SPOTLIGHT ON PUBLICATIONS:
NATIONAL HUMAN RIGHTS INSTITUTIONS IN LATIN AMERICA

This Spotlight presents a selection of publications that assess the main features, history, work and impact of National Human Rights Institutions (NHRIs) in Latin America. Selected by human rights experts at Fundar, these publications highlight a variety of Latin American experiences in which NHRIs have had a significant impact on promoting and defending human rights. The publications are useful not only in offering general knowledge about NHRIs, but also in providing readers with an in-depth understanding of the key elements and practices that have proven to be successful in the creation of NHRIs in the region, noteworthy design and operational features that have strengthened NHRIs, as well as the context in which they emerged.

In addition to accessing the publications listed here, to learn more about the role and design of NHRIs in the region, read the ELLA Brief: Latin America's National Human Rights Institutions: Fostering Democratic Transitions and Guaranteeing Human Rights.

▶ Building Democratic Institutions: The Role of National Human Rights Institutions in Good Governance and Human Rights Protection

This article focuses on the link between NHRIs and human rights promotion, while also connecting the institutions with democratic governance more broadly. The paper describes the origins of NHRIs and the significance of the institutions in terms of democratic consolidation. Though it draws on analysis from other regions, the paper also includes three case studies from Latin America: Argentina, Guatemala and El Salvador. In describing the Latin America region's experience with NHRIs, the author argues that NHRIs originated as a response to authoritarian regimes and visible human rights abuses, and their creation and strengthening represents a step forward in establishing democratic governance structures and public administration reforms.

Full Citation: Reif, L. 2000. Building Democratic Institutions: The Role of National Human Rights Institutions in Good Governance and Human Rights Protection. *Harvard Human Rights Journal* (13) 1-69.

Human Rights in Practice: The Work of the Peruvian Ombudsman – and How it Contributes to Legal Empowerment of the Poor

Peru's Ombudsman Office (*la Defensoría del Pueblo*) is regularly held up as an example of some of the good practices of NHRIs in the Latin America region. In this paper, the author describes the Peruvian Ombudsman's performance as a NHRI that has consolidated its credibility and influence in defending and promoting human rights. It also analyses some of the problems the institution faces, for example the absence of coercive power to compel public agencies to implement its recommendations. The document describes the Peruvian Ombudsman's organisation, activities and key relationships with relevant actors, all of which are factors that have contributed to its consolidation, and concludes with reflections about how to strengthen the organisation.

Full Citation: Leon, H. 2011. *Human Rights in Practice: The Work of the Peruvian Ombudsman – and How it Contributes to Legal Empowerment of the Poor*. ANLEP Working Paper No. 3. Centre for Development and the Environment, Oslo.

The Institution of the Ombudsman: the Latin American Experience

This paper provides an excellent overview to NHRIs in Latin America. It explains the process of consolidation of the institution in the region, beginning with the creation of the first office in 1985 in Guatemala, and offering an overview of its international origins. It also highlights the importance of the legal framework in terms of consolidating NHRIs, and the challenges NHRIs face in organising their office and in achieving autonomy and managerial and economic independence. The paper places special attention on the relationship between NHRIs, civil society and other public actors in order to gain credibility and to promote and defend human rights overall.

Full Citation: Gonzáles, L. 2003. The Institution of the Ombudsman: The Latin American Experience. *Revista IIDH* (37) 219-248.

National Human Rights Institutions: Articles and Working Papers

This edited volume brings together research demonstrating both the theoretical framework underpinning NHRIs, as well as the experiences emerging through NHRIs' daily work. The publication's main objective is to promote discussion and exchange of experiences in the development of these institutions, and to act as a tool for education and capacity building among different actors that are linked to NHRIs and to defending and promoting human rights. The volume includes European, Asian, African and Latin American perspectives. In the latter, some of the key elements emphasised include the support that the Inter-American Institute of Human Rights has provided in strengthening NHRIs in Latin America and fostering exchange and collaboration. The compilation also focuses on the minimum standards governing the existence of NHRIs, and the plurality of contexts and modalities in which these institutions have been created and consolidated in the Latin America region.

Full Citation: Lindsnaes, B., Lindholt, L., Yigen, K. (eds). *National Human Rights Institutions: Articles and Working Papers*. The Danish Centre for Human Rights, Skive.

[National Human Rights Institutions: History, Principles, Roles and Responsibilities](#)

This UNHCR publication offers an overview of NHRIs and their key role in protecting and promoting human rights at the national level. It describes the context in which NHRIs operate, including national, regional and international human rights systems. It also explains the different models for NHRIs that exist, and assesses NHRIs' main functions, including protecting and promoting human rights and advising governments and legislatures. Finally, the study identifies key challenges and opportunities for supporting NHRIs in the different phases of their establishment and development. Though this publication does not include a specific chapter related to the Latin American experience, it does explain the different models that have been implemented in the region, and draws heavily on Latin American examples.

Full Citation: Office of the United Nations High Commissioner for Human Rights. 2010. *National Human Rights Institutions: History, Principles, Roles and Responsibilities*. United Nations, New York and Geneva.

[Performance & Legitimacy: National Human Rights Institutions](#)

This report assesses NHRIs with a focus on the factors that influence their effectiveness. In particular, the report looks at questions like legitimacy, accessibility to marginalised or vulnerable populations, and linkages and relationships with other institutions. The study focuses on the performance of NHRIs through field research conducted in three countries – Ghana, Indonesia, and Mexico. Other Latin American countries, such as Guatemala and Peru, are also covered. The report concludes with practical recommendations for creating and strengthening NHRIs.

Full Citation: International Council on Human Rights Policy. 2004. Performance & Legitimacy: *National Human Rights Institutions*. International Council on Human Rights Policy, Versoix.