

**“The 2030 Agenda for Sustainable Development and Human Rights”
Community of Practice on the UNDG LAC experience
Panama City, 21-23 February 2017**

"UNS going forward leaving no one behind: Human Rights (UPR mechanism) and SDGs as a tool for UN programing".

ARGENTINA

UPR recommendations and other human rights mechanisms recommendations as input for UN Joint Programing.

The UNDG LAC in collaboration with UN DOCO is organizing a Community of Practices (CoP), and have developed this template to systematize the experiences in integrating human rights in supporting the implementation of the 2030 Agenda for Sustainable Development and engaging with the human rights mechanisms. As one of the countries identified as good practices, we kindly ask you to please share your experience with us. Guidance is provided for each section in italic.

I. BACKGROUND

- *Please provide 1-2 short paragraphs describing the HR context in the country (for example key HR issues, ratification of treaties, reporting, visits of special rapporteurs, key recommendations) and the UN/UNCT engagement on HR issues and engagement with the human rights mechanisms (ongoing or it is a new initiative).*
- *Briefly describe the case study’s context: the initial situation, the issue which prompted the initiative, and why this is a good example of integrating human rights in development.*

In the last 10 years, human rights in Argentina became state policy: progressive laws have been passed and public policies concerning the promotion and protection of human rights were implemented, being one of the first countries in Latin America to pass equal marriage and gender identity laws and enshrining specific rights of transsexual people. Other examples include different laws dedicated to protect migrants and refugees, to prevent and sanction human trafficking, to prosecute violence against women and to combat child labor. Further, benefits for youth, parents and pregnant women were extended. Argentina has also made remarkable achievements in the pursuit of truth and justice for human rights violations committed during the dictatorship (1976-1983). Following the 2003 annulment of the amnesty laws, top officers and military junta members have been convicted for crimes against humanity.

Argentina has ratified the 9 main human rights treaties (ICCPR, ICESCR, CAT, CRC, CWM, CRPD, CERD, CED, CEDAW). Argentina has recently been reviewed by CEDAW, Human Rights and CERD Committee. Last year, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and other forms of intolerance and the Special Rapporteur on violence against women, its causes and consequences visited the country. In 2017, Argentina will be examined by CAT Committee and UPR 3rd cycle.

Although advances have been made, some challenges remain a concern, such as conditions of detention of persons deprived of liberty and violence against women, as well as discrimination against indigenous peoples, which is reflected in the lack of prior consultation, access to their ancestral lands, gender violence, torture and ill-treatment, among other issues.

In this context, the starting point of the UNCT engagement with human rights was drafting and submitting its **UPR in 2012**. OHCHR insisted that the effective engagement of the whole UN system was crucial to a successful UPR process. In the end, Argentina received 119 recommendations in its second UPR cycle (2012), some of which embodied inputs from the UN system. On the one hand, **local agencies, funds and programs could see their added value reflected in the outcome report. On the other hand, UPR enlightened not only the diagnosis but the tools to deal with the detected problems and gaps**, including territorial gaps in a federal country. From that moment on, the Resident Coordinator's Office jointly with the OHCHR Regional Office, disseminated UPR mechanism and its recommendations and promoted the mainstreaming of the human rights approach in the **UN System joint programing and the creation of the Human Rights Interagency Group**. The latter supports the monitoring of recommendations made to Argentina, having its own duties, coordination mechanisms and work plan. It also puts a special emphasis on including a **human rights-based approach in the preparation of the new 2016-2020 Cooperation Framework** for Argentina. In this regard, it is important to highlight that our UNDAF reflects the close linkage between human rights and the SDGs. The UN System will contribute with government both to the national implementation of the SDGs and its international human rights obligations.

II. THE INITIATIVE

- *Please describe briefly (1-2 short paragraphs) the initiative and indicate the area of focus¹ and the link of your initiative with the [UNDG Policy and Operational Messages on Support to UNCTS on integrating Human Rights in SDG Implementation](#).*

¹ Areas: 1) Identifying tools for integrating Human Rights in the implementation of the Agenda 2030/SDGs; and 2) Ensuring a Leave no One Behind approach in UN Joint Programing based on a human rights framework and focusing

The process of reviewing a country's HR records can become an opportunity to bond human rights with development. UN System in Argentina understood the UPR² process as this opportunity. In this sense, it participated in the OHCHR UPR Regional Project, which provided an overall framework for UPR-related matters, information sessions and technical assistance.

