

THE DANISH  
INSTITUTE FOR  
HUMAN RIGHTS

# FURTHERING THE RIGHT TO DEFEND RIGHTS

THROUGH THE 2030  
AGENDA FOR SUSTAINABLE  
DEVELOPMENT



## **FURTHERING THE RIGHT TO DEFEND RIGHTS THROUGH THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT**

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The Danish Institute for Human Rights (DIHR) is Denmark's national human rights institution. Its mandate is to promote and protect human rights and equal treatment in Denmark and abroad. The Human Rights and Development Department is a specialised unit within the DIHR focusing on furthering the realisation of human rights in sustainable development processes.

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“In 2015, the international community reached a consensus on the 2030 Agenda for Sustainable Development, with a set of new goals as a road map for a more sustainable, prosperous and equitable future. Such a future, and those goals, are doomed to failure if the individuals and groups on the frontline of defending sustainable development are not protected at the national, regional and international levels.”

**UN Special Rapporteur on the Situation of Human Rights Defenders (2016)**



## INTRODUCTION

Human rights defenders are people who promote and strive for the protection and realization of human rights and fundamental freedoms through peaceful means. They can act individually or in association with others and are key actors at national, regional, and international levels in supporting and holding states accountable to their human rights obligations.

The 2030 Agenda for Sustainable Development (2030 Agenda) pledges to leave no one behind and to realise the human rights of all in the implementation of the SDGs. Further, most of the 169 SDG targets are underpinned by international human rights law.

Human rights defenders have a positive, important, and legitimate role in contributing to the implementation of the 2030 Agenda. Their participation is key for ensuring coherence between the human rights obligations of states and states' commitments under the 2030 Agenda. The scale and complexity of the transformation promised in the 2030 Agenda calls for participation and engagement of a wide range of actors. Without the voices of human rights defenders, the human rights issues facing vulnerable groups in society risk being excluded in national SDG policy, planning and monitoring processes.<sup>i</sup>

However, for human rights defenders to fulfil this role, states must secure a safe and enabling environment for their work in keeping with their human rights obligations. Even before the Covid-19 pandemic, human rights defenders had reported growing restrictions and violations of their rights. State responses to the pandemic have only increased these threats<sup>ii</sup> and provided certain governments with “a pretext to adopt repressive measures for purposes unrelated to the pandemic”<sup>iii</sup>. Following the pandemic, states have, for example, included new criminal penalties under “fake news” laws and enforced absolute assembly bans, including for socially distant protests, with no expiry dates. There have also been reports of police killings and excessive use of force following the passing of Covid-19 emergency measures.<sup>iv</sup>

The Covid-19 pandemic has magnified the tragic consequences of not abiding by international human rights laws and standards. Not surprisingly, vulnerable persons living in countries with poor human rights protection, such as those related to health and social protection, were hit the hardest. To build a fair and sustainable future post-pandemic, states must rely on and deliver on their existing human rights obligations and political commitments under the 2030 Agenda.<sup>v</sup> Human rights defenders and national human rights institutions are well placed to lead the way and must be in the forefront of efforts to build forward better.

This resource shows the links between (a) states' human rights obligations and (b) their commitments under the 2030 Agenda in relation to securing a safe and enabling environment for the work of human rights defenders. Specifically, it uses the set of rights and freedoms incorporated in the United Nations Declaration on Human Rights Defenders and connects them with the SDGs, demonstrating their interdependent nature. The rights and freedoms of the Declaration are the essence of the **right to defend and promote human rights** and a key enabler for the effective implementation of the 2030 Agenda.

## **WHO CAN USE IT AND HOW?**

The resource provides information for a range of actors, including States, local authorities, civil society organisations, national human rights institutions and human rights defenders. The linkages between specific SDG targets and the human rights and fundamental freedoms necessary for securing a safe and enabling environment for human rights defenders can be used to:

- Secure a safe and conducive environment for the work of human rights defenders, building on states' human rights obligations and their commitment to the 2030 Agenda.
- Facilitate integrated monitoring and reporting on an enabling environment for human rights defenders using existing monitoring mechanisms and data under the 2030 Agenda and the international human rights system.
- Guide sustainable and human rights-compliant response and recovery efforts from the Covid-19 pandemic towards building forward better.
- Guide the identification of additional human rights-based indicators to complement the monitoring of SDG 16.10 (access to information and fundamental freedoms) for a comprehensive monitoring of the enabling environment for human rights defenders at national level.<sup>vi</sup>

## **STRUCTURE**

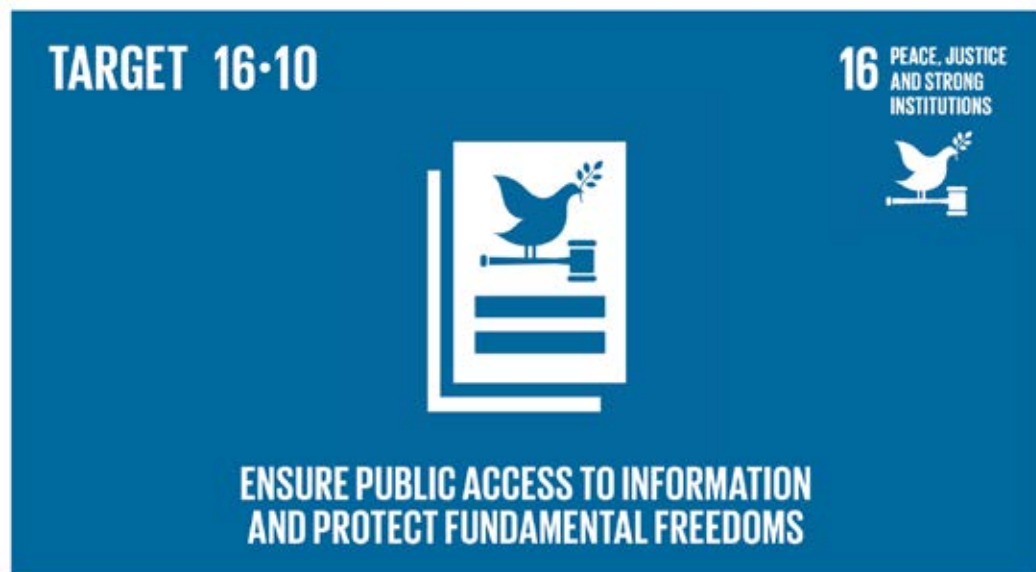
This resource is structured along some of the overall themes identified in the UN Declaration on Human Rights Defenders. It is framed around the fundamental freedoms of association, assembly and expression (Chapter I), and other essential issues related to the enabling environment for human rights defenders. These include non-discrimination, participation in public affairs, access to justice, among others. Each chapter links these themes to relevant SDG targets and contextualises their importance for human rights defenders and their enabling environment. They also show the provisions in the UN Declaration on Human Rights Defenders of relevance to the respective theme and offers examples of other key human rights law and standards that can guide implementation.

## **LIMITATIONS**

Human rights are indivisible and interdependent. It is therefore important that the linkages shown in this resource do not lead to a simplistic, narrow or compartmentalised interpretation of the human rights and fundamental freedoms necessary for human rights defenders.



# CHAPTER 1 – THE FUNDAMENTAL FREEDOMS OF ASSOCIATION, ASSEMBLY AND EXPRESSION



**Fundamental freedoms** are critical guarantees for exercising, defending and promoting rights. They include the freedoms of **association, assembly, and opinion and expression**. It is through these freedoms that human rights defenders can share ideas, form new ones, and join with others to promote and defend human rights. Human rights defenders need to be able to exercise their right to join, form, and operate associations without illegitimate restrictions. They should be able to freely express their opinions, enjoy their right of access to information held by public authorities, and should be protected when disclosing public interest information essential for the promotion and protection of human rights. Human rights defenders, as all individuals, should be able to peacefully assemble, whether it is offline or online.

The 2030 Agenda emphasizes a State's responsibility "to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status" (p.6). To achieve this, it includes, among others, a **Sustainable Development Goal (SDG) 16.10** that aims to ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.

Fundamental freedoms are integral to the realization of sustainable development. They are a cornerstone for free and effective civic participation and engagement in public life, including in sustainable development processes. The 2030 Agenda is built on the principles of inclusion and participation, and as such it cannot be achieved if people lack the knowledge of and the freedom to engage with and defend the global goals. Without the protection of these freedoms, human rights defenders would be severely restricted in their ability to fulfil their legitimate role.

**The United Nations Declaration on Human Rights Defenders (UN DHRD)** provides the most comprehensive framework available for the support and protection of human rights defenders within the context of their work. Implementation of the Declaration is considered a "precondition for the creation



of an enabling environment<sup>vii</sup> for human rights defenders to carry out their work safely and effectively. The entire Declaration therefore underpins and provides guidance for the adequate implementation of SDG 16.10.

In a mutually reinforcing manner, the integrated implementation of the Declaration and of the SDGs will contribute to other SDG targets related to non-discrimination, human rights education, labour rights, peace, justice, strong institutions, inclusion, and participation. The implementation of related SDG targets, in accordance with the rights incorporated in the Declaration, will strengthen the enabling environment for the work of human rights defenders.

## **MONITORING THE ENABLING ENVIRONMENT FOR HUMAN RIGHTS DEFENDERS**

SDG 16.10 is central to and closely linked to the monitoring of the enabling environment for human rights defenders, not least in view of its global indicator 16.10.1<sup>viii</sup>. This indicator measures “verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists, and human rights advocates in the previous 12 months”<sup>ix</sup>. It is an important indicator to address the ultimate result, namely the reduction of the most serious violations and abuses against human rights defenders. However, these types of indicators (known as outcome indicators) are often slow moving and fail to measure the more structural, procedural and administrative measures that need to be in place to secure a safe operational environment for human rights defenders.

**Structural indicators:** measure states’ **commitment** to human rights, as reflected in, for example, the ratification of international treaties or the adoption of national laws and policies.

**Process indicators:** measuring states’ **efforts** to transform human rights commitments into results, for example, through budget allocations, establishment of institutions, training of personnel etc.

**Outcome indicators:** measuring the actual **results** or impact of states’ commitments and efforts in terms of the populations enjoyment of human rights.

The Office of the High Commissioner for Human Rights (OHCHR) has a methodology for the development of human rights indicators<sup>x</sup> which can support a more comprehensive monitoring of the enabling environment for human rights defenders under the 2030 Agenda. This methodology can assist in the development of complementary indicators, particularly at the national level, to directly measure states’ commitments and efforts in this regard.<sup>xi</sup>

At the time of writing this paper, the Danish Institute for Human Rights is collaborating with more than 20 organizations and institutions to develop a comprehensive monitoring framework and online tool for data collection on the so-called “right to defend rights”. The OHCHR methodology is being used to develop an indicator framework to complement the monitoring of SDG 16.10 and the fundamental freedoms at national level. The Declaration on Human Rights Defenders and the links showcased in this study are the basis for this work.<sup>xii</sup>

## ARTICLES IN THE UN DHRD

### RELATED TO FUNDAMENTAL FREEDOMS AND SDG 16.10

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**Art 1** Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.

**Art 2.1** Each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, *inter alia*, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.

**Art 2.2** Each State shall adopt such legislative, administrative and other steps as may be necessary to ensure that the rights and freedoms referred to in the present Declaration are effectively guaranteed.

### FREEDOM OF ASSOCIATION AND ASSEMBLY

**Art 5** For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels:

**5.a** To meet or assemble peacefully.

**5.b** To form, join and participate in non-governmental organizations, associations or groups.

**Art 12.1** Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.

**Art 12.2** The State shall take all necessary measures to ensure the protection, by the competent authorities, of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or **de jure** adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

**Art 12.3** In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

**Art 13** Everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with article 3 of the present Declaration.



## FREEDOM OF OPINION AND EXPRESSION

- Art 6.a** To know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems.
- Art 6.b** As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others' views, information and knowledge on all human rights and fundamental freedoms.
- Art 6.c** To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.
- Art 7** Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.
- Art 8.1** Everyone has the right, individually and in association with others, to have effective access, on a non-discriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.
- Art 8.2** This includes, inter alia, the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.
- Art 9.1** In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others (...)
- Art 9.3.b** To attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments.
- Art 9.4** To the same end, and in accordance with applicable international instruments and procedures, everyone has the right, individually and in association with others, to unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.
- Art 14.1** The State has the responsibility to take legislative, judicial, administrative or other appropriate measures to promote the understanding by all persons under its jurisdiction of their civil, political, economic, social and cultural rights.
- Art 14.2.a** The publication and widespread availability of national laws and regulations
- Art 14.2.b** and of applicable basic international human rights instruments.  
Full and equal access to international documents in the field of human rights, including the periodic reports by the State to the bodies established by the international human rights treaties to which it is a party, as well as the summary records of discussions and the official reports of these bodies.

## EXAMPLES

### RELATED TO THE FUNDAMENTAL FREEDOMS AND SDG 16.10 IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

- Art 2** Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (...)
- Art 19** Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.
- Art 20**
1. Everyone has the right to freedom of peaceful assembly and association.
  2. No one may be compelled to belong to an association.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

- Art 19**
1. Everyone shall have the right to hold opinions without interference.
  2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
  3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: **(a)** For respect of the rights or reputations of others; **(b)** For the protection of national security or of public order (ordre public), or of public health or morals.
- Art 21** The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law, and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.
- Art 22**
1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.
  2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.
  3. Nothing in this article shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention.



## INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

- Art 8** 1. The States Parties to the present Covenant undertake to ensure:
- (a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
  - (b) The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;
  - (c) The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;
  - (d) The right to strike, provided that it is exercised in conformity with the laws of the particular country.
2. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces or of the police or of the administration of the State.
3. Nothing in this article shall authorize States Parties to the International Labour Organization Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or apply the law in such a manner as would prejudice, the guarantees provided for in that Convention.

## CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

- Art 3** States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

## OPTIONAL PROTOCOL TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

- Art 11** A State Party shall take all appropriate steps to ensure that individuals under its jurisdiction are not subjected to ill treatment or intimidation as a consequence of communicating with the Committee pursuant to the present Protocol.

## OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

- Art 15** No authority or official shall order, apply, permit or tolerate any sanction against any person or organization for having communicated to the Subcommittee on Prevention or to its delegates any information, whether true or false, and no such person or organization shall be otherwise prejudiced in any way.

### CONVENTION ON THE RIGHTS OF THE CHILD

- Art 13** **1.** The child shall have the right to freedom of expression; this right shall include the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
- 2.** The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: **(a)** For respect of the rights or reputations of others; or **(b)** For the protection of national security or of public order (ordre public), or of public health or morals.
- Art 15** **1.** States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
- 2.** No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

### INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

- Art 5** In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: (...) **(d)** Other civil rights, in particular: (...) **(vii)** The right to freedom of thought, conscience and religion; **(viii)** The right to freedom of opinion and expression; **(ix)** The right to freedom of peaceful assembly and association (...)

### INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

- Art 13** **1.** Migrant workers and members of their families shall have the right to hold opinions without interference.
- 2.** Migrant workers and members of their families shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of their choice.
- 3.** The exercise of the right provided for in paragraph 2 of the present article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: **(a)** For respect of the rights or reputation of others; **(b)** For the protection of the national security of the States concerned or of public order (ordre public) or of public health or morals; **(c)** For the purpose of preventing any propaganda for war; **(d)** For the purpose of preventing any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.



## REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN (ESCAZÚ AGREEMENT)

### **Art 9** Human rights defenders in environmental matters

- 1.** Each Party shall guarantee a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, restriction and insecurity.
- 2.** Each Party shall take adequate and effective measures to recognize, protect and promote all the rights of human rights defenders in environmental matters, including their right to life, personal integrity, freedom of opinion and expression, peaceful assembly and association, and free movement, as well as their ability to exercise their access rights, taking into account its international obligations in the field of human rights, its constitutional principles and the basic concepts of its legal system.
- 3.** Each Party shall also take appropriate, effective and timely measures to prevent, investigate and punish attacks, threats or intimidations that human rights defenders in environmental matters may suffer while exercising the rights set out in the present Agreement.



**TARGET 5·1**

**5 GENDER EQUALITY**



**END DISCRIMINATION AGAINST WOMEN AND GIRLS**

**TARGET 10·3**

**10 REDUCED INEQUALITIES**



**ENSURE EQUAL OPPORTUNITIES AND END DISCRIMINATION**

**TARGET 16·B**

**16 PEACE, JUSTICE AND STRONG INSTITUTIONS**



**PROMOTE AND ENFORCE NON-DISCRIMINATORY LAWS AND POLICIES**



The principle of non-discrimination is enshrined in the 2030 Agenda and, also in many international human rights treaties, including the Declaration on Human Rights Defenders. Human rights and the SDGs are universal, meaning everyone is entitled to and has the right to claim them. In defending their rights, no one shall be treated differently due to their race, ethnicity, colour, sex, language, religion, opinion, origin, property, birth, disability, or any other status. Yet, some groups of people are still subjected to discriminatory treatment and face specific vulnerabilities when acting as human rights defenders. Women Human Rights Defenders (WHRDs), for example, are at the forefront of social movements for gender equality. They demand structural changes in society, equality of rights, and freedom from pre-defined gender-based roles. When performing their work, WHRDs can be subjected to double layers of risks and discrimination related to who they are (women) and what they do (defend human rights). The same is true for other rights defenders such as indigenous peoples' groups, LGBTI activists, Black lives movements, among many others. Discrimination can impact how these groups are treated by the police and the justice system, how they are perceived in the public discourse, and how they are portrayed in the media. Achieving SDG targets aimed at ending discrimination, notably 5.1, 10.3 and 16.b, is therefore critical to enabling a safe environment for WHRDs and all groups of human rights defenders.

## ARTICLES IN THE UN DHRD

### RELATED TO NON-DISCRIMINATION AND SDGs 5.1, 10.3 AND 16.B

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- Art 1** Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.
- Art 8.1** Everyone has the right, individually and in association with others, to have effective access, on a non-discriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.
- Art 12.2** The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.





## EXAMPLES

### RELATED TO NON-DISCRIMINATION AND SDGS 5.1, 10.3 AND 16.B IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

**Art 2** Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

**Art 21.1** Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

**Art 2.1** Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

**Art 2.2** Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

**Art 25** Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- (a)** To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b)** To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c)** To have access, on general terms of equality, to public service in his country.

#### CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

**Art 2** States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a)** To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b)** To adopt appropriate legislative and other measures, including sanctions where appropriate,

prohibiting all discrimination against women; **(c)** To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination; **(d)** To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation; **(e)** To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise; **(f)** To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women; **(g)** To repeal all national penal provisions which constitute discrimination against women.

### **INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION**

**Art 5** In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: **(a)** The right to equal treatment before the tribunals and all other organs administering justice; **(b)** The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution; **(c)** Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service; **(d)** Other civil rights, in particular: **(i)** The right to freedom of movement and residence within the border of the State; **(ii)** The right to leave any country, including one's own, and to return to one's country; **(iii)** The right to nationality; **(iv)** The right to marriage and choice of spouse; **(v)** The right to own property alone as well as in association with others; **(vi)** The right to inherit; **(vii)** The right to freedom of thought, conscience and religion; **(viii)** The right to freedom of opinion and expression; **(ix)** The right to freedom of peaceful assembly and association; **(e)** Economic, social and cultural rights, in particular: **(i)** The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration; **(ii)** The right to form and join trade unions; **(iii)** The right to housing; **(iv)** The right to public health, medical care, social security and social services; **(v)** The right to education and training; **(vi)** The right to equal participation in cultural activities; **(f)** The right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks.

### **INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES**

**Art 7** States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such



as to sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

### CONVENTION ON THE RIGHTS OF THE CHILD

**Art 19.1** States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

**Art 19.2** Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

### UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

**Art 22.2** States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

### REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN (ESCAZÚ AGREEMENT)

**Art 5.3** Each Party shall facilitate access to environmental information for persons or groups in vulnerable situations, establishing procedures for the provision of assistance, from the formulation of requests through to the delivery of the information, taking into account their conditions and specificities, for the purpose of promoting access and participation under equal conditions.

**Art 10.2** Each Party, in line with its capacities, may take, inter alia, the following measures:  
**10.2.e** develop specific measures for persons or groups in vulnerable situations, such as providing interpreters or translators in languages other than official languages when necessary.

**TARGET 5·5**

**5 GENDER EQUALITY**



**ENSURE FULL PARTICIPATION IN LEADERSHIP AND DECISION-MAKING**

The icon shows two stylized human figures standing at podiums, with their arms raised to meet at the top, forming a triangular shape. An equals sign is positioned between the two figures, symbolizing equality and participation.

**TARGET 10·2**

**10 REDUCED INEQUALITIES**



**PROMOTE UNIVERSAL SOCIAL, ECONOMIC AND POLITICAL INCLUSION**

The icon features two stacks of coins on the left, a domed building with a flag on top in the center, and a row of five diverse human figures below: an elderly woman with a cane, a child, a woman, a person in a wheelchair, and a man.

**TARGET 11·3**

**11 SUSTAINABLE CITIES AND COMMUNITIES**



**INCLUSIVE AND SUSTAINABLE URBANIZATION**

The icon depicts a cityscape with a sun, a tree, and several buildings. Below the cityscape is a row of five diverse human figures: an elderly woman with a cane, a child, a man, a person in a wheelchair, and a woman.



The right to participate in public affairs is a fundamental element of well-functioning democracies. Participation is also the backbone of the 2030 Agenda, which recognizes the roles and diversity of all sectors of societies. Participation ensures diversity of views and opinions in decision-making, allowing for more tailored approaches in policies and programmes that fulfil the needs and priorities of the various voices in society. A participatory society also improves the accountability of governments with regards to the people they represent. The meaningful participation of human rights defenders in the design of development interventions (e.g. policies, programmes) can be crucial to ensure adequate consideration of the development interventions' impacts on the human rights of people affected by them. Governments must ensure a safe space for human rights defenders to stand up for their rights in development decisions and must seek the consultation and consent of affected communities on issues related to e.g. land rights, austerity measures, infrastructure, and urbanization projects. The right to participation is closely linked to SDGs 5.5, 10.2, 11.3 and 16.7. It is also affected by the expression of other rights and freedoms, such as freedoms of assembly, association, and expression (chapter 1).

## ARTICLES IN THE UN DHRD

RELATED TO PARTICIPATION AND SDGs 5.5, 10.2, 11.3 AND 16.7

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- Art 8.1** Everyone has the right, individually and in association with others, to have effective access, on a non-discriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.
- Art 8.2** This includes, inter alia, the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.
- Art 18.2** Individuals, groups, institutions and non-governmental organizations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.







## EXAMPLES

### RELATED TO PARTICIPATION AND SDGS 5.5, 10.2, 11.3 AND 16.7 IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

- Art 21** (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

- Art 25** Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:
- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.

#### CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

- Art 7** States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:
- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.
- Art 8** States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.
- Art 14.2** States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right: (a) To participate in the elaboration and implementation of development planning at all levels; (...) (f) To participate in all community activities; (...)

## INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

**Art 5** In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: (...) **(c)** Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service; (...)

## CONVENTION ON THE RIGHTS OF THE CHILD

**Art 13.1** **1.** The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice. **2.** The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: **(a)** For respect of the rights or reputations of others; or **(b)** For the protection of national security or of public order (ordre public), or of public health or morals.

## CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

**Art 4.3** In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

## INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

**Art 41** **1.** Migrant workers and members of their families shall have the right to participate in public affairs of their State of origin and to vote and to be elected at elections of that State, in accordance with its legislation. **2.** The States concerned shall, as appropriate and in accordance with their legislation, facilitate the exercise of these rights.

**Art 42.2** States of employment shall facilitate, in accordance with their national legislation, the consultation or participation of migrant workers and members of their families in decisions concerning the life and administration of local communities.

## UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

**Art 5** Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.



**Art 18** Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

### **REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN (ESCAZÚ AGREEMENT)**

- Art 7.1** Each Party shall ensure the public's right to participation and, for that purpose, commits to implement open and inclusive participation in environmental decision-making processes based on domestic and international normative frameworks.
- Art 7.2** Each Party shall guarantee mechanisms for the participation of the public in decision-making processes, revisions, re-examinations or updates with respect to projects and activities, and in other processes for granting environmental permits that have or may have a significant impact on the environment, including when they may affect health.
- Art 7.7** The public's right to participate in environmental decision-making processes shall include the opportunity to present observations through appropriate means available, according to the circumstances of the process. Before adopting the decision, the relevant public authority shall give due consideration to the outcome of the participation process.
- Art 7.8** Each Party shall ensure that, once a decision has been made, the public is informed in a timely manner thereof and of the grounds and reasons underlying the decision, including how the observations of the public have been taken into consideration. The decision and its basis shall be made public and be accessible.
- Art 7.9** The dissemination of the decisions resulting from environmental impact assessments and other environmental decision-making processes in which the public has participated shall be carried out through appropriate means, which may include written, electronic or oral means and customary methods, in an effective and prompt manner. The information disseminated shall include the established procedure to allow the public to take the relevant administrative and judicial actions.
- Art 7.10** Each Party shall establish conditions that are favourable to public participation in environmental decision-making processes and that are adapted to the social, economic, cultural, geographical and gender characteristics of the public.
- Art 7.11** When the primary language of the directly affected public is different to the official languages, the public authority shall ensure that means are provided to facilitate their understanding and participation.
- Art 7.12** Each Party shall promote, where appropriate and in accordance with domestic legislation, public participation in international forums and negotiations on environmental matters or with an environmental impact, in accordance with the procedural rules on participation of each forum. The participation of the public at the national level on matters of international environmental forums shall also be promoted, where appropriate.

### TARGET 4.7

4 QUALITY EDUCATION



### EDUCATION FOR SUSTAINABLE DEVELOPMENT AND GLOBAL CITIZENSHIP

Human rights education is a driving force for building peaceful and just societies. It contributes to the prevention of human rights violations and abuses and promotes equal development outcomes. Knowledge about human rights is an important step towards being empowered to claim these rights as human rights defenders. To secure a safe and enabling environment for defenders, states must ensure that the rights and obligations in the UN Declaration on Human Rights Defenders are known and understood. Human rights education can be performed in a variety of ways, such as through formal education and professional training programmes for governmental officials, law enforcement officers, and legal practitioners, like lawyers and judges. It can also be training programmes to empower groups of rightsholders such as children, women and persons with disabilities. Facilitating and providing human rights education is also an important function undertaken by human rights defenders. In some contexts, they are celebrated for it, while in others they are persecuted.

## ARTICLES IN THE UN DHRD

### RELATED TO THE HUMAN RIGHTS EDUCATION AND SDG 4.7

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- Art 6** Everyone has the right, individually and in association with others:
- 6.a** To know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems;
- 6.c** To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.
- Art 14.1** The State has the responsibility to take legislative, judicial, administrative or other appropriate measures to promote the understanding by all persons under its jurisdiction of their civil, political, economic, social and cultural rights.
- Art 14.2** Such measures shall include, inter alia:
- 14.2.a** The publication and widespread availability of national laws and regulations and of applicable basic international human rights instruments;
- 14.2.b** Full and equal access to international documents in the field of human rights, including the periodic reports by the State to the bodies established by the international human rights treaties to which it is a party, as well as the summary records of discussions and the official reports of these bodies.
- Art 15** The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education and to ensure that all those responsible for training lawyers, law enforcement officers, the personnel of the armed forces and public officials include appropriate elements of human rights teaching in their training programme
- Art 16** Individuals, non-governmental organizations and relevant institutions have an important role to play in contributing to making the public more aware of questions relating to all human rights and fundamental freedoms through activities such as education, training and research in these areas to strengthen further, inter alia, understanding, tolerance, peace and friendly relations among nations and among all racial and religious groups, bearing in mind the various backgrounds of the societies and communities in which they carry out their activities.
- Art 18.2** Individuals, groups, institutions and non-governmental organizations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.
- Art 18.3** Individuals, groups, institutions and non-governmental organizations also have an important role and a responsibility in contributing, as appropriate, to the promotion of the right of everyone to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other human rights instruments can be fully realized.

## EXAMPLES

### RELATED TO HUMAN RIGHTS EDUCATION AND SDG 4.7 IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

- Art 26.2** Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

#### INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

- Art 13.1** The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

- Art 19**
- 1.** Everyone shall have the right to hold opinions without interference.
  - 2.** Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
  - 3.** The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:  
**(a)** For respect of the rights or reputations of others; **(b)** For the protection of national security or of public order (order public), or of public health or morals.

#### INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

- Art 7** States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.



## CONVENTION ON THE RIGHTS OF THE CHILD

- Art 29.1** States Parties agree that the education of the child shall be directed to:  
**29.1.b** The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations.

## CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

- Art 10** States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:  
**10.c** The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;  
**10.h** Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

## UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

- Art 15.1** Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

## REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN (ESCAZÚ AGREEMENT)

- Art 4.4** With the aim of contributing to the effective application of the present Agreement, each Party shall provide the public with information to facilitate the acquisition of knowledge on access rights.
- Art 10.2** Each Party, in line with its capacities, may take, inter alia, the following measures:  
**10.2.a** train authorities and civil servants on environmental access rights;  
**10.2.b** develop and strengthen environmental law and access rights awareness-raising and capacity-building programmes for, inter alia, the public, judicial and administrative officials, national human rights institutions and jurists;  
**10.2.c** provide the competent institutions and entities with adequate equipment and resources;  
**10.2.d** promote education and training on, and raise public awareness of, environmental matters, through, inter alia, basic educational modules on access rights for students at all levels of education.



Core labour standards, for example, standards on child labour, forced labour, freedom of association, equality and non-discrimination, are universal human rights. International human rights and labour laws protect workers' rights to the freedom of peaceful assembly and of association.<sup>xiii</sup> National compliance with freedom of association is also an indicator under SDG target 8.8. Labour rights activists must also have an enabling environment for their work. Workers' associations are important for furthering labour rights and addressing the imbalance of power between workers and employers. Labour rights activism, done individually or in association with others, is an important avenue for furthering economic empowerment and sustainable development.



