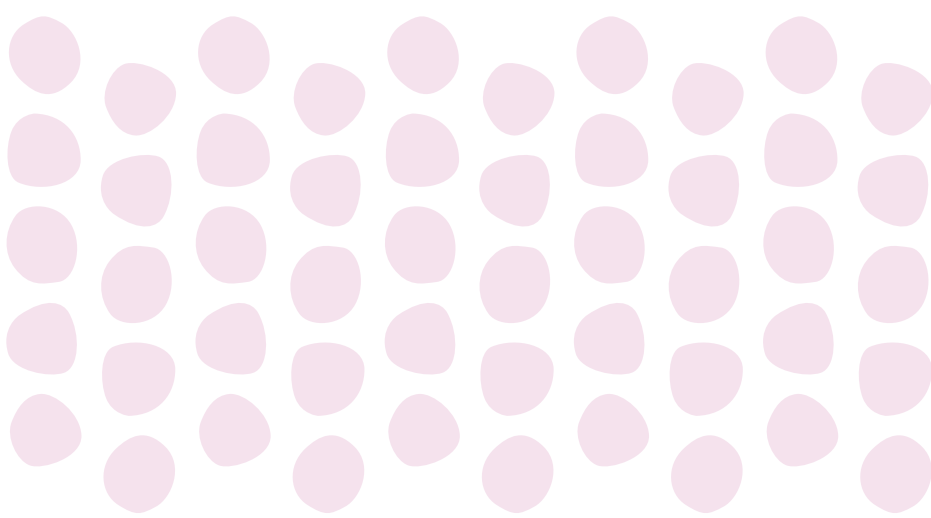
## 1.3 Who is it for?

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

## 1.4 What does it contain?

There are a number of different sections in this Toolbox:

- It maps the existing instruments and review mechanisms in the areas of human rights, sustainable development and climate policies. This includes describing and explaining 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 State reporting schedules, submitting information and useful tools.
- It visually demonstrates how these mechanisms deal with different topics and possible areas of overlap, both practical and thematic.
- Building on the aforementioned sections, it 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.



## 2 Why is this Toolbox important?

### 2.1 Human rights, climate change, sustainable development 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. They, therefore, often have to accept dangerous work conditions, unsafe housing and limited access to health care, and 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. There are certain population groups throughout the world who, due to entrenched stigmatization and discrimination, are the most likely to be 'left behind' and live in extreme poverty. This includes women; 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. In addition, 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>1</sup>

#### Climate change, poverty and human rights

The current dramatic climate change will result in water scarcity in some areas and flooding in others. Persons living in extreme poverty are and will continue to be disproportionately affected. 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. They are more likely to live in low-lying, poorly protected areas that are more prone to floods, droughts or landslides, have unsecured water sources (which are more prone to contamination), and/

or rely on rainfed agriculture. Extreme weather events caused by climate change can create cycles of poverty, deprivation and exclusion by forcing persons living in extreme poverty to over-exploit natural resources as a coping mechanism to ensure survival. It can result in a forced exodus to urban areas, putting increasing pressure on the supply of affordable housing and causing a proliferation of urban slums and other informal settlements in which people live without basic infrastructure and in highly unsanitary conditions.<sup>2</sup>

However, rather than building on these links, many developmental and climate change policies often fail to respect, or will at times infringe on, human rights. This can include agro-development and land grabbing. Such human rights violations can perpetuate exclusion, discrimination and provoke social tensions and conflict. In fact, one of the greatest perceived threats to future social stability and economic growth has been identified as water scarcity and an inability to adapt to climate change.<sup>3</sup>

#### BACKGROUND

Without the respect and protection of human rights, peace and sustainable development are an illusion. Policies that promote, respect, protect and fulfil human rights are likely to contribute to sustainable development and more security.

### 2.2 New initiatives and human rights

The year 2015 has been marked by the adoption of important international frameworks in the area of sustainable development, namely the 2030 Agenda for Sustainable Development and the Paris Agreement on Climate Change. Importantly, both 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 Paris Agreement was built on this idea. Paragraph 11 of its preamble states:

1 UN Guiding Principles on human rights and extreme poverty, available at [http://www.ohchr.org/Documents/Publications/OHCHR\\_ExtremePovertyandHumanRights\\_EN.pdf](http://www.ohchr.org/Documents/Publications/OHCHR_ExtremePovertyandHumanRights_EN.pdf)

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

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

“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.”

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>4</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>5</sup>

- The 2030 Agenda explicitly 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 of the Goals, and States are politically compelled to address the root causes of exclusion. It is also important to note that Goal 16 on peaceful and inclusive societies covers 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, which establish the responsibility to respect human rights.

