Submission to the call for inputs "Human Rights Council resolution 57/12 on local government and human rights"

Office of the High Commissioner of Human Rights

July 15th, 2025

About us - Colectivo EPU América del Sur

This submission is made by the Colectivo EPU América del Sur, or *UPR South America Coalition*, in English. The Coalition was founded in 2021 in order to amplify and strengthen the dialogue, articulation and exchange of experiences among civil society organizations of the Southamerican region.

The Coalition is made up of more than 20 human rights organizations that work on monitoring the UPR mechanism in their respective countries (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, and Venezuela) to exchange best practices.

The Coalition has been led by the Institute for Development and Human Rights (IDDH - Brasil), which, with the support of FES Brazil, has promoted strategic meetings in 2021 and 2022, as well as capacity-building trainings in 2023 and 2024, to strengthen the formation of the Coalition with the aim of achieving greater regional coordination and sharing experiences on the functioning of National Mechanisms for Implementation, Reporting and Follow-up (NMIRFs).

In 2024, we released our first publication, the **"Regional Report on Social Participation in National Mechanisms for Reporting and Follow-up",**[1] designed to address a topic of interest to civil society in the region. The report emerged as a result of a consultation with civil society, which gathered information on the existing national mechanisms for implementation, monitoring, reporting, and follow-up in South America (for example, the SIMORE System or similar mechanisms). It also compiled civil society assessments regarding participation in these mechanisms and their performance in practice, as well as the four capacities defined by OHCHR for effective NMIRFs.

In continuation of this line of action, the Coalition developed a Political Letter[2]—a document intended to be taken into consideration by national authorities responsible

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[1] Colectivo EPU América del Sur (2024). Mapeo y Diagnóstico:Participación social de los Mecanismos Nacionales de Implementación, Monitoreo, Seguimiento y Presentación de Informes de Derechos Humanos. At:
https://iddh.org.br/publicacoes/mapeo-y-diagnostico-participacion-social-de-los-mecanismos-nacionales-de-implementacion-monitoreo-seguimiento-y-presentacion-de-informes-de-derechos-humanos/

[2] Colectivo EPU América del Sur, "Carta Política sobre Participación Social en Mecanismos de Implementación, Informes y Seguimiento". At:
https://iddh.org.br/carta-politica-sobre-a-participacao-social-em-mecanismos-de-implementacao-relatorios-e-acompanhamento/

for reviewing, updating, or creating new forms of civil society participation in existing or emerging NMIRFs in the region. The Letter also aimed to foster cooperation and dialogue with this innovative regional coalition and other national UPR coalitions. It was signed by 61 organizations from eight Latin American and Caribbean countries and formally delivered to ministries and committees responsible for monitoring international obligations and preparing reports in six countries: Bolivia, Brazil, Chile, Ecuador, Peru, and Uruguay.

In the same year, the UPR South America Coalition made a historic request and was granted a hearing before the Inter-American Commission on Human Rights (IACHR)[3], during which the main concerns regarding the functioning of NMIRFs in the region were presented[4]. Among other points, the Coalition emphasized the importance of strengthening coordination between the human rights follow-up mechanisms of the UN and those of the OAS, in order to enhance collaboration and information-sharing that supports human rights monitoring efforts in our countries.

As a result of this hearing, the Inter-American Commission on Human Rights, at our initiative, agreed to host a dialogue involving regional States, members of the Coalition, and representatives of the Office of the High Commissioner for Human Rights. This exchange of ideas on best practices for the functioning of NMIRFs in the region took place on July 9, 2025.