## ARTICLES IN THE UN DHRD

### RELATED TO THE FUNDAMENTAL FREEDOMS AT THE WORKPLACE AND SDG 8.8

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- Art 5** For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels:
- 5.a** To meet or assemble peacefully;
  - 5.b** To form, join and participate in non-governmental organizations, associations or groups;
- Art 11** Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession. Everyone who, as a result of his or her profession, can affect the human dignity, human rights and fundamental freedoms of others should respect those rights and freedoms and comply with relevant national and international standards of occupational and professional conduct or ethics.

## EXAMPLES

### RELATED TO THE FUNDAMENTAL FREEDOMS AT THE WORKPLACE AND SDG 8.8 IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

- Art 20** (1) Everyone has the right to freedom of peaceful assembly and association.  
(2) No one may be compelled to belong to an association.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

- Art 21** The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.
- Art 22** 1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.  
2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.  
3. Nothing in this article shall authorize States Parties to the International Labour Organization Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention.

#### INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

- Art 6** 1. The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.  
2. The steps to be taken by a State Party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.
- Art 8** 1: The States Parties to the present Covenant undertake to ensure: (a) The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of



the rights and freedoms of others; **(b)** The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations; **(c)** The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others; **(d)** The right to strike, provided that it is exercised in conformity with the laws of the particular country.

## CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

- Art 11.1** States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
- 11.1.d** The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- 11.1.f** The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

## CONVENTION ON THE RIGHTS OF THE CHILD

- Art 15**
1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
  2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

## INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

- Art 5** In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: (...) **(ix)** The right to freedom of peaceful assembly and association; (...) **(i)** The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration; **(ii)** The right to form and join trade unions; **(iv)** The right to public health, medical care, social security and social services.

## CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

- Art 27.1** States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open,

inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:

**271.b** Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances.

### **INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES**

**Art 26** **1.** States Parties recognize the right of migrant workers and members of their families: **(a)** To take part in meetings and activities of trade unions and of any other associations established in accordance with law, with a view to protecting their economic, social, cultural and other interests, subject only to the rules of the organization concerned; **(b)** To join freely any trade union and any such association as aforesaid, subject only to the rules of the organization concerned; **(c)** To seek the aid and assistance of any trade union and of any such association as aforesaid. **2.** No restrictions may be placed on the exercise of these rights other than those that are prescribed by law and which are necessary in a democratic society in the interests of national security, public order (ordre public) or the protection of the rights and freedoms of others.

**Art 40** **1.** Migrant workers and members of their families shall have the right to form associations and trade unions in the State of employment for the promotion and protection of their economic, social, cultural and other interests. **2.** No restrictions may be placed on the exercise of this right other than those that are prescribed by law and are necessary in a democratic society in the interests of national security, public order (ordre public) or the protection of the rights and freedoms of others.

### **FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANISE CONVENTION (ILO 87)**

**Art 2** Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.

**Art 3** **1.** Workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes. **2.** The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof.

**Art 4** Workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority.





**Art 7** The acquisition of legal personality by workers' and employers' organisations, federations and confederations shall not be made subject to conditions of such a character as to restrict the application of the provisions of Articles 2, 3 and 4 hereof.


**Art 11** Each Member of the International Labour Organisation for which this Convention is in force undertakes to take all necessary and appropriate measures to ensure that workers and employers may exercise freely the right to organise.



**TARGET 5·B**



**5 GENDER EQUALITY**



**PROMOTE EMPOWERMENT OF WOMEN THROUGH TECHNOLOGY**

**TARGET 9·C**





**9 INDUSTRY, INNOVATION AND INFRASTRUCTURE**



**UNIVERSAL ACCESS TO INFORMATION AND COMMUNICATIONS TECHNOLOGY**

**TARGET 17·8**



**17 PARTNERSHIPS FOR THE GOALS**

**TECHNOLOGY**

**STRENGTHEN THE SCIENCE, TECHNOLOGY AND INNOVATION FOR LEAST DEVELOPED COUNTRIES**

In a highly globalized and digitalized world, access to the Internet and other information and communications technologies helps enable the realisation of rights. Universal access to information and communication technology has also been included in SDG targets 5.b, 9.c.,17.8 as a key enabler of sustainable development. For human rights defenders, it can facilitate access to and communication with international human rights bodies, as well as virtual participation in their proceedings. It can also improve access to information, documents, and government proceedings related to human rights, allowing for effective oversight. Not least, it can be a vehicle to disseminate information about human rights and can enable the right for people to organize themselves nationally and internationally in promotion of human rights. However, these new opportunities for defenders, as the increasing use of technologies during the Covid-19 pandemic has revealed, also include important human rights risks that need to be addressed in tandem. Some states are increasingly drawing on the new technologies for the illegal surveillance of human rights defenders and to limit any form of online or off-line expression or action.<sup>xiv</sup>

Online defamation and disinformation has increasingly become a means to widely and rapidly discredit human rights defenders, often through anonymous profiles. For women human rights defenders, online slander campaigns and threats can also take on a sexualised nature, including threats of sexual violence. These are efforts to intimidate their participation in public spaces and they significantly increase their risk of physical and psychological violence.

## ARTICLES IN THE UN DHRD

RELATED TO INFORMATION AND COMMUNICATIONS TECHNOLOGY AND SDGs  
5.B, 9.C, 17.8

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- Art 6** Everyone has the right, individually and in association with others:
- 6.a** To know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems;
  - 6.b** As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms;
  - 6.c** To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.
- Art 9** In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.
- Art 9.4** To the same end, and in accordance with applicable international instruments and procedures, everyone has the right, individually and in association with others, to unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.







## EXAMPLES

### RELATED TO INFORMATION AND COMMUNICATIONS TECHNOLOGY AND SDGs 5.B, 9.C, 17.8 IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

- Art 19** Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

- Art 17**
1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.
  2. Everyone has the right to the protection of the law against such interference or attacks.

- Art 19.2** Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

#### CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

- Art 14.2** States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right: (...)
- 14.2.h** To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

#### CONVENTION ON THE RIGHTS OF THE CHILD

- Art 13**
1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
  2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: **(a)** For respect of the rights or reputations of others; or **(b)** For the protection of national security or of public order (ordre public), or of public health or morals.

#### CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

- Art 21** States Parties shall take all appropriate measures to ensure that persons with

disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by:

**21.a** Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost;

**21.b** Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions;

**21.c** Urging private entities that provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities;

**21.d** Encouraging the mass media, including providers of information through the Internet, to make their services accessible to persons with disabilities;

**21.e** Recognizing and promoting the use of sign languages.

#### **INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES**

##### **Art 13**

**1.** Migrant workers and members of their families shall have the right to hold opinions without interference.

**2.** Migrant workers and members of their families shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of their choice.

#### **REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN (ESCAZÚ AGREEMENT)**

##### **Art 4.9**

For the implementation of the present Agreement, each Party shall encourage the use of new information and communications technologies, such as open data, in the different languages used in the country, as appropriate. In no circumstances shall the use of electronic media constrain or result in discrimination against the public.

##### **Art 6.3**

Each Party shall have in place one or more up-to-date environmental information systems, which may include, inter alia:

**6.3.a** the texts of treaties and international agreements, as well as environmental laws, regulations and administrative acts;

**6.3.b** reports on the state of the environment;

**6.3.c** a list of public entities competent in environmental matters and, where possible, their respective areas of operation;

**6.3.d** a list of polluted areas, by type of pollutant and location;

**6.3.e** information on the use and conservation of natural resources and ecosystem services;

**6.3.f** scientific, technical or technological reports, studies and information on environmental matters produced by academic and research institutions, whether public or private, national or foreign;



**6.3.g** climate change sources aimed at building national capacities;

**6.3.h** information on environmental impact assessment processes and on other environmental management instruments, where applicable, and environmental licences or permits granted by the public authorities;

**6.3.i** an estimated list of waste by type and, when possible, by volume, location and year; and

**6.3.j** information on the imposition of administrative sanctions in environmental matters.

**6.3.z** Each Party shall guarantee that environmental information systems are duly organized, accessible to all persons and made progressively available through information technology and georeferenced media, where appropriate.