It is important to highlight the existing convergence between UPR recommendations in HR and development, and the role of the RCO in mainstreaming both approaches, which helps strengthen leadership and involvement of RCO in both areas. With RCO support, this HRBA commitment has been transferred to the different UN Agencies, Funds and Programs, particularly through:

- **resource mobilization** to hire a **national HR advisor**;
- setting up of the **Human Rights Interagency Group**;
- the preparation of a **matrix** matching UPR 2012 recommendations with UN-implemented actions, projects and initiatives that contribute or support the follow-up and the implementation of the aforementioned recommendations.

The **process for drafting a new 2016-2020 Cooperation Framework** was an opportunity to link UPR recommendations and SDGs with the areas UN and the Government have prioritized for cooperation purposes. In this scenario, UPR works as a guiding tool for cooperation in the field of HR, since its recommendations, final observations of the treaty's bodies, reports of the Special Procedure rapporteurs, include inputs for diagnosing the most vulnerable groups of the population as regards access to, enjoyment and realization of rights. Working with different agencies and their own institutional culture in order to create synergies and to develop the HR approach as one UN, was the main challenge in Argentina. The commitment of Agencies, Funds and Programs to the UPR with all the aforementioned has helped to internalize the "UPR culture" in the UN System leaving no one behind. Linking UNDAF areas of cooperation with the SDGs and HR recommendations, shows the UN System contribution on national implementation

on – Social inclusion and Partnership Building; and 3) Using UPR recommendations and recommendations from other human rights mechanisms as input for UN Joint Programming.

² UPR engages Member States in the protection of human rights, and encourages cooperation between States and the exchange of international experiences to strengthen policies and institutions. Through the UPR mechanism, governments accept to follow-up and implement certain recommendations. Thus, UPR is a key instrument for the UN System to provide a framework for coherence and joint action and opens a window for cooperation with the governments and other stakeholders in the process of follow-up and implementation of UPR recommendations. The UPR mechanism has an added value in terms of politics in comparison with other HR mechanisms. It is a strategic tool, since it is the government itself who accepts to follow-up and implement recommendations.

of the SDGs and HR recommendations that may lead to an improvement of the situation in the ground, specifically regarding vulnerable populations.

The 2030 Agenda as well as HR obligations are totally integrated and interrelated. In the document [“Policy and operational messages to support UN Country Teams in integrating human rights into the implementation of the 2030 Agenda”](#), there is a common understanding on how HR can be integrated in programming. It provides a tool for planning process as well as policy guidance for the SDG implementation; a clear alignment of the SDGs with the country’s existing HR commitments and its monitoring ; a focus on the ‘leave no one behind’ approach and ‘reach the furthest behind first’; and an opportunity to build accountability frameworks *vis a vis* key stakeholders (governmental and civil society) in the implementation of national plans. Further action in ensuring active and meaningful participation in the preparation of the national SDG action plans integrating HR approach is lacking and encompass a challenge to be addressed.

III. PROCESS

- *Briefly describe the strategy used, who initiated and led the initiative, the agencies and other actors that joined it and the role they played, and how long the entire process took (or envisaged to take until completion). If applicable, information on how civil society was engaged and their role, innovative methodologies and approaches used; how it contributed to integrated engagement on human rights across agencies.*

As stated in previous sections, the UPR Regional Project (2013-2016) allowed to start a stronger human rights mainstreaming in programming. This project was a joint initiative of the OHCHR Regional Office for South America and UNCT’s of Argentina, Brazil, Chile, Ecuador, Peru and Uruguay. Thanks to this cooperation, as well as the RCOs resource mobilization, there are national human rights advisers working in each country in the RCO under the guidance of OHCHR in order to assure mainstreaming of HR approach. The project was a starting point to engage UN System with different actors involved in the follow-up of the UPR recommendations, such as national and sub-national governmental institutions, national HR institutions, and civil society groups. UN system strive to support these stakeholders in the challenge of implementing HR recommendations and to coordinate efforts in order to enhance the overall human rights situation in the country.

In this context, the RCO had a key role in creating the “UPR interagency culture”. The RCO disseminated UPR mechanism and its recommendations and promoted the mainstreaming of the human rights approach in the different Agencies, Funds and Programs as well as Inter-Agency Groups, on the basis of different mechanisms and actions.