## 2.3 Challenges

However, while the 2030 Agenda, as well as other recent global commitments on climate change and business accountability, are key opportunities to enhance human rights monitoring and implementation at the national level, there are a number of challenges:

- There is still only limited recognition of human rights in the 2030 Agenda and the Agenda is not equal to a human rights framework. There are severe shortcomings. For example, the Agenda puts “national law” caveats on women's rights and on the freedom of expression, association and peaceful assembly. It does not explicitly address sexual and reproductive health and rights, is silent on discrimination against minorities or discrimination on the ground of sexual orientation or gender identity and weak in specifying duties of international cooperation.
- Many of the indicators currently being considered to measure progress in the implementation of the SDGs run the risk of remaining essentially quantitative and thus missing key human rights principles and imperatives such as empowerment, meaningful participation and accountability. The absence of these key principles may even distort or limit the ambition and scope of the goals themselves.
- Accountability for the private sector is weak, despite their increased role in implementing and financing the SDGs. If companies are not regulated and checked, their activities can contribute to poverty, environmental degradation, injustice and to further conflicts. States also have limited accountability as national reporting to the High Level Political Forum in New York is only voluntary.
- There is no reference to the free, meaningful and active role that all people and stakeholders, including civil society and NHRIs, can play in either the SDG 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 development.

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

5 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*, A/HRC/31/52 (1 February 2016), available from [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), Para. 22.



### 3 The physical landscape

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

This section maps the existing instruments and mechanisms in the areas of human rights, sustainable development and climate action. It includes practical information on how relevant monitoring and advocacy mechanisms work and how you can access and use them. Obviously, international human rights protection mechanisms are given priority here, since they are the most natural forum in which to monitor the human rights situation and the impact that development and climate policies may have on human rights. This is due to the mandates of these mechanisms, but also to their openness to allow input and greater participation of civil society than other mechanisms.

### A reminder of the UN Human Rights Machinery

2 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. Cambodia, Haiti, Sudan, Somalia...)

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 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 sectors 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 three policy areas (human rights, sustainable development and climate change), the human rights protection system is the most established and comprehensive monitoring system, despite challenges of concrete implementation of its recommendations at local levels.<sup>6</sup> There are also 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 accredited status with 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 whether its State parties are complying with the treaty's provisions. 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 an introduction to treaty monitoring bodies, please see: <https://www.youtube.com/watch?v=vE0T45t040k&feature=related>

For more information on the human rights treaty monitoring bodies, please 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 body's 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). After 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.

Many of the treaty bodies are also able to consider individual complaints.

### ➔ PRACTICAL INFORMATION

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

To also assist States, the treaty bodies develop authoritative interpretations of the content 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>6</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*, doi:10.1353/hrq.2005.0030.

## ➔ PRACTICAL INFORMATION

For more information, please see:

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

The 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 has been spelled out in the San José Guidelines<sup>7</sup> that provide for the appointment of a rapporteur or focal point on intimidation or reprisals within each treaty body, to coordinate proactive implementation of the policy. Their tasks include receiving allegations of intimidation or reprisals, assessing allegations 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 of the treaty bodies are important for the SDGs. Many treaty bodies also specifically address the situation of groups that are more likely to suffer 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 Rights of Migrants.

The UN Committee on Economic, Social and Cultural Rights (CESCR) has recommended that its concluding observations address how State parties realize the Sustainable Development Goals as standard practice. Similarly, the Committee on the Rights of the Child has begun to link the Sustainable Development Goals to the rights contained in the Convention on the Rights of the Child in its concluding observations.

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

Many treaty bodies address climate change in their work. They expressed concern about the impact climate change has had on the human rights of particular groups and called on State parties to make sure that policies addressing climate change, respect, protect and fulfil human rights.

### *How can you 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 necessary 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 in the preparation of the State report by participating in national consultations.

## ➔ PRACTICAL INFORMATION

Check scheduling 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 is 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 examine the situation in States parties in the absence of a report on the basis of all available information, which includes reports by civil society.

- Submit your own alternative report to the treaty body.

## ➔ PRACTICAL INFORMATION

Depending on the treaty body, these reports usually need to be electronically transmitted to the respective secretariat, preferably 6 weeks and latest 3 weeks, before the beginning of the session. A list of emails to contact the secretariats of the various treaty bodies is provided on page 12.

- Attend the treaty body session if your organization has the capacity. Alternatively, there may also be opportunities for interaction with committee members outside of formal sessions.

## ➔ 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 website.

<sup>7</sup> Guidelines against Intimidation or Reprisals ("San José Guidelines"), adopted at the 27th meeting of chairpersons of the human rights treaty bodies in July 2015, UN doc. HRI/MC/2015/6, 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)

- Hold briefings for treaty body members.
- Convene press conferences in your own country, both about the process and 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 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.
- 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

#### **REMINDER Useful information**

A more comprehensive guide to the treaty monitoring 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)

### ➔ PRACTICAL INFORMATION

#### **Secretariat details**

You can contact the secretariat of the different treaty monitoring 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?**

These are the mechanisms established by the Human Rights Council to address either specific country situations or thematic issues around the world. Special procedures' mandates usually call on mandate holders to examine, monitor, advise and publicly report (including to the Human Rights Council and sometimes the General Assembly) on human rights situations in specific countries or territories (country mandates),<sup>8</sup> or on major phenomena of human rights violations worldwide (thematic mandates).<sup>9</sup>

### ➔ PRACTICAL INFORMATION

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

### **How do they work?**

The mandate holders are not employed by the United Nations but usually have staff supporting them at OHCHR and external advisers (for instance in a university they are linked to).

*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.
- Conducting studies.
- Providing advice on technical cooperation at the country level.
- Engaging in general promotional activities.

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

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

Several special procedure mandate holders have, through joint advocacy, thematic studies and developing partnerships with United Nations agencies and bodies, worked to integrate human rights in SDGs implementation efforts. For example, the Special Rapporteur on the right to water and sanitation is working closely with relevant United Nations agencies to ensure that countries will integrate the human rights to water and sanitation in their measures to achieve the water and sanitation targets of the SDGs.

<sup>8</sup> The country mandates include: Iran; the Occupied Palestinian Territories; Sudan; Cambodia; Myanmar; the Democratic People's Republic of Korea; and Somalia.

<sup>9</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; and torture.

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

From 2009, numerous special procedures have drawn attention to the human rights issues of climate change and the situation of small island states. The policies and situations in industrialized States such as Finland, Norway, Sweden or the USA have also come under scrutiny.<sup>10</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 (A/HRC/31/52).<sup>11</sup>

This includes the rights of those living in the most vulnerable situations.

### How can you input into their work?

You can work with Special Procedures in all areas of their activities:

- In communications: civil society is often the main source of information on allegations of human rights violations. In addition to targeting States, special procedures have also addressed the actions of private actors and organizations, such as the World Bank, in their urgent actions and communications.

### ➔ PRACTICAL INFORMATION

Information on how to submit information about alleged violations can be found at: <http://www.ohchr.org/EN/HRBodies/SP/Pages/Communications.aspx>

You can also submit information online, see: <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

- 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>

- In thematic studies and reports: you can submit information for the preparation of reports or provide suggestions and thematic expertise for studies.
- In 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>  
<https://ijrcenter.org/un-special-procedures/>

Guide 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)

[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:

[http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewAllCountryMandates.aspx?Type=TM](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewAllCountryMandates.aspx?Type=TM)

For country mandates:

[http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewAllCountryMandates.aspx](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewAllCountryMandates.aspx)

<sup>10</sup> 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>

<sup>11</sup> Supra note 5.

## 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 of the 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 performances 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);
- 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 supporting States to follow-up on the review process and implement the recommendations contained in the outcome document, especially by translating and disseminating the recommendations, providing technical support and helping mobilize the necessary resources to implement them.

### How can you 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 to the Working Group for the review.<sup>12</sup>
- Send information on the human rights situation in the country to the OHCHR to form part of the summary report prepared by the OHCHR. Your organization does not have to have ECOSOC status to submit 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 about 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 theme that you want to address.

### ➔ PRACTICAL INFORMATION

To help you with identifying these delegations, you can consult the data 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 an organization that has ECOSOC consultative status or can collaborate with one who has such status.
- Hold a side event (a parallel event at the HRC).<sup>13</sup>
- Organize a screening of the webcast in the country.<sup>14</sup>
- Hold a press conference or release statements right after the review to share your assessment of the review.

<sup>12</sup> 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*, A/HRC/RES/5/1 (18 June 2007), available from [http://ap.ohchr.org/documents/alldocs.aspx?doc\\_id=13360](http://ap.ohchr.org/documents/alldocs.aspx?doc_id=13360) Para 15(a)

<sup>13</sup> However, side events the day before the review should not be organized for lobbying as it will have limited impact on delegations' statement.