#### **Art 7.17**

With respect to the environmental decision-making processes referred to in paragraph 2 of the present article, as a minimum, the following information shall be made public:

**7.17.f a** description of the available technologies to be used and alternative locations for executing the project or activity subject to assessment, when the information is available.



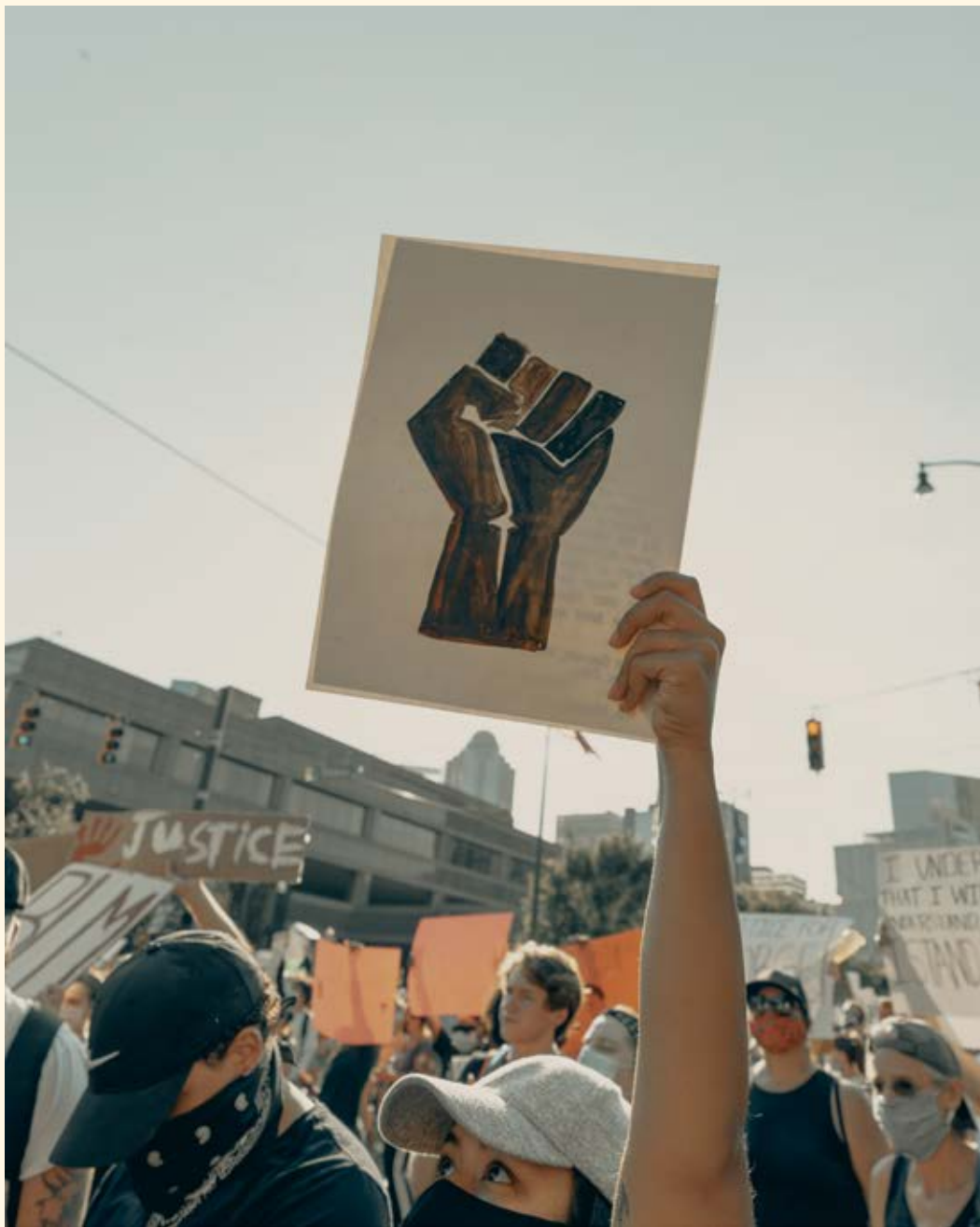
The United Nations human rights mechanisms and civil society organizations have documented a prevalence of violence, killings, and threats against human rights defenders in many parts of the world. The latest report from the Special Rapporteur on the situation of human rights defenders<sup>xv</sup> shows that states are failing to protect defenders from attacks by both state and non-state actors. It also indicates that killings often happen in the context of structural violence, inequality, and impunity. Most of the human rights defenders' who are victims of this violence are working on environmental issues, including land rights, impacts of business activities, and rights of indigenous peoples. Women human rights defenders and children are also affected. Reports show that children who act for human rights often experience violence and stigmatization solely because they are children. They are also used as targets to deter others, especially their families, from acting for human rights.<sup>xvi</sup> The killing of human rights defenders is an attack on the individual and on the broad civic space. States must ensure protective measures that secure human rights defenders' right to life.

## ARTICLES IN THE UN DHRD

RELATED TO VIOLENCE AND SDGs 16.1 AND 16.2

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**Art 12.2** The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.



## EXAMPLES

### RELATED TO VIOLENCE AND SDGS 16.1 AND 16.2 IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

**Art 3** Everyone has the right to life, liberty and the security of person.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

**Art 6.1** Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

**Art 7** No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment (...)

**Art 9.1** Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

#### CONVENTION ON THE RIGHTS OF THE CHILD

**Art 6** **1.** States Parties recognize that every child has the inherent right to life.  
**2.** States Parties shall ensure to the maximum extent possible the survival and development of the child.

#### INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

**Art 5.b** The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution.

#### CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

**Art 15.1** No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation.

**Art 16.1** States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.

#### INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

**Art 10** No migrant worker or member of his or her family shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.



**Art 16.1** Migrant workers and members of their families shall have the right to liberty and security of person.

**Art 16.2** Migrant workers and members of their families shall be entitled to effective protection by the State against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institutions.

#### **UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**

**Art 7.1** Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.

**Art 22.2** States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.



Governing by the rule of law implies respecting the principles of good governance, accountability, democracy, access to justice, and respect for human rights. A consistent concern among human rights defenders is the issue of impunity. Violations of defenders' rights are often either not investigated or dismissed without justification. Ending impunity and ensuring access to justice and redress for human rights defenders is an essential condition for ensuring their protection and safety. States must also ensure that the relevant legislation and procedures are in place and are in accordance with international human rights standards to prevent arbitrary application of the law and abuses against human rights defenders.



## ARTICLES IN THE UN DHRD

### RELATED TO RULE OF LAW, ACCESS TO JUSTICE AND SDG 16.3

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- Art 2.1** Each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.
- Art 3** Domestic law consistent with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms is the juridical framework within which human rights and fundamental freedoms should be implemented and enjoyed and within which all activities referred to in the present Declaration for the promotion, protection and effective realization of those rights and freedoms should be conducted.
- Art 9.1** In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.
- Art 9.2** To this end, everyone whose rights or freedoms are allegedly violated has the right, either in person or through legally authorized representation, to complain to and have that complaint promptly reviewed in a public hearing before an independent, impartial and competent judicial or other authority established by law and to obtain from such an authority a decision, in accordance with law, providing redress, including any compensation due, where there has been a violation of that person's rights or freedoms, as well as enforcement of the eventual decision and award, all without undue delay.
- Art 9.3.a** To the same end, everyone has the right, individually and in association with others, inter alia: **(a)** To complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay;
- Art 9.3.b** To attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments;
- Art 9.3.c** To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms.
- Art 9.5** The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.