Thus, special treatment is given to UPR and its recommendations at all UN Country Team monthly meetings, and at the inter-agency and joint initiative group meetings, to position the topic on the agenda. The creation and operation of IAGHR is in itself linked to the mainstreaming strategy, with a work plan based on the UPR and the monitoring of recommendations stemming from such review.

Likewise, RCO promotes the inclusion of the human rights approach in the **justification of cooperation projects implemented by the different UN Agencies, Funds and Programs**, both in the formulation of new projects as well as in the extension of ongoing projects. As a result, the UN system in Argentina produced its own matrix **linking the UPR recommendations with development projects by the different UN entities**. By connecting UN initiatives with the UPR recommendations, which were accepted by the country, **the UN system found a new and strong source of legitimacy**.

RCO has promoted different actions to mainstream human rights during the preparation of the new Cooperation Framework with the Argentine Government (UNDAF 2016-2020). While drafting the new UNDAF a **training on the Human Rights-Based Approach (HRBA)** and Result based Management approach (RBMA) was organized by RCO. It was attended by representatives of the IAGHR and the Technical Committee in charge of outlining the Cooperation Framework. In follow-up of the workshop, a meeting was held six month later to exchange experiences on the implementation of the HRBA. Several AFPs participated as well as a part of the Technical Committee and of the Inter-Agency Group on Human Rights.

Furthermore, the HRBA was included in the **road map** leading to the preparation of the new Cooperation Framework. Likewise, the **Common Country Assessment (CCA)** promotes the mainstreaming of human rights, trying to bear in mind UPR, treaty bodies and special procedures recommendations in the country diagnosis carried out before outlining the new Cooperation Framework. It is important to highlight that this is an ongoing process.

The new **UNDAF contains a specific area of cooperation related to human rights and it also has a clear human rights mainstreaming approach in the other areas of cooperation, direct effects and indicators**. This cooperation framework focus on the most vulnerable populations so that the UN System work “leaves no one behind”.

IV. IMPLEMENTATION

- *Outline the main steps taken in implementing the strategy, including, participation, capacity development, advocacy, partnerships and any ways by which it was linked to the international*

human rights standards and mechanisms and promoted the human rights principles of meaningful participation, non-discrimination and accountability.

As stated in the previous section, this strategy of building an internal “UPR culture” and working with other stakeholders is still ongoing.

The UN System in Argentina provided support to the government in following-up and implementing UPR and other human rights recommendations. A **series of meetings** were held between the government and the UN System, resulting in the creation of an **Inter-Institutional Human Rights Group** made up of technicians from the Human Rights Secretariat, the Executive Secretariat of the Argentine Council for Human Rights, the Human Rights Directorate of the Ministry of Foreign Affairs, and representatives of the UN Inter-Agency Group on Human Rights. Inter-institutional coordination took place on the basis of periodic meetings at which **general guidelines** were defined for joint work and the potential projects and joint initiatives, as well as the scope for monitoring the implementation of UPR recommendations. This joint work included: **topics prioritized** in agreement with the government (indigenous peoples, LGBTI, people deprived of their freedom and victims of trafficking in persons) across the prioritized territories. Despite representing a key opportunity, having representation and common goals among different actors/sectors, the group did not continued as such. The UN incentivize the creation of the group, but due to lack of dedication from government, the group did not continue to work. (See lessons learned/challenges for further information).

Moreover, the **UN System supports the Argentine Human Rights Federal Council** in the implementation of the country’s Periodic Reporting System (SIPEN), which replicates the UPR mechanism across the country. In this regard, it is important to highlight that the Government has sought support from the **UN System as a partner in promoting the SIPEN practice among high officials locally, and also at the global level.** The UN System has become Argentina’s ally in generating domestic and international visibility as regards monitoring and implementation of the second cycle of UPR recommendations since it is a widely recognized and legitimate player in this field.

Also, **workshops were held to disseminate the UPR mechanism and its recommendations among UN System Staff.** They were trained in HRBA, UPR mechanism, universal human rights system, CEDAW convention and 2030 Agenda and HR. These trainings strengthened UN system capacity in HR issues in order to have a comprehensive understanding to implement the human rights approach to joint programs and initiatives. The capacity building process continues with workshops that include Senate, Judiciary, civil society and ombudsperson’s office. On one hand, these workshops encouraged the submissions of UPR midterm reports; on the other, trainings allowed stakeholders to have a better knowledge of the universal

human rights system and its mechanisms of accountability as well as the UN programming in the country. In this respect, civil society workshops focus on indigenous leaders and communities, women organizations, LGTBI collective, among others.

