GENEVA PEACE WEEK 2022

National Human Rights Institutions in Conflict-Affected and Fragile Settings: Examining Their Contribution to SDG 16 and the Sustaining Peace Agenda

3 November 2023

Workshop Report

About this workshop

As part of Geneva Peace Week 2022, together with the Global Alliance of National Human Rights Institutions (GANHRI) DCAF held a virtual (online) workshop for representatives of National Human Rights Institutions (NHRIs) from Eurasia, Latin America, Sub-Saharan Africa, and Southeast Asia. The workshop provided a platform for NHRIs to share innovative practices, experiences, and stories on how their work has contributed to preventing conflict; to achieving the 2030 Agenda; and to strengthening cooperation between the human rights, sustainable development, security, and peacebuilding sectors.

About DCAF's project on SDG 16

The workshop took place within the framework of DCAF's SDG 16 project, which aims to position Security Sector Governance/Reform (SSG/R) as a policy tool for the realization of SDG 16 on peaceful, just, and inclusive societies. The project focuses on three oversight actors: parliaments, civil society and ombuds institutions. It develops SDG 16-specific guidance that supports states in the implementation of the 2030 Agenda. The project is funded by the Ministry of Foreign Affairs of the Netherlands. More information can be found at: www.dcaf.ch/SDG16.

Panelists

- **Catalina Crespo Sancho**, Ombudsperson, National Human Rights Institution of Costa Rica (Office of the Ombudsman)
- **Jacqueline Ann Cruz de Guia**, Executive Director, Commission on Human Rights of the Philippines (CHRP)
- **Lucas Kimanthi**, Assistant Director, Reforms and Accountability, Kenya National Commission on Human Rights
- **Meri Kochlamazashvili**, Senior Adviser, Public Defender (Ombudsman) of Georgia

Moderator

- **Richard Steyne**, Programme Manager, DCAF - Geneva Centre for Security Sector Governance

Date & time

This event took place virtually on Thursday, 3 November 2022, from 12:00 to 13:15 (CET).

Within the framework of the project 'Linking Good Security Sector Governance and SDG 16', DCAF and the Global Alliance of National Human Rights Institutions (GANHRI) hosted a virtual workshop on 3 November 2023 for representatives of National Human Rights Institutions (NHRIs) from Costa Rica, Georgia, Kenya and the Philippines. The workshop examined their role in preventing conflict within the context of Sustainable Development Goal 16 on peace, justice, and strong institutions (SDG 16).

The workshop underscored that, as independent institutions established by law to promote and protect human rights, advise governments, and hold them to account, NHRIs play a crucial role in advancing progress towards SDG 16. By **receiving and handling complaints**, and **monitoring and investigating human rights abuses**, NHRIs play a particularly important role in preventing the onset and reoccurrence of conflict — a function acknowledged in the Kyiv Declaration on the Role of National Human Rights Institutions in Conflict and Post-Conflict Situations. Through promoting the rule of law and facilitating access to justice (SDG target 16.3), and through contributing to the development of effective, accountable, and transparent institutions (SDG target 16.6), NHRIs can provide remedy and redress for human rights violations and oversee the provision of public services. In doing so, they directly contribute to SDG target 16.1 on reducing violence everywhere by tackling the grievances, injustices and exclusion that often drive conflict cycles.

Complaints Handling

NHRIs are independent bodies that receive complaints regarding maladministration and human rights violations. Within this context, NHRIs have a particularly important role to play concerning oversight of the security sector. Indeed, security and justice institutions that operate fairly and in alignment with the rule of law are essential to preventing violence and sustaining peace. To illustrate this, **Catalina Crespo Sancho**, **Ombudsperson of Costa Rica**, presented the conflict prevention strategy developed by her office. Consisting of four elements, the strategy uses data collected by her office to identify patterns in maladministration and ineffective provision of public services. These patterns then frame the priority areas for her office, which include: 1) strengthening institutions; 2) reducing poverty and inequality; 3) and tackling polarization and exclusion. Based on these, data is collected to identify specific areas for intervention,

often targeting the most vulnerable and marginalized groups. The strategy also includes the development of a typology to classify complaints (into, for example, the right to access to health, to public services, and to freedom from human rights abuses). In doing so, the Ombudsperson is able to better tailor interventions, and advocate for specific corrective action at the policy level. As Sancho noted, improving access to public services, and reducing exclusion and marginalization, are key to preventing conflict. The last aspect of the strategy includes aligning their 2021-2022 annual report with the SDGs and their targets, with a particular focus on SDG 16. Catalina Sancho concluded by underscoring the importance of independence from government for the effective functioning of NHRIs.

Lucas Kimanthi, speaking on behalf of the **Kenya National Commission on Human Rights**, highlighted the Commission's electoral oversight function as an important factor in maintaining peace and stability in his country's context, where elections have often been marred by inter-ethnic violence. To address this, the Commission developed an internal digital database, which, based on the volume and nature of complaints received, attempts to predict violence related to electoral cycles. The data is then analyzed, turned into a 'hotspot map', and used as an early warning system to identify and evaluate patterns and address them before outbreaks of violence.