- Art 12.3** (...) everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.
- Art 15** The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education and to ensure that all those responsible for training lawyers, law enforcement officers, the personnel of the armed forces and public officials include appropriate elements of human rights teaching in their training programme.
- Art 17** In the exercise of the rights and freedoms referred to in the present Declaration, everyone, acting individually and in association with others, shall be subject only to such limitations as are in accordance with applicable international obligations and are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- Art 18.2** Individuals, groups, institutions and non-governmental organizations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.



## EXAMPLES

### RELATED TO RULE OF LAW, ACCESS TO JUSTICE AND SDG 16.3 IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

- Art 8** Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.
- Art 29**
1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
  2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

- Art 2**
2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.
  3. Each State Party to the present Covenant undertakes: **(a)** To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity; **(b)** To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy; **(c)** To ensure that the competent authorities shall enforce such remedies when granted.
- Art 14.1** All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children.

#### CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

- Art 15.1** States Parties shall accord to women equality with men before the law.

### CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

**Art 13** Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given.

**Art 14.1** Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependants shall be entitled to compensation.

### INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION

**Art 5.a** The right to equal treatment before the tribunals and all other organs administering justice;

**Art 6** States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

### REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN (ESCAZÚ AGREEMENT)

**Art 8.1** Each Party shall guarantee the right of access to justice in environmental matters in accordance with the guarantees of due process.

**Art 8.2** Each Party shall ensure, in the framework of its domestic legislation, access to judicial and administrative mechanisms to challenge and appeal, with respect to substance and procedure: **(a)** any decision, action or omission related to the access to environmental information; **(b)** any decision, action or omission related to public participation in the decision-making process regarding environmental matters; and **(c)** any other decision, action or omission that affects or could affect the environment adversely or violate laws and regulations related to the environment.

**Art 9.3** Each Party shall also take appropriate, effective and timely measures to prevent, investigate and punish attacks, threats or intimidations that human rights defenders in environmental matters may suffer while exercising the rights set out in the present Agreement.



Liberty  
&  
Justice  
for  
ALL!



Strong national institutions need to have the capacity and resources to respect, protect, and promote an enabling environment for human rights defenders. It is imperative that national institutions act within the rule of law and have effective mechanisms in place for transparency and accountability (see chapter 1 on access to information and chapter 8 on rule of law and access to justice). National Human Rights Institutions (NHRIs) that comply with the Paris Principles are an indicator for strong institutions under SDG target 16.a. Due to the independent nature of their work, they are in a unique position to use their formal mandates to guide and advise governments on their human rights obligations and to investigate crimes against human rights defenders. In performing their work, NHRIs and their staff can receive threats and come under attack for promoting and protecting human rights. In order to help hold states and their institutions to account, NHRIs must be free and well-resourced to operate with independence, efficiency, credibility and impact.

## ARTICLES IN THE UN DHRD

### RELATED TO STRONG INSTITUTIONS AND SDGs 16.6 AND 16.A

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- Art 12.2** The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.
- Art 14.3** The State shall ensure and support, where appropriate, the creation and development of further independent national institutions for the promotion and protection of human rights and fundamental freedoms in all territory under its jurisdiction, whether they be ombudsmen, human rights commissions or any other form of national institution.
- Art 15** The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education and to ensure that all those responsible for training lawyers, law enforcement officers, the personnel of the armed forces and public officials include appropriate elements of human rights teaching in their training programme.

## EXAMPLES

### RELATED TO STRONG INSTITUTIONS AND SDG 16.6 AND 16.A IN OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

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#### INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

- Art 2.2** Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

#### REGIONAL AGREEMENT ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION AND JUSTICE IN ENVIRONMENTAL MATTERS IN LATIN AMERICA AND THE CARIBBEAN (ESCAZÚ AGREEMENT)

- Art 10.2** Each Party, in line with its capacities, may take, inter alia, the following measures
- 10.2.a** train authorities and civil servants on environmental access rights;
  - 10.2.b** develop and strengthen environmental law and access rights awareness-raising and capacity-building programmes for, inter alia, the public, judicial and administrative officials, national human rights institutions and jurists;
  - 10.2.c** provide the competent institutions and entities with adequate equipment and resources.
- Art 11.4** The Parties shall encourage partnerships with States from other regions, intergovernmental, non-governmental, academic and private organizations, as well as civil society organizations and other relevant stakeholders to implement the present Agreement.





## ANNEX 1 – METHODOLOGY

The UN Declaration on Human Rights Defenders (UN DHRD) is the starting point for the development of this resource. This Declaration has been selected as it includes a core set of rights and fundamental freedoms essential for securing a safe and enabling environment for human rights defenders. The Declaration is not legally binding to states, but it reaffirms rights and freedoms enshrined in legally binding international instruments.

This resource provides examples of the linkages between the core issues in the Declaration, related SDG targets, and binding human rights instruments. The methodology applied in this resource includes the following considerations:

- The **links to the SDG targets** are made between a fundamental aspect of the target and an Article in the Declaration. At times, it might not address all the components of the target.
- The **principle of non-discrimination** is to be applied to all articles of the Declaration and in the implementation of the entire set of SDG targets. For didactical purposes, this paper singles out some of the most explicit links on non-discrimination in the SDGs and in the Declaration
- The **links to other human rights instruments** are non-exhaustive. They are presented to demonstrate examples of the basis of the Declaration in other human rights instruments. It includes both legally binding (e.g. Conventions, Covenants and Agreements) and non-legally binding instruments (Declarations).
- There are several **regional instruments** which could have been linked in this work. For practical reasons, only the Escazú Agreement was included in the examples due to the direct correspondence between its subject and its ground-breaking nature as a legally-binding treaty for the protection of environmental human rights defenders. Visit the [Human Rights Guide to the SDGs](#) to see all of the links between the SDG targets and other human rights instruments, including regional ones.
- The entire content of the Declaration is linked to and acts as an enabler for **SDG 16.10**. For the purpose of this paper, a selection of articles was made to highlight explicit links to the fundamental freedoms of association, assembly and expression.

## ANNEX 2 – DECLARATION ON HUMAN RIGHTS DEFENDERS

### DECLARATION ON THE RIGHT AND RESPONSIBILITY OF INDIVIDUALS, GROUPS AND ORGANS OF SOCIETY TO PROMOTE AND PROTECT UNIVERSALLY RECOGNIZED HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (DECLARATION ON HUMAN RIGHTS DEFENDERS)

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- Article 1** Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.
- Article 2**
1. Each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.
  2. Each State shall adopt such legislative, administrative and other steps as may be necessary to ensure that the rights and freedoms referred to in the present Declaration are effectively guaranteed.
- Article 3** Domestic law consistent with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms is the juridical framework within which human rights and fundamental freedoms should be implemented and enjoyed and within which all activities referred to in the present Declaration for the promotion, protection and effective realization of those rights and freedoms should be conducted.
- Article 4** Nothing in the present Declaration shall be construed as impairing or contradicting the purposes and principles of the Charter of the United Nations or as restricting or derogating from the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other 2 3 international instruments and commitments applicable in this field.
- Article 5** For the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels: **(a)** To meet or assemble peacefully; **(b)** To form, join and participate in non-governmental organizations, associations or groups; **(c)** To communicate with non-governmental or intergovernmental organizations.
- Article 6** Everyone has the right, individually and in association with others: **(a)** To know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems; **(b)** As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; **(c)** To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters.