Index

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[3] Comisión Interamericana de Derechos Humanos, Audiencia Regional: Mecanismos Nacionales de Implementación y Seguimiento de Recomendaciones, 191 Período de Sesiones, 13 de noviembre de 2024. At: https://www.oas.org/es/cidh/sesiones/audiencia.asp?Hearing=3774

[4] Camacho, Lucía (2024). Mecanismos Nacionales de Derechos Humanos: mucho por hacer. Derechos Digitales. At: https://www.derechosdigitales.org/24611/mecanismos-nacionales-de-derechos-humanos-mucho-por-hacer/

1. About the overall state of NMIRFS in South America

In our report on NMIRFs published in 2024, we analyzed the experiences of nine countries (Argentina, Brazil, Bolivia, Chile, Colombia, Paraguay, Peru, Uruguay, and Venezuela)[5]. In general terms, we found that:

- Of the nine countries in the region, Venezuela was the only country where civil society signaled the absence of such a mechanism – even though official data indicated otherwise[6].

- In four countries, NMIRFs operate at the ministerial level (Chile, Colombia, Paraguay, and Peru).

- In four countries, NMIRFs function at the inter-ministerial level (Argentina, Brazil, Bolivia, and Uruguay).

- Only two countries had an active digital tool or follow-up platform available at the time (Paraguay and Uruguay - the latter is currently reforming its website).

- Countries such as Argentina, Bolivia, and Colombia had digital tools in the past that, at the time of the report, were deactivated, inactive, or outdated.

- Countries like Brazil are working on developing a SIMORE system, set to launch in 2026; and Chile, through cooperation with Paraguay, are planning to build their own SIMORE, though no public launch date has been announced.

Considering the importance of the **existence and participation of National Human Rights Institutions (NHRIs) within the National Mechanisms or NMIRF**, information was gathered on the presence of NHRIs in South American countries. It was found that 10 out of the 12 countries in the region have NHRIs accredited by the Global Alliance of National Human Rights Institutions (GANHRI)[7].

The countries with fully accredited NHRIs (Category A), in accordance with the Paris Principles, are:

- **Argentina**, with the *Defensoría del Pueblo*

- **Bolivia**, with the *Defensoría del Pueblo*

- **Chile**, with the *Instituto Nacional de Derechos Humanos (INDH)*

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[5] Colectivo EPU América del Sur (2024). Mapeo y Diagnóstico:Participación social de los Mecanismos Nacionales de Implementación, Monitoreo, Seguimiento y Presentación de Informes de Derechos Humanos. At:
https://iddh.org.br/publicacoes/mapeo-y-diagnostico-participacion-social-de-los-mecanismos-nacionales-de-implementacion-monitoreo-seguimiento-y-presentacion-de-informes-de-derechos-humanos/

[6] Universal Rights Group (2024). The emergence and evolution of national mechanisms for implementing, reporting, and follow-up. A fist global survey of national human rights implementation and reporting systems. At:
https://www.universal-rights.org/urg-policy-reports/the-emergence-and-evolution-of-national-mechanisms-for-implementation-reporting-and-follow-up/

[7] Global Alliance of National Human Rights Institutions. At: https://ganhri.org/

- **Colombia**, with the *Defensoría del Pueblo*

- **Ecuador**, with the *Defensor del Pueblo*

- **Paraguay**, with the *Defensoría del Pueblo*

- **Peru**, with the *Defensoría del Pueblo*

- **Uruguay**, with the *Institución Nacional de Derechos Humanos y Defensoría del Pueblo*

The NHRI **Venezuela** (*Defensoría del Pueblo*) is accredited with **Category B** status, meaning it is only partially compliant with the Paris Principles.

Meanwhile, organizations in **Brazil** indicate that the country does not yet have an accredited NHRI, although it does have a national human rights institution with similar functions: the *National Council for Human Rights (CNDH)*.

Furthermore, in a recent hearing before the IACHR[8], the National Human Rights Institute of **Chile** (INDH), which holds **A-status accreditation**, reported that between 2022 and 2024 it has faced challenges that call its work into question. These include attacks originating from the Chilean Congress, which has attempted on one occasion to remove its director due to her online statements and gender identity. More recently, the Congress has promoted legislative measures aimed at shutting down the INDH—an initiative that was narrowly defeated in a vote. In 2024, the INDH has been institutionally and financially weakened, raising concerns about the country's ability to effectively implement and follow up on human rights recommendations, particularly given the INDH's role as a key intermediary in Chile's UPR process.