<sup>14</sup> 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.

Between the review and the report's adoption 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.

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 by making a statement at any "general debate" of the Council sessions. Regarding the latter, ECOSOC consultative status is required.

**UPR AND SDGs:** The universal periodic review can serve as a comprehensive source of information on integrating human rights into the implementation and monitoring processes of the Sustainable Development Goals.

## ➔ PRACTICAL INFORMATION

To facilitate making such linkages, the OHCHR has upgraded the Universal Human Rights Index (<http://uhri.ohchr.org/en/>) to introduce new search categories so that recommendations or observations made by human rights mechanisms are searchable on the basis of the 17 Goals.

### Contact information

- [UPRsubmissions@ohchr.org](mailto:UPRsubmissions@ohchr.org)
- [civilsociety@ohchr.org](mailto:civilsociety@ohchr.org) (NGOs)
- [nhri@ohchr.org](mailto: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 (NGOs) at the UPR: <https://www.upr-info.org/en/how-to/role-ngos>

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)

### Other relevant information

To facilitate NGO lobbying, *UPR Info* organizes "Pre-sessions" in Geneva between NGOs and Permanent Missions. One month before the review, they organize a one-hour meeting on the State under review and give the floor to national and international NGOs to brief Permanent Missions about the human rights situation in the country. For more information about the "Pre-sessions", see [here](#).

## 3.2 Sustainable Development Goals

### BACKGROUND

#### SDGs and human rights

According to the 2030 Agenda, the SDGs must be implemented in accordance with international human rights law. Moreover, governments must focus on reaching those furthest behind first and leave no-one behind in compliance with the human rights obligations to ensure non-discrimination and equality. There is also a specific goal that addresses civil and political rights. Goal 16 calls on States to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and 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” (para 79). These national reviews 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 national review work?*

Each country can decide on the scope of their review and the format in which they want to present their findings.

*However, the UN Secretary-General has stated that the national review processes should conform with Article 74 of the 2030 Agenda<sup>15</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.
- 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.
- Require 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.

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.

<sup>15</sup> United Nations, General Assembly, Critical milestones towards coherent, efficient and inclusive follow-up and review at the global level: report of the Secretary-General, A/70/684 (15 January 2016), available from [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)



## BACKGROUND

The outcome from national level processes will be the foundation for reviews at regional and global levels, since the global review will be primarily based on national official data sources.

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

It 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 has come up with some indicators to help judge how countries are performing. The indicators are tiered according to whether the indicator is conceptually clear and has an internationally established methodology. Example 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 information on the process in identifying the indicators:**

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?' <http://unsdsn.org/wp-content/uploads/2015/05/150612-FINAL-SDSN-Indicator-Report1.pdf>

Although not specified, human rights information is very important to demonstrate who is being left behind and why. This includes all rights: civil, cultural, economic, political and social.

### **Role of UN agencies**

In line with the UN's commitment to provide support to countries to help them review and report on their progress, the United Nations has drafted some guidelines to help States with the national review process and make sure that national implementation is in line with the core principles of the 2030 Agenda.

## ➔ PRACTICAL INFORMATION

These guidelines are available at: <https://undg.org/wp-content/uploads/2017/03/Guidelines-to-Support-Country-Reporting-on-SDGs.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/>

### **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 formal processes.
- Launching media campaigns at the national level which raise the visibility of the SDGs and advocate for an inclusive approach to the national review with the effective participation of civil society and people living in extreme poverty whenever possible.
- Monitoring and reviewing the action plans set out for delivery of the 2030 Agenda from a human rights perspective.
- Highlighting concrete situations in which the development measures taken or planned are not reaching the most disadvantaged and where gaps will not be addressed; or even situations in which measures to implement the SDGs have 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.

## ➔ PRACTICAL INFORMATION

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

## 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>16</sup> Inclusive regional processes will draw on national level reviews and contribute to follow-up and review at the global level, including at the High Level Political Forum on sustainable development.

More specifically, these regional reviews will be a chance for countries to share lessons and best practices; and focus on regional public goods such as trade and market integration, regional connectivity and cooperation and tackle regional concerns such as disaster risk reduction, climate change, economic growth, job creation, and achieving sustainable development.

### *How will they work?*

This will be up to the region and the organizing bodies. Regionally, countries are encouraged to identify institutions that are best able to facilitate the sharing of experiences. The African Peer Review Mechanism is one example of this.

A prominent role will also be 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>17</sup>

However, as with the national reviews, the regional reviews should conform to Article 74 of the 2030 Agenda<sup>18</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, it is up to the organising bodies to decide on the modalities for such participation. Some may organise civil society forums prior to the formal review, others may allow them to submit information and make presentations.

*Possible actions include:*

- Develop ideas of what the regional review should look like and raise them with the States and organizing bodies.
- 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 agreed inter-governmental platform for the follow-up and review of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. It is tasked with building on existing reviews and existing reporting mechanisms; and assessing progress, achievements and challenges faced by both developing and developed countries. It will meet annually under the United Nations Economic and Social Council and every fourth year under the United Nations General Assembly.

**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 Special Procedures - into the global HLPF review, to ensure coherence, and minimize redundancies and inconsistency.**

<sup>16</sup> United Nations, General Assembly, Transforming our world: the 2030 Agenda for Sustainable Development, Resolution A/RES/70/1, adopted 25 September 2015, para. 80. Available at: [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E)

<sup>17</sup> More information is available at: <https://www.un.org/ecosoc/en/content/subsidiary-bodies-ecosoc>.

<sup>18</sup> Supra note 15.

### How does it work?

HLPF annual meetings have essentially two parts. First, there is a thematic part during which several goals and targets are discussed in more detail.<sup>19</sup> Second, there is a part dedicated to the review of the situation in States who volunteered to present their reports.

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 seventeen SDGs, but each country is allowed to set its own priorities. While a number of issues are obligatory (preventing discrimination, human rights, etc.), others are dependent on the local context.

Other interest groups within the country which represent civil society, the private sector and even large conurbations are also invited to contribute – although standards for this participation are still not well established or harmonized.

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

### Relationship with human rights bodies

While the 2030 Agenda is clear on the importance of human rights, the role of human rights bodies during the HLPF is still unclear. This is despite the importance of such an input, since no other forums can provide the human rights perspective.

### Progress so far

The HLPF has taken note of the Secretary-General's report on "Critical milestones towards coherent, efficient and inclusive follow-up and review framework" which refers to the important contribution of the Human Rights Council and other intergovernmental bodies and forums, including human rights bodies.<sup>20</sup> Moreover, the President of the UN Economic and Social Council invited the President of the Human Rights Council and the chairpersons of the treaty bodies to contribute to the HLPF review in both 2016 and 2017. It is thus expected that the Human Rights Council and the treaty bodies will be continually asked to contribute to future HLPF reviews, including on specific thematic issues. However, the exact role of these bodies in submitting specific country information is still unclear.

### How can civil society contribute?

#### Suggestions for civil society

As of yet, the ways in which civil society can input and participate are not entirely set. They are currently relatively limited, essentially through the so-called "Major Groups", clustering various constituencies. These include NGOs, women and indigenous people. However, this ambiguity represents considerable potential for civil society to shape the review mechanism to ensure it is as inclusive as possible.

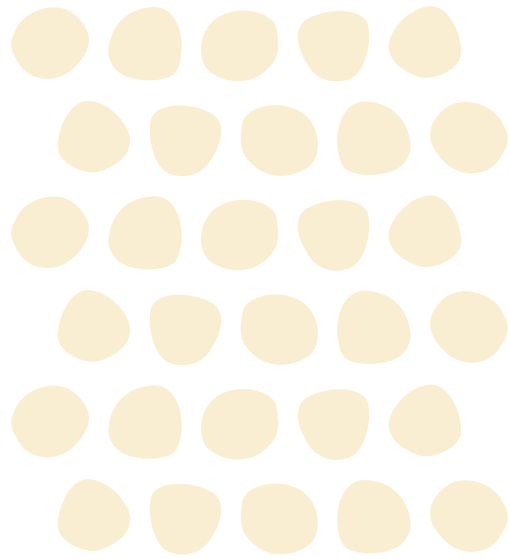
#### BACKGROUND

##### Examples of national review

During the High-level Political Forum 2017, FI closely followed the review of Kenya. Kenya has played a major role in the adoption of the 2030 Agenda and the SDGs. It has started 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 will be important to bring the human rights perspective into the process. In this case, it means to ensure 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 not reached by development measures and policies.

<sup>19</sup> 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.

<sup>20</sup> Supra note 15.



### Improving the HLPF

- Lobbying delegations to formalize effective civil society participation and the participation in human rights mechanisms.

### 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 from the UN website dedicated to the HLPF (indicated hereafter).
- Start preparing information, alternative reports, spotlight reports or inputs. While there is still no formal way of submitting them to the HLPF, such reports and inputs can be used in other ways, such as 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

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

## 3.3 Climate change

### BACKGROUND

#### Climate change and human rights

As already noted, climate change is undermining the enjoyment of human rights for many people by affecting their access to a livelihood, housing, 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 policies.

### a) The process so far

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

In 1997, States adopted the Kyoto Protocol, adding to 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.

In 2010, a majority of States – both developed and developing countries – also committed to take mitigation actions prior to 2020.

The 2015 Paris Agreement, adopted in Paris 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 of these processes, NGOs play a role in documenting and denouncing human rights violations due to climate change and/or climate policies, as well as the realities of climate change for different groups of peoples.

## b) Mechanisms under the Paris Agreement

### *What is the Paris Agreement?*

The Paris Agreement is the first international agreement under which all countries committed to reducing their emissions and promote adaptation to climate change. It obligates 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” 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>21</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*

As mentioned earlier, the Paris Agreement recognizes the importance of cross-cutting principles in implementing climate actions, which include:

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

These principles are all directly or indirectly about the enjoyment of human rights. However, the operational impact and importance of these principles will depend on the place they are given in the implementation guidelines for the Agreement (these guidelines should be adopted in 2018).

#### **BACKGROUND**

Interested civil society should follow, as much as possible, the adoption process of these guidelines and lobby their States on the effective integration of these principles.

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

The Paris Agreement sets out several preliminary reporting mechanisms. However, their exact operating modalities, including reporting formats, have not yet been articulated and agreed on. An example of these reporting formats is the draft on *Guidelines for accounting, reporting*, and, which will be most likely adopted in 2018.

*The Paris Agreement establishes the following:*

#### **A “transparency framework” (article 13) that requires States to:**

- Regularly submit national greenhouse gas emission inventories<sup>22</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.

21 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. 14) 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).

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

## BACKGROUND

### OHCHR's suggestions for the NDCs

Although modalities are still to be agreed up on, given the Paris Agreement's emphasis on human rights OHCHR argued that NDCs must be drafted with broad participation, integrate human rights and ensure that implementation is consistent with human rights standards and principles.

*In particular, NDCs should:*

- Comprehensively outline plans for integrating human rights in climate actions, including information on how the plan will comply with the obligations to respect, protect and fulfill human rights.
  - Highlight priorities, implementation, and support needs for respecting and promoting "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>23</sup>
- Provide regular updates (communications) 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 should:

*(In particular, 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

An important resource is the report and website "*Delivering on the Paris Promise: Protecting Human Rights in Combating Climate Change*", available at: <https://www.deliveringonparis.com/>

## BACKGROUND

### OHCHR suggestions for this review

According to OHCHR the 'Transparency Framework' should include an analysis of State 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 that 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 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. It will only assess "collective" efforts of the world.

<sup>23</sup> Preamble to the Paris Agreement.

## 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. A report could be prepared, in consultation with relevant stakeholders, 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 private 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>24</sup>

## ➔ PRACTICAL INFORMATION

Information on the way forward and the bodies that will be responsible for developing further the modalities of these review mechanisms can be found at: [http://unfccc.int/files/bodies/cop/application/pdf/overview\\_1cp21\\_tasks\\_.pdf](http://unfccc.int/files/bodies/cop/application/pdf/overview_1cp21_tasks_.pdf)

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

NHRIs can play an important role by raising awareness at home, 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 in national climate policies and communications, and even, as is the case right now with the Commission on Human Rights of the Philippines, which provides a platform to air complaints about climate-related issues.

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

As the modalities are still being developed, it is unclear in what capacity civil society can participate in the various review processes. However, it is important to analyze and raise a human rights perspective on climate commitments, adaptation and mitigation policies, and strategies with human rights protection and monitoring bodies as much as possible. For example, by identifying States that are not fulfilling their promises to reduce greenhouse gas emissions (which in turn, will lead to further impacts on human rights) or by documenting and denouncing an adaptation policy or measure that has a negative impact on the rights of individuals and communities.

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

## BACKGROUND

The UN Committee on Economic, Social and Cultural Rights has showed the way in its recent concluding observations and recommendations on Russia, and issued the following:

### Climate change

- 1 The Committee is concerned that the process of climate change might affect the enjoyment of economic, social and cultural rights by persons living in the State party. In particular, the Committee notes that climate alterations in the arctic region will affect larger parts of the territory of the State party and impact on persons and groups, including indigenous peoples, living in that region (art. 11).
- 2 The Committee encourages the State party to monitor and provide information about the impact of climate change on the enjoyment of economic, social and cultural rights by persons living in the State party. It also recommends that the State party increase its efforts to reduce greenhouse gas emissions and set national targets with time-bound benchmarks.<sup>25</sup>

<sup>24</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/>

<sup>25</sup> United Nations, Economic and Social Council, *Concluding observations on the sixth periodic report of the Russian Federation*, E/C.12/RUS/CO/6 (16 October 2017), available from [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fRUS%2fCO%2f6&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fRUS%2fCO%2f6&Lang=en) paras 42-43.