**Article 7** Everyone has the right, individually and in association with others, to develop and discuss new human rights ideas and principles and to advocate their acceptance.

**Article 8** **1.** Everyone has the right, individually and in association with others, to have effective access, on a non-discriminatory basis, to participation in the government of his or her country and in the conduct of public affairs.  
**2.** This includes, inter alia, the right, individually and in association with others, to submit to governmental bodies and agencies and organizations concerned with public affairs criticism and proposals for improving their functioning and to draw attention to any aspect of their work that may hinder or impede the promotion, protection and realization of human rights and fundamental freedoms.

**Article 9** **1.** In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.  
**2.** To this end, everyone whose rights or freedoms are allegedly violated has the right, either in person or through legally authorized representation, to complain to and have that complaint promptly reviewed in a public hearing before an independent, impartial and competent judicial or other authority established by law and to obtain from such an authority a decision, in accordance with law, providing redress, including any compensation due, where there has been a violation of that person's rights or freedoms, as well as enforcement of the eventual decision and award, all without undue delay.  
**3.** To the same end, everyone has the right, individually and in association with others, inter alia: **(a)** To complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay; **(b)** To attend public hearings, proceedings and trials so as to form an opinion on their compliance with national law and applicable international obligations and commitments; **(c)** To offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms.  
**4.** To the same end, and in accordance with applicable international instruments and procedures, everyone has the right, individually and in association with others, to unhindered access to and communication with international bodies with general or special competence to receive and consider communications on matters of human rights and fundamental freedoms.  
**5.** The State shall conduct a prompt and impartial investigation or ensure that an inquiry takes place whenever there is reasonable ground to believe that a violation of human rights and fundamental freedoms has occurred in any territory under its jurisdiction.

**Article 10** No one shall participate, by act or by failure to act where required, in violating human rights and fundamental freedoms and no one shall be subjected to punishment or adverse action of any kind for refusing to do so.

- Article 11** Everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession. Everyone who, as a result of his or her profession, can affect the human dignity, human rights and fundamental freedoms of others should respect those rights and freedoms and comply with relevant national and international standards of occupational and professional conduct or ethics.
- Article 12**
1. Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.
  2. The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.
  3. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.
- Article 13** Everyone has the right, individually and in association with others, to solicit, receive and utilize resources for the express purpose of promoting and protecting human rights and fundamental freedoms through peaceful means, in accordance with article 3 of the present Declaration.
- Article 14**
1. The State has the responsibility to take legislative, judicial, administrative or other appropriate measures to promote the understanding by all persons under its jurisdiction of their civil, political, economic, social and cultural rights.
  2. Such measures shall include, inter alia: **(a)** The publication and widespread availability of national laws and regulations and of applicable basic international human rights instruments; **(b)** Full and equal access to international documents in the field of human rights, including the periodic reports by the State to the bodies established by the international human rights treaties to which it is a party, as well as the summary records of discussions and the official reports of these bodies.
  3. The State shall ensure and support, where appropriate, the creation and development of further independent national institutions for the promotion and protection of human rights and fundamental freedoms in all territory under its jurisdiction, whether they be ombudsmen, human rights commissions or any other form of national institution.
- Article 15** The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education and to ensure that all those responsible for training lawyers, law enforcement officers, the personnel of the armed forces and public officials include appropriate elements of human rights teaching in their training programme.

**Article 16** Individuals, non-governmental organizations and relevant institutions have an important role to play in contributing to making the public more aware of questions relating to all human rights and fundamental freedoms through activities such as education, training and research in these areas to strengthen further, inter alia, understanding, tolerance, peace and friendly relations among nations and among all racial and religious groups, bearing in mind the various backgrounds of the societies and communities in which they carry out their activities.

**Article 17** In the exercise of the rights and freedoms referred to in the present Declaration, everyone, acting individually and in association with others, shall be subject only to such limitations as are in accordance with applicable international obligations and are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

**Article 18**

- 1.** Everyone has duties towards and within the community, in which alone the free and full development of his or her personality is possible.
- 2.** Individuals, groups, institutions and non-governmental organizations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes.
- 3.** Individuals, groups, institutions and non-governmental organizations also have an important role and a responsibility in contributing, as appropriate, to the promotion of the right of everyone to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other human rights instruments can be fully realized.

**Article 19** Nothing in the present Declaration shall be interpreted as implying for any individual, group or organ of society or any State the right to engage in any activity or to perform any act aimed at the destruction of the rights and freedoms referred to in the present Declaration.

**Article 20** Nothing in the present Declaration shall be interpreted as permitting States to support and promote activities of individuals, groups of individuals, institutions or non-governmental organizations contrary to the provisions of the Charter of the United Nations.

## ENDNOTES

- <sup>i</sup> Research from the Danish Institute for Human Rights found that more than 90% of the SDG targets are directly related to a core international human rights treaty. Explore the links between SDGs and Human Rights at the **Human Rights Guide to the SDGs**, available in all UN languages at <https://sdg.humanrights.dk/en>
- <sup>ii</sup> Lawlor, 2020, **Report of the Special Rapporteur on the situation of human rights defenders** (A/75/165)
- <sup>iii</sup> <https://news.un.org/en/story/2020/04/1062442>
- <sup>iv</sup> See Danish Institute for Human Rights, 2020. **Securing an Enabling Environment for Human Rights Defenders.**
- <sup>v</sup> The Danish Institute for Human Rights developed a tool to guide the response and recovery plans from Covid-19 based on a wealth of human rights guidance and recommendations relevant for this context. Visit the **Human Rights Guide to Sustainable Recovery** at <https://www.humanrights.dk/tools/human-rights-guide-sustainable-recovery>
- <sup>vi</sup> At the time of publishing this paper, the Danish Institute for Human Rights is collaborating with over 20 organizations and institutions to develop a **comprehensive monitoring framework and online tool for data collection on the rights to defend rights**. An indicator framework to complement monitoring of SDG 16.10 at national level is being develop, using the Declaration on Human Rights Defenders and the links showcased in this study as the basis for the work. More information and the tool, when available, will be displayed at [www.humanrights.dk/sdgs](http://www.humanrights.dk/sdgs)
- <sup>vii</sup> Sekaggya, 2008, **Report of the Special Rapporteur on the situation of human rights defenders** (A/63/288 Annex, para. 2).
- <sup>viii</sup> SDG 16.10.1 Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months
- <sup>ix</sup> [https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202021%20refinement\\_Eng.pdf](https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202021%20refinement_Eng.pdf)
- <sup>x</sup> <https://ohchr.org/Documents/AboutUs/CivilSociety/Indicators-Expression-FoAA-PublicAffairs.pdf>
- <sup>xi</sup> Danish Institute for Human Rights, 2020. **Securing an Enabling Environment for Human Rights Defenders.**
- <sup>xii</sup> Idem vii
- <sup>xiii</sup> Kiai, 2016, **Report of Special Rapporteur on the rights to on the rights to freedom of peaceful assembly and of association** (A/71/385)
- <sup>xiv</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27140&LangID=E>
- <sup>xv</sup> Lawlor, 2021, **Report of the Special Rapporteur on the situation of human rights defenders** (A/HRC/46/35)
- <sup>xvi</sup> Child Rights Connect, 2020. **The rights of child human rights defenders: Implementation Guide**, available at <https://www.childrightsconnect.org/wp-content/uploads/2020/12/final-implementation-guide-the-rights-of-child-human-rights-defenders-forweb.pdf>

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