NHRIs play a direct role in monitoring and providing information on the human rights situation in their countries, supporting the State in fulfilling its international obligations at the national level. It was observed that countries with National Mechanisms also tend to have NHRIs, highlighting the importance of the coexistence of both structures.

Among the countries surveyed:

- **Seven countries** with National Mechanisms also have accredited NHRIs: Argentina, Bolivia, Chile, Colombia, Peru, and Uruguay.

- **Only one country** with an NHRI does not yet have a National Mechanism in place: Venezuela.

- In the **only country** where a similar institution exists (but is not GANHRI-accredited), the establishment of a National Mechanism is currently underway: Brazil.

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[8] Comisión Interamericana de Derechos Humanos, Audiencia sobre Chile: Situación del Instituto Nacional de Derechos Humanos, 192 período de sesiones, 3 de marzo de 2025. At: .https://www.youtube.com/watch?v=pOlRBI_ke8Q

2. About recent advances and stepbacks on NMIRFS in South America

In **Brazil**, following the submission of the Political Letter, the UPR Brazil Coalition has engaged in dialogue with the Ministries responsible for developing SIMORE Brazil, a result of a cooperation agreement signed with Paraguay in May 2024. In a recent meeting with representatives of the Ministry of Human Rights and Citizenship (MDHC), the Coalition was informed that the platform is scheduled to launch in May 2026, after a testing phase in 2025. Civil society's main interests are: a) how the State plans to decentralize this tool to federal states and ensure its long-term sustainability; and b) how social participation will be formalized, since the State has not yet presented the methodology or format for its implementation.

In **Bolivia**, the Plurinational System for Monitoring, Follow-up, and Statistics on Human Rights Recommendations (SIPLUS) has been formally implemented, but its website has been inactive for over a year and has not been updated since 2015. Currently, follow-up efforts fall under a mechanism within the Ministry of Justice and Institutional Transparency (since 2022) and an Office for the Follow-up of Recommendation Implementation. Authorities have informed civil society that the digital platform update should be completed during this legislative period. However, the NMIRF has not established processes to ensure inclusive citizen participation or sustained dialogue with the government in preparing country reports for various human rights bodies.

In the case of **Chile**, the National Institute for Human Rights (INDH) is responsible for tracking and monitoring human rights recommendations as was mentioned above. While the INDH is active in its work, opportunities for dialogue and follow-up with civil society remain quite limited and mostly involve actors based in the capital.

Notably, in the context of the fourth UPR cycle, Chile accepted four recommendations focusing on strengthening the financial, technical, and human capacities of its NMIRF[9]. After the submission of the Political Letter, the government reaffirmed its commitment to implementing changes to its national mechanism but has not disclosed the nature of these changes or provided a timeline for implementation.

In **Paraguay**, although SIMORE (the country's National Mechanism) has been in place for 10 years, it has not been updated, and reports have not been submitted to international mechanisms in a timely manner. Furthermore, no consultations or meetings with civil society have taken place.

Finally, in the case of **Peru**, the Directorate of International Affairs, Promotion, and Regulatory Harmonization (DAIPAN) within the Ministry of Justice and Human Rights is responsible for tracking NMIRF reports and recommendations. However, it does not currently have a platform to monitor recommendations, nor has it updated the website where Peru's UPR reports have been published since 2017. It is also unclear whether a platform will be created in the future, even though the country accepted Paraguay's recommendation on this matter during its last UPR review.

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[9] Recommendations 24.14 made by Djibouti; 24.15 by Paraguay; 24.16 by Senegal; 24.17 by Burkina Faso. See: A/HRC/57/6 Add.1, from 9th July, 2024.

