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Совет по правам человека

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Организационные и процедурные вопросы

Письменное представление Международного координационного комитета национальных учреждений, занимающихся поощрением и защитой прав человека (МКК)* **

Записка секретариата

Секретариат Совета по правам человека настоящим препровождает сообщение, представленное Международным координационным комитетом национальных учреждений, занимающихся поощрением и защитой прав человека (МКК), и воспроизводимое ниже в соответствии с правилом 7 b) правил процедуры, содержащихся в приложении к резолюции 5/1 Совета, согласно которому участие национальных правозащитных учреждений основывается на процедурах и практике, согласованных Комиссией по правам человека, включая резолюцию 2005/74 от 20 апреля 2005 года.

* Национальное правозащитное учреждение с аккредитационным статусом категории «А», присвоенным Международным координационным комитетом национальных учреждений, занимающихся поощрением и защитой прав человека.

** Воспроизводится в приложении в полученном виде.

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Annex

[English only]

Submission by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)

The Mérida Declaration. The Role of National Human Rights Institutions in implementing the 2030 Agenda for Sustainable Development.

1. The Twelfth International Conference of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) took place in Mérida, Yucatán, Mexico, from 8 to 10 October 2015. It was hosted by the National Human Rights Commission of Mexico (CNDH) and organised in collaboration with the Office of the High Commissioner for Human Rights (OHCHR) and the ICC. The focus of the Conference was “The Sustainable Development Goals: What Role for National Human Rights Institutions?”

2. National Human Rights Institutions (NHRIs) expressed their gratitude to the CNDH for the excellent organisation and warm hospitality. They also thanked the ICC, the OHCHR, and the United Nations Development Programme (UNDP) for their contributions to the organisation of the Conference. Participants appreciated the opening statement of Lic. Luis Raúl González Pérez, President of the CNDH; Adv. Mabelde Lourence Mushwana ICC Chairperson; Ambassador Miguel Ruiz Cabañas Izquierdo, Under-Secretary of Multilateral Affairs and Human Rights of the Ministry of Foreign Affairs; Lic. Roberto Campa Cifrián, Under-Secretary of Human Rights of the Ministry of the Interior; and of Lic. Rolando Zapata Bello, Governor of the State of Yucatán. Participants further welcomed the statements of the United Nations High Commissioner for Human Rights, the President of the Human Rights Council and the Resident Coordinator of the UN-system in Mexico representing UNDP, and other keynote speakers and the valuable contributions from UN agencies, non-governmental organizations and academic institutions from around the world to inform deliberations. The interactive and productive discussions, which reflected the experience and perspectives of NHRIs from all regions, were highly appreciated.

The Twelfth International Conference adopted the following Declaration:

3. Participants recalled the inherent dignity, equality and inalienable rights of all human beings and the universality, indivisibility, interdependence and inter-relatedness of all human rights, as expressed in the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, adopted by the 1993 World Conference on Human Rights.

4. Participants further recalled that human rights, development, and peace and security are central, inter-related and mutually reinforcing pillars of the United Nations system, as reflected in the United Nations Charter, and, while acknowledging the progress made under the Millennium Development Goals, participants noted that these were not rights-based and failed to reach all.

5. Participants welcomed the adoption by United Nations Member States of the 2030 Agenda for Sustainable Development (hereinafter: the Agenda) as a result of a global process that brought together millions of diverse actors in constructive dialogue and inclusive consultation at an unprecedented scale. The Agenda constitutes a transformational

framework applicable to all countries, which unites the environmental, social and economic dimensions of development, aiming at re-establishing harmony with nature. Participants called on all States to implement it.

6. Participants welcomed in particular that the Agenda is firmly grounded in the United Nations Charter, the Universal Declaration of Human Rights and international human rights treaties and instruments, and informed by other instruments such as the Declaration on the Right to Development. References to human rights are included throughout the Agenda¹ with the explicit recognition that implementation must remain consistent with relevant international rules and commitments and contribute to their realisation. The 17 Sustainable Development Goals (SDGs) and their 169 targets directly or indirectly reflect human rights standards², and integrate cross-cutting human rights principles such as participation, accountability and non-discrimination. Whilst acknowledging country-specific challenges, participants affirmed that if adequately implemented, the Agenda will have a significant impact on the enjoyment of human rights by everyone, everywhere.

7. The Agenda is comprehensive and sets ambitious goals for the range of issues that affect people and the planet. For example, it builds upon economic and social rights, when aiming to end poverty (Goal 1) and hunger (Goal 2), and ensure access to health care (Goal 3), education (Goal 4), water and sanitation (Goal 6), as well as employment and decent work (Goal 8). Goal 16 aims to achieve peaceful and inclusive societies, access to justice and accountable and inclusive institutions and reflects a range of civil and political rights.

8. Participants emphasised that eradication of poverty and inequalities and the realisation of human dignity are among the key objectives of the Agenda, and that the pledge to leave no one behind, and to reach those who are furthest behind first, represents a commitment to the human rights principles of equality and non-discrimination. These principles are strengthened through the stand-alone goals of reducing inequality within and among countries (Goal 10), and achieving gender equality (Goal 5) as well as explicit references to indigenous peoples, persons with disabilities, children, migrants and other rights-holders, including Afro-descendant communities in the Americas. Participants stressed the need for addressing inequalities based on prohibited grounds of discrimination, and reaffirmed the commitment reflected in the 2012 ICC Amman Declaration and Programme of Action on the role of NHRIs in promoting gender equality.

9. Participants affirmed that the SDGs will be relevant for all rights-holders everywhere and engage a variety of key role players at global, regional, national and local levels, including women and girls, indigenous peoples, persons with disabilities, children, youth, older persons, farmers, workers, as well as Parliament and local authorities, business, academia, non-governmental organisations and civil society.

10. Participants strongly reaffirmed that civil society has a major role to play in contributing to the realisation of the Agenda. This opens opportunities for collaboration, partnership and synergies, and highlights the need to ensure full civil society participation in monitoring and implementation.

11. Participants also reaffirmed the important role that business can play in the fulfilment of the Agenda, and the possibilities for partnership that this offers. They highlighted the need to align implementation with the UN Guiding Principles on Business and Human Rights and welcomed the explicit reference to these Principles in the Agenda. They recalled the 2010 ICC Edinburgh Declaration on the role of NHRIs in relation to business and human rights, whilst reaffirming the importance of ongoing work of the ICC and NHRIs in this area.

¹ See <https://sustainabledevelopment.un.org/index.html>.

² See <http://www.humanrights.dk/human-rights-guide-sdgs>.

12. Human rights instruments and mechanisms will provide an important framework for the implementation of the SDGs, and the implementation of the SDGs will contribute to the realization of human rights. This points to the potential of using international and regional human rights mechanisms, including the Human Rights Council, Special Procedures, the Universal Periodic Review, and treaty bodies, as well as the International Labour Organization's supervisory bodies, to assess and guide SDG implementation. Participants further stressed the need for the SDG monitoring and review mechanisms to consider human rights and to take into account the recommendations of international, regional and national human rights mechanisms.

13. Whilst recalling that States are the primary duty-bearers and accountable to their people, participants urged all stakeholders to adopt a human rights-based approach to all stages of planning, programming and implementation, in line with international human rights instruments and mechanisms. The rights-based approach should always prevail, also in case of seemingly conflicting development objectives and approaches. Participants stressed the need to devise solid public, participatory, broadly accessible, and evidence-based monitoring and review mechanisms. They acknowledged the process undertaken under the auspices of the UN Statistical Commission to develop an indicator framework for measuring the new Agenda, and emphasised the importance of defining indicators that will uphold the human rights commitments reflected in the goals and targets.

14. Target 17.18 aims at significantly increasing the availability of disaggregated data by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other relevant characteristics. Participants recalled that it is widely recognised that the collection and dissemination of data disaggregated by prohibited grounds of discrimination play an important role in realising human rights, and highlighted the experience and potential of NHRIs in this area. They welcomed the efforts of statisticians in building a 'data revolution' and partnerships with new data producers and users at global, regional, national and local levels. This has the potential of enhancing data disaggregation and development of inclusive and sound data collection systems to be conducive to the respect, protection and fulfilment of human rights.

15. Participants emphasised that NHRIs in all regions are already addressing issues of crucial importance to the Agenda in their regular work. Strengthening NHRIs in all regions, including their technical and financial independence, is thus an effective means of promoting the realisation of the Agenda. NHRIs are uniquely placed to play a bridging role between stakeholders and promote transparent, participatory and inclusive national processes of implementation and monitoring. Participants encouraged NHRIs in particular to address all forms of exclusion, poverty and to prioritise and mainstream the human rights of women and girls and gender equality in their work.

16. Participants endorsed the establishment of the ICC Working Group on the 2030 Agenda for Sustainable Development as a vehicle for collaboration among, and a global voice of, NHRIs on these matters.

17. They further encouraged ICC Regional Networks and individual NHRIs, in line with their mandates under the Paris Principles, to collaborate in mutual capacity building and sharing of experiences, and to consider the practical functions they can assume to contribute to a human rights-based approach to implementation of the Agenda. Such functions and activities include but are not limited to the following:

(1) Undertake workshops on human rights and sustainable development in each ICC region, in collaboration with the ICC Working Group on the 2030 Agenda for Sustainable Development, and develop regional action plans that will also identify and address NHRI capacity needs. Regional Chairs are encouraged to report thereon to the ICC General Meeting in March 2016 and to subsequent regional and international meetings of NHRIs.

(2) Provide advice to national and local governments, rights-holders and other actors, to promote a human rights-based approach to implementation and measurement of the

Agenda, including by assessing the impact of laws, policies, programmes, national development plans, administrative practices and budgets on the realization of all human rights for all.

(3) Develop and strengthen partnerships for implementation by promoting transparent and inclusive processes for participation and consultation with rights-holders and civil society at all stages of the implementation of the Agenda, such as the development of national and sub-national strategies to achieve the SDGs, including reaching out to those who are furthest behind.

(4) Engage with duty-bearers, rights-holders and other key actors, including government agencies, parliaments, the judiciary, local authorities, national statistical offices, civil society, major groups, marginalised groups, mainstream and social media, the UN and other international and regional institutions, to raise awareness and build trust and promote dialogue and concerted efforts for a human rights-based approach to implementation and monitoring of the Agenda, and safeguarding space for engagement of rights-holders and civil society.

(5) Assist in the shaping of global national indicators and sound data collection systems to ensure the protection and promotion of human rights in the measurement of the Agenda, including through seeking collaboration with national statistical offices, where appropriate, and other relevant national institutions, and by building on existing international and regional human rights mechanisms.

(6) Monitor progress in the implementation of the Agenda at the local, national, regional and international levels, to disclose inequality and discrimination in this regard, including through innovative approaches to data-collection and partnerships with rights-holders, vulnerable and marginalized groups for participatory and inclusive monitoring, and by identifying obstacles as well as actions for accelerated progress.

(7) Engage with, and hold governments to account for poor or uneven progress in the implementation of the Agenda, including by taking implementation progress and obstacles into consideration when reporting to parliaments, the general public and national, regional and international mechanisms, such as the Human Rights Council and its mechanisms, including the Universal Periodic Review, the Special Procedures, treaty bodies, as well as the International Labour Organization's supervisory bodies, UN regional commissions and the High-level Political Forum.

(8) Respond to, conduct inquiries into, and investigate allegations of rights violations in the context of development and SDG implementation, including in relation to discrimination and inequality that can erode the trust between the State and the people.

(9) Facilitate access to justice, redress and remedy for those who experience abuse and violation of their rights in the process of development, including by receiving and processing complaints, where NHRIs have such functions.

The Conference also agreed that the ICC should:

(10) Continue advocacy for the independent participation of Paris Principles compliant NHRIs, and their international and regional coordinating bodies, in relevant UN mechanisms and processes, including in the Follow-up and Review Processes of the Agenda, such as the High-Level Political Forum, as also called for by the UN Secretary-General³.

³ See A/70/347.

(11) Support capacity-building, sharing of experiences and good practices, as well as knowledge management with and among NHRIs in relation to the Agenda, and mobilise resources to that effect. Build on the UNDP-OHCHR-ICC Tripartite Strategic Partnership to provide support to NHRIs, regional networks and the ICC in this regard.

Adopted in Mérida, Yucatàn, on 10 October 2015