## 4 Overview Areas of overlap

The aim of this section is to help visualize the contents of Chapter 3 on how the processes operate, where there is overlap in the issues considered, and the potential for 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

### 4.2 What is being reviewed by whom?

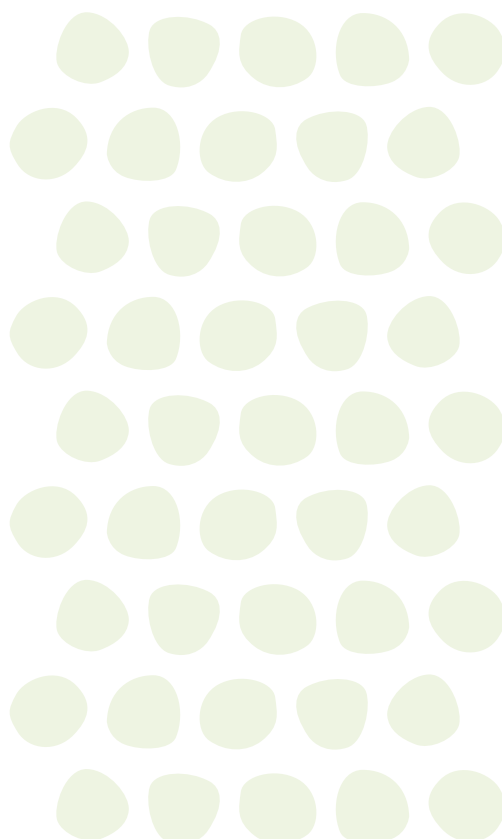
*Human rights (examples)*

RIGHT	MECHANISM				
	TBs	UPR	SPs (Special Procedures), including SR (Special Rapporteurs)	HLPF – 2030 agenda	Climate change – UNFCCC and additional instruments
<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
<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
<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
<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



*The situation of particular population groups (examples)*

GROUPS OF PEOPLE	MECHANISM				
	TBs	UPR	SPs	HLPF – 2030 agenda	Climate change
<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
<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
<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
<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



## 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.	Often noted the: <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		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>26</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>27</sup>	
UPR - Recommendations	The UPR has called on states to examine the human rights implications of climate change, particularly regarding socio-economic 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		
SDGs		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	The premise to leave no-one behind means that the national and international review process should examine all persons living in vulnerable situations	

26 United Nations, General Assembly, *Report of the Special Rapporteur on the right of food, Olivier De Schutter Addendum Mission to Mexico*, A/HRC/19/59/Add.2 (17 January 2012), available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/101/51/PDF/G1210151.pdf?OpenElement>.

27 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 Sami region of Norway, Sweden and Finland*, A/HRC/18/35/ADD.2 (6 June 2011), available from [http://www.ohchr.org/Documents/Issues/IPeoples/SR/A-HRC-18-35-Add2\\_en.pdf](http://www.ohchr.org/Documents/Issues/IPeoples/SR/A-HRC-18-35-Add2_en.pdf)

## 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 an important role in diagnosing the bottlenecks in achieving SDGs for all; helping diagnose who is being left behind and why or who may be most negatively affected by climate change and mitigation or adaptation strategies.

This analysis is an important basis for all interventions, including parallel reporting to treaty bodies, press releases, alternative or spotlight reports to the HLPF, information for special procedures, NGO submissions to UPR or press campaigns, etc.

#### **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 remain invisible. 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 important to take into account that groups at risk may need specific protection of their privacy and safety.
- Make sure disaggregated data collected by the State reflects all groups as far as possible and collection complies with international human rights standards and principles.

#### **PRACTICAL INFORMATION**

##### **Useful information**

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

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

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

While disaggregated data is imperative to identifying 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 have 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 engage in human rights monitoring of the policies and programs designed to help achieve the SDGs and climate change adaptation and mitigation, 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.
- Monitor the SDGs and climate change mitigations/adaptation strategies from a human rights perspective - are they violating human rights? Are they addressing the factors that leave people behind and make 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 private public 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 organizing health services around people who can afford to pay user fees, while basic health care centers in remote areas are not established, maintained, nor 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 section 3 establishes, each of the review mechanisms requires work from governments at the national level, such as States' periodic reports to the human rights treaty monitoring bodies, national reports to the HLPF, and the inputs into the transparency mechanisms of the Paris Agreement and the Global Stocktake. Many of these may deal with similar issues and should all take a human rights perspective. These reports should usually be written in 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, foreign embassies, etc.) to who is being left behind and why, and who is most affected by climate change.
- Highlighting the role that the implementation of all human rights would play in the realization of SDGs. This should include:
  - Elaborating the links between leave 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 relevant international actors to the decisions; general comments; concluding observations; recommendations of human rights mechanisms, including treaty monitoring 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 the SDGs and 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 plans comply with human rights.

- Encouraging States to take into account human rights indicators and benchmarks when preparing NDCs (especially as far as energy, transportation, land management, and urban planning policies are concerned).
- Working with governments to ensure that NDCs address human rights in line with the OHCHR's suggestions, including how the government plans to integrate human rights in their climate change actions.

### BACKGROUND

Where it is not possible to work with the government 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 which focus on urging the government to look into these issues.

## 5.3 Using the international mechanisms

In addition to working with governments, you can, if possible, provide alternative information to the different international mechanisms. Given that these review mechanisms often operate in silos and the fact that States are still determining how the climate change and SDG review mechanisms will work, 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.

*You can:*

### 1 When submitting country information to HR mechanisms

*This includes:*

- Using additional language that echoes the SDG framework such as 'leaving no-one behind'. This is important for all groups, especially those who may not be obviously thought of, such as juvenile detainees. This can help make the recommendations of the TBs, UPR, and special procedures more relevant to the SDGs.
- Linking 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.

- Including human rights analysis of the implications and effects of climate change mitigation and adaptation measures.
- Including information on whether the actions taken to implement the SDG comply with human rights and whether they will contribute to a better enjoyment of these rights over time.

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

*This includes:*

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

## 3 Lobby or encourage the different mechanisms

*This includes:*

- Encouraging human rights mechanisms to engage with the HLPF; issuing press releases prior to the HLPF, including on the issue of reprisals against human rights defenders.
- Suggesting how the human rights mechanisms can link their work with the review mechanisms such as including phrasing like ‘being left behind’ in concluding observations and clarifying what it means with regards to non-discrimination and equality. The Human Rights Council and special procedures can similarly orientate their work towards leaving no-one behind, which can informally feed into HLPF and country programming at national levels. OHCHR can also take up this theme in its thematic reports to the HRC, paying particular attention to oft forgotten groups.

### 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 that will be relevant to the implementation of the Goals.

- Working with the UNFCCC mechanisms to fully 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 of 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, including the need for inclusive participation.

## 4 Encourage States to:

- Coordinate their reporting. Those States being considered by the UPR could also use the same report for the HLPF.

### BACKGROUND

#### Key messages

Throughout all work, it must be made clear that these processes cannot undermine human rights. In particular, you should emphasize that:

- The SDGs 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 this is not done, development programs and policies can exacerbate inequalities and result in more people being left behind.
- Businesses accountability for human rights abuses must be ensured.
- When implementing the SDGs, governments must prioritize implementation in accordance with international human rights law (IHRL). Under IHRL, all rights must be implemented and cannot be neglected regardless of resources. This is especially so when dealing with non-derogable rights, such as the right to life; the right to be free from degrading treatment; the right to an adequate standard of living, including food and housing, health (including sexual and reproductive health), and social security.<sup>28</sup> These rights must be guaranteed in all circumstances, including during national emergencies.

<sup>28</sup> There is supporting human rights jurisprudence for this. The India Supreme Court has articulated the relationship between the right to food, social protection and the right to life (People’s Union for Civil Liberties v. Union of India & Others. For a discussion on this, please see Lauren Birchfield, L., and Corsi, J., The Right to Life Is the Right to Food: People’s Union for Civil Liberties v. Union of India & Others. Available at: <https://www.wcl.american.edu/hrbrief/17/3corsi.pdf>). The European Court of Human Rights (ECtHR) has also established a link between the right to social security and the right to be free from inhumane and degrading treatment. In Lauriozhina against Russia, the ECtHR considered ‘that a complaint about a wholly insufficient amount of pension and the other social benefits may, in principle, raise an issue under Article 3 of the Convention which prohibits inhuman or degrading treatment’. In 2016, the UN Human Rights Committee has found that restrictive abortion laws in Ireland had subjected a woman to cruel, inhuman and degrading treatment, in violation of the International Covenant on Civil and Political Rights.



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