In **Uruguay**, the SIMORE platform is in place but will soon be replaced by a new version, made possible through UN cooperation. The new system will allow monitoring and follow-up access for both the network of focal points within the Dialogue and Consultation System (SDC) and the general public.

During its recent participation in the fourth UPR cycle, Uruguay committed to improving its national information and follow-up system in cooperation with other countries in the region and to strengthening collaboration with civil society[10]. In a meeting with civil society, the Ministry informed that SIMORE Uruguay had not been updated for five years (since 2019), due to maintenance costs, internal delays, and technical team issues. Despite the delays, civil society was informed that the new platform is now expected to launch in December of this year—six months later than initially planned.

3. Main practices enhancing -or not- the "meaningful participation" of civil society organizations

In our report published in 2024, organizations part of the Coalition answer were asked what **social participation practices** their respective **National Mechanisms** carry out. The responses were as follows:

- **Argentina**: Public hearings in Parliament on the issue; working groups or councils created by the State to include civil society organizations (CSOs); dialogue on the development of public policies based on recommendations.

- **Bolivia**: Events with social organizations and human rights groups to evaluate compliance with recommendations and contribute to the national report for the UPR. These events are limited in scope, and may not involve all civil society organizations interested in taking part in the National Mechanism.

- **Chile**: In addition to online consultations and in-person working groups, there is an incentive to submit individual or coalition-based shadow reports.

- **Colombia**: Civil society does not participate in the mechanism.

- **Paraguay**: The mechanism is currently not updated, and there are no activities or practices for civil society participation.

- **Uruguay**: Online public consultations; public hearings in Parliament on the issue; working groups or councils created by the State to involve CSOs; and the drafting of follow-up and monitoring reports by civil society.

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[10] Recommendations 125.8 made by Albania; 125.22 by Paraguay. See: A/HRC/57/8/Add.1 from June 11th, 2024.

4. Main challenges that civil society face when engaging in NMIRFs

In the exchange of information and experiences that have taken place within the UPR South America Collective, member organizations have identified the following key obstacles and challenges to the effective functioning of NMIRFs:

As they *affect the work of NMIRFs and civil society:*

- **Lack or discontinuity of cyclical, open, diverse, and dialogical** processes for civil society participation in the monitoring and follow-up of human rights recommendations.

- **Absence or inconsistency** of continuous and sustained monitoring and follow-up processes throughout the entire life cycle of human rights recommendations—that is, from their issuance and adoption by the State, through progressive implementation, to full compliance.

- **Weak traceability and limited access to public information** on the partial and progressive implementation of human rights recommendations, including gaps in reporting on regions outside capital cities, or regarding specific rights, communities, or population groups.

- **Dependency of NMIRFs** on the organizational structure of ministries and executive branch bodies, which can compromise their technical or budgetary independence.

- **Lack or insufficiency of adequately trained human resources** to handle the workload associated with monitoring and following up on human rights recommendations.

- **Limited visibility of NMIRFs at the national level**, including their mandate and available participation mechanisms, as well as a lack of intersectoral and inter-institutional coordination between NMIRFs and other national human rights bodies—such as ombuds offices, attorneys general, public prosecutors, supreme courts, and others.

As they *affect or threaten the work of civil society organizations:*

- **Lack of coordination by governing entities** to socialize, disseminate, and engage civil society in the reporting process in a timely manner.

- **Absence of processes and methodologies** to ensure meaningful civil society participation in the work of NMIRFs, as well as a lack of mechanisms to document such participation and identify which civil society inputs are actually incorporated into the follow-up and implementation of recommendations.

- **Lack of direct communication channels** between civil society organizations and NMIRFs at the national level, and the absence of regional

liaison offices or representatives.

- **Lack of funding to support civil society participation in NMIRF** activities, such as travel to in-person meetings in capital cities, and lack of training to enhance civil society's engagement in these spaces.

- **Absence of up-to-date, open public information** and historical/comparative statistics on the recommendations issued to each country by human rights bodies (e.g., IACHR, UPR cycles, treaty bodies), and the corresponding level of compliance.

- **Weakening of administrative procedures for access to public information,** where state entities provide only partial, incomplete, or deficient information—or none at all, due to the information not having been generated. Additionally, the lack of a general access to information law in countries such as Bolivia hinders public access to information, including in the area of human rights.

- **Shrinking civic space in the region**, where the creation and functioning of civil society organizations focused on human rights is restricted, hindered, or obstructed by legal frameworks that limit their activities.

The UPR South America Coalition, while recognizing that strengthening NMIRFs in the region is a slow and progressive process that depends on the political will of current governments, underscores the importance of steadily reinforcing their work as a demonstration of State commitment to human rights in the region.

5. Recommendations to States in South America

Finally, we urge that OHCHR to recommend to States, and specially those from South America to:

A. **Establish or strengthen NMIRFs** with a clear legal mandate, institutional independence, and sufficient human and financial resources. Where NMIRFs already exist, States should work to reinforce their technical capacity, coordination mandates, and long-term sustainability.

B. **Promote inclusive, transparent, and regular meaningful participation** processes of civil society organizations throughout all stages of the recommendation cycle—from adoption to implementation—ensuring inclusion of grassroots organizations, communities outside capitals, and underrepresented groups.

C. **Develop, reactivate, or update public digital tools** that allow for transparent, real-time tracking of the implementation of human rights recommendations. Ensure the platforms are user-friendly, accessible, and allow civil society inputs. Uruguay and Paraguay's SIMORE systems may serve as reference models.

D. **Make available open, updated, and disaggregated data** on the status of recommendation implementation, including statistics from previous cycles

and information disaggregated by region, population group, and thematic area.

E. **Ensure NMIRFs have operational autonomy**, particularly when embedded within ministries, and foster formal cooperation with other national institutions, such as ombuds offices, public ministries, and courts, for comprehensive follow-up.

F. **Recognize and protect the role of NHRIs** as key partners in the implementation and follow-up of international human rights obligations. Protect them from political interference and institutional weakening, as seen in recent challenges faced by the Chilean INDH.

G. **Allocate funding and logistical support to enable civil society organizations**, particularly those in remote areas, to participate in national and international human rights reporting and monitoring processes.

H. **Ensure that NMIRFs operate beyond capital cities** by establishing regional liaison offices, decentralizing consultations, and integrating subnational actors into monitoring frameworks.

I. **Address the shrinking of online and analogue civic space**, refrain from enacting laws or policies that restrict civil society operations. Instead, adopt legal and institutional frameworks that guarantee freedom of association, expression, and participation.

6. Recommendations to OHCHR

We urge the OHCHR to:

A. **Prioritize technical cooperation with States** seeking to establish or modernize NMIRFs. Support should be tailored to each country's context and include assistance in building digital platforms, legal frameworks, and inter-institutional coordination.

B. **Promote and support regional exchanges and cooperation initiatives** (e.g., between Paraguay and Brazil, or Chile and Paraguay) to enable knowledge sharing and co-development of tools like SIMORE. The IACHR should be considered as a key partner to implement this action.

C. **Provide clear standards and best practices for civil society participation** within NMIRFs, and encourage States to report on participation practices during treaty body reviews and UPR cycles.

D. **Monitor and respond promptly to any threats to NHRIs or restrictions on civic space**, particularly those that affect institutions with GANHRI A-status accreditation or civil society groups engaged in human rights monitoring.

E. **Assist countries in developing interoperable systems that centralize recommendations from the UPR**, treaty bodies, and special procedures, ensuring public access to compliance data and facilitating cross-mechanism coordination.

F. **Support training, resources, and capacity-building for civil society organizations** -especially grassroots groups and community based- to engage effectively in NMIRFs and the broader UN human rights system.

G. **In the treaty body concluding observations and UPR recommendations,** encourage States to establish, strengthen, or operationalize NMIRFs as a cross-cutting means of ensuring long-term compliance and transparency.

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