Monitoring & Investigating

As one of their primary functions, NHRIs monitor and investigate human rights violations. **Jacqueline Ann Cruz de Guia**, Executive Director of the **Commission on Human Rights of the Philippines (CHRP)** shared how her office fulfils this function in the Philippines, where a decades-long internal armed conflict has been accompanied by allegations of human rights violations. To provide remedy and redress to those affected by human rights abuses, and to prevent further occurrences, the CHRP established the Crisis Conflict and Humanitarian Center in 2016, with the aim to promote respect of international humanitarian law, conduct independent investigations into human rights violations, ensure accountability for perpetrators, and identify corrective actions.

In addition, de Guia noted how the CHRP works to ensure the compliance of security actors with human rights norms and standards. For instance, the CHRP conducts clearance processes for all security personnel seeking promotion,

retirement, or schooling/training abroad, as mandated by its Ombud's rules on the protection and promotion of human rights. A key function of the clearance procedure is to ascertain whether such personnel have human rights cases pending before the Commission. De Guia also presented the work of her office in negotiating a tripartite agreement between the CHRP, the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP), which she noted resulted in the adoption of the La Breza Declaration. The Declaration, signed on 12 March 2021, provides mechanisms for human rights investigations into the conduct of the AFP and PNP. It also binds both to working with the CHRP on 1) strengthening education and training, 2) sharing key information and referral of cases, 3) improving monitoring of incidents.

Meri Kochlamazashvili, Senior Adviser to the **Public Defender (Ombudsman) of Georgia**, further exemplified how the monitoring and investigation function of NHRIs can act as a conflict prevention mechanism. Since the 2008 Russo-Georgian War, Georgian authorities have been unable to access the regions of Abkhazia and South Ossetia. Despite this, her office indirectly monitors the human rights situation there through partner civil society groups and international organizations. Meanwhile, staff of the Ombudsman conduct monitoring visits to the Administrative Boundary Line (ABL), separating de facto Abkhazia and South Ossetia from the rest of Georgia. During these visits, data is collected on socio-economic conditions, while locals are provided with information on their rights, and how to seek remedy and redress in case of their violation. Kochlamazashvili also mentioned how her office actively cooperates with the Council of Europe and other international organizations to facilitate and organize dialogue between those residing in Abkhazia, South Ossetia, and the rest of Georgia.

Education & Community Engagement

While a cross-cutting function, NHRIs often also conduct educational activities on issues including human rights and access to public services. The importance of this function for conflict prevention was highlighted throughout the workshop. For example, to realize its mandate of promoting human rights, the Georgian Ombudsman carries out educational activities, including training for conflict-affected youth, activists, and specialists; bringing together people of different ages, ethnicities, and professional backgrounds to discuss

human rights. The Kenya National Commission on Human Rights conducts similar activities, but targets regions with potential for electoral violence.

Facilitating engagement between state authorities and local communities is also key to the achievement of the 2030 Agenda. In that regard, de Guia noted that the CHRP acts as a 'bridge' between state and society through, for example, organizing multistakeholder dialogue processes during which government agencies, security actors, and civil society work together to address human rights challenges. In addition, the CHRP also trains security providers on human rights norms and standards, key for ensuring they act in a human-rights compliant manner when discharging their functions.

Key takeaways

The workshop underscored that by acting as a 'bridge' between state and society, NHRIs can help to address the inequalities, exclusion and injustices that often drive conflict. Through their key functions of complaints handling (SDG target 16.3), and monitoring and investigating human rights abuses (SDG target 16.6), NHRIs can also help ensure that security actors behave in accordance with the rule of law and with respect for human rights — important conditions for preventing, managing, and resolving conflict and by extension, for fostering an environment conducive to sustainable development. NHRIs full compliance with the Paris Principles is in itself one of the indicators to measure states' progress under Goal 16. As such, ombuds institutions should be understood as a key component of the institutional architecture necessary to achieve SDG 16 and the aspirations of the broader 2030 Agenda.

Further resources

- DCAF (2021). Sustainable Development Goal 16: The importance of good security sector governance for the achievement of the 2030 Agenda. SSR Backgrounder Series.
- DCAF (2022). World Justice Forum 2022: Ombuds Institutions' Role in Contributing to Access to Justice and SDG 16. Event Report. Geneva: DCAF – Geneva Centre for Security Sector Governance Dursun-Özkanca, O. (2021). The Nexus Between Security Sector Governance/Reform and Sustainable Development Goal-16. SSR Paper.
- DCAF (2022). Ombuds Institutions, SDG 16, and Security Sector Governance: Towards Peaceful, Just, and Inclusive Societies in Sub-Saharan Africa. Workshop Report.
- De Langen. M (2022). African Ombuds Institutes Working for Peace, Security, and Development. SDG Knowledge Hub.