V. RESULTS *Briefly describe the progress and the main achievements (any verified results- using qualitative or quantitative evidence). There should be information, if possible, on the impact of the initiative on UN programming and country level results.*

- The process has led to successful outcomes worth highlighting, we can conclude that **the human rights mainstreaming strategy has been consolidated based on the leadership of OHCHR and the involvement of RCO**, by having the topic positioned on the UN agenda, **mobilizing resources** of the different agencies to hire a national **human rights advisor** and promoting the momentum to set up the **IAGHR**, thus helping to establish the “UPR culture” within the UN System.
- **Inter-Institutional Group on Human Rights** was set up to coordinate follow-up and implementation of UPR recommendations **with the Executive Branch**. It is worth underscoring that **the Government has resorted to UN as a partner for promoting the Argentine Periodic Reporting System (SIPEN)**, and generating visibility as regards UPR, among high officials at the local level (both government, legislative and executive branches and civil society actors) and also within the international community which have led to progress in awareness-raising and positioning of the human rights approach on the agendas of the institutions they represent, as well as in their actions and projects.
- **Matrix relating UPR recommendations with different UN Agencies, Funds and program cooperation projects/ initiatives to visualize added value of UN Cooperation in HMIC.**
- **Matrix relating UPR recommendations and the effects of the UNDAF** was elaborated and recognized as an important tool inside UN and in government counterparts. Mainstreaming of the Human Rights-Based Approach in UN Agencies, funds and programs has been promoted in new projects as well as in ongoing projects, and throughout the **preparation of the new 2016-2020 Cooperation Framework.**
- **Matrix relating SDGs with UPR recommendations:** provide an added value in terms of HRs mainstreaming, Leaving no one behind is that the core of the UN and UPR as well as treaty bodies recommendations focus on vulnerable groups. Focusing on SDGs targets and their relationship with the governments ratifications/acceptance provide an excellent tool to pursue HR effective implementation.
- **Workshops on SDGs UPR Federal Report** "The relationship between the sustainable development agenda 2030 and the international Human Rights recommendations, the Universal Periodic Review (UPR): Towards the 2017 report". The purpose of the workshops is to disseminate the recommendations of the treaty bodies, the UPR and their relationship with Agenda 2030, to provide input on the implementation of the recommendations of the second UPR cycle, to involve the provinces in the mechanisms of the Universal System and to deepen the federal perspective in the UPR national report.

VI. CHALLENGES AND LESSONS LEARNED

- *Please include any challenges or opportunities that helped or hindered progress.*
- *Briefly summarise the lessons learned (focusing on 1-2 major lessons learned). Please include information on the adjustments made during the process and what worked and what didn't.*

LL1. Certain conditions like the context and willingness of the players, underpin the implementation of UPR recommendations and the mainstreaming of the human rights approach, leading to success in the above-described actions.

LL2. Regional support was crucial to be successful at country level. The **OHCHR Regional Office for South America** has provided leadership, support and technical assistance while the **Resident Coordinator** has rendered specific support through the UN coordination team. It is worth highlighting the role played and support provided by these actors in reviewing, analyzing and classifying UPR recommendations, as well as other human rights mechanisms; support to the State and other actors in capacity building to ensure a more active commitment towards international human rights mechanisms; establishment of mechanisms to monitor the recommendations, particularly national coordination mechanisms, for report submission; assistance and support in identifying public ministries and institutions in charge of monitoring recommendations; and reinforcement of dialogue and cooperation among all local actors. **Additionally, and based on the UPR Regional Project and, consequently, on inter-agency resource mobilization within the UN System, hiring of a human rights advisor within RCO** has been guaranteed. Such advisor renders permanent support to and is the reference person for the whole of the United Nations System in the field of human rights.

LL3. The need of convergence between UPR recommendations in HR and development. Through this convergence, **the role of the RCO was to work on mainstreaming both approaches**, which helped strengthen leadership and involvement of RCO in both areas. With RCO support, this HRBA commitment has been transferred to the different UN Agencies, Funds and Programs, particularly through resource mobilization to hire a human rights advisor, setting up of the IAGHR, and the preparation of a matrix matching UPR 2012 recommendations with UN-implemented actions, projects and initiatives.

The process for preparing a new 2016-2020 Cooperation Framework was an opportunity to link UPR recommendations accepted by Argentina with the areas UN and the Government have prioritized for cooperation purposes. UPR works as a guiding tool for cooperation in the field of human rights, since final observations of the Treaty's bodies, reports of the Special Procedure rapporteurs, and particularly UPR recommendations, include inputs for diagnosing the vulnerable situations of certain segments of the population as regards access to, enjoyment and exercise of rights. Taking into account that UPR recommendations were accepted by the Argentine government, and that the government must be accountable to the UN Human Rights Council and to Member States for such recommendations (every four and a half years), the fact of **relating UPR recommendations to UN country programming provides reinforced legitimacy to set up projects with a sufficient degree of enforcement.**

LL4. On occasions when cooperation obstacles are encountered with some of the counterparts, the **suggestion is to open new paths for UN joint work** with other actors. Consequently, it is worth highlighting the efforts for generating new links and opening up to new reference bodies, especially

towards civil society organizations, national human rights institutions, the Legislature and Judiciary, with which we have been able to successfully coordinate activities.

LL5. The gaps inside a country (different political approach in each provinces and gap in the resources assured for HR Initiatives) have to be taken into account in the design of UN intervention in order to be successful. The territorial disparities in Argentina with regard to social inequalities and the lack of involvement and knowledge of the provincial authorities about the international human rights system, is one of our main challenges. In this sense, the UN System jointly with the national government is organizing trainings for local provincial authorities around 2030 Agenda and human rights. These workshops aims to promote and strengthen the link between national and provincial authorities, to promote the exchange of information and the identification of challenges and good practices in the follow-up and implementation of human rights recommendations. **It also seeks to make visible the relationship between the UPR recommendations and SDG implementation.**

VII. NEXT STEPS

- *Describe any planned next steps in implementation and highlight any changes in strategy as a result of progress or results to date. This should include information on how sustainability of the project will be ensured.*

The above described process and the outcomes achieved have given rise to **conditions that support its sustainability throughout time and provide the process with greater legitimacy and strength.**

Firstly, the commitment of agencies, funds and programs to the UPR Project which clearly appears in the participation of focal points on the IAGHR, in the support provided to the activities in the Group's work plan and in the funding of the human rights advisor position, has helped **internalize the "UPR culture" in the UN System and also the close link between the 2030 Agenda and human rights recommendations.**

Likewise, **the inclusion of the human rights approach in UN System programming**, as regards joint programming within the new Cooperation Framework and agency projects, actions and initiatives, guarantees continuity and validity of the approach for implementing projects in the future.

Finally, **the relationship with several actors from the State Branches and Civil Society** has been reinforced through advocacy and outreach with regard to UPR, while the new relationships that were set up allow progress to be made in the joint UPR work.

Taking Into account that South-South Cooperation is an essential pillar of Argentina's foreign policy and that Human Rights are a key subject in the State's policies, the exchange of good practices and experiences with the region's countries on the monitoring and implementation of UPR recommendations (with the support of the OHCHR Regional Office and United Nations Argentina), can promote a cooperation model based on respect for and protection of human rights, allowing countries to gain, adapt and convey knowledge and experience that are mutually beneficial.

VIII. RECOMMENDATIONS

- *Briefly describe the potential applicability of the lessons learned for other UN staff and partners wishing to carry out similar initiatives.*

Within the above framework, working coordinately among Resident Coordinators, coordination officials and human rights advisors is a key factor in motivating the human rights agenda to be advanced within each Country Team. It is thus essential for human rights advisors to perform their duties within Coordination Offices, in order to have leverage to include human rights issues in the UN System work agenda.

Capacity building of the UN Staff in Human rights mechanisms, in particular UPR as the strategic tool to mainstream human rights in cooperation, is key to achieve a the so called “UPR culture”.

IX. GOOD PRACTICES TOOLS

- *Please detail relevant materials available that were used as a reference or elaborated to support the process, and provide the links to them.*
 - Matrix systematizing UPR, treaty bodies and special procedures recommendations.
 - Matrix linking UPR recommendations and programs, projects or initiatives of the Agencies, Funds and Programs contributing to the recommendations.
 - UN System UNDAF <http://www.onu.org.ar/wp-content/uploads/MECNUD-ARGENTINA-2010-2016.pdf>
 - UNDAF matrix human rights recommendations and SDGs.
 - UN System UPR good practice
 - Conceptual notes and agenda of the workshop with authorities and civil society called "The relationship between the sustainable development agenda 2030 and the international Human Rights recommendations, the Universal Periodic Review (UPR): Towards the 2017 report".