

## **Agenda 2030: overview of opportunities to strengthen international and regional human rights frameworks**

*Remarks by Ignacio Saiz, ED - Center for Economic and Social Rights (CESR) at the Wilton Park Conference on Human Rights and Agenda 2030, 15 – 17 January 2018*

### ***What are the key points of convergence between human rights and the SDGs, and how can the SDGs be used as a lens to magnify and promote human rights?***

The Center for Economic and Social Rights (CESR) was one of a number of human rights organizations that fought hard to ensure convergence between the SDGs and existing human rights commitments. Some very significant gains were made as a result. Unlike the MDGs, Agenda 2030 is:

- a *universal* agenda, addressing poverty and deprivation in both north and south
- a *comprehensive* agenda that reflects the *indivisibility* of all human rights, including critical economic and social rights issues (eg social protection and decent work) as well as civil & political freedoms (a glaring omission in the MDGs)
- a more *equality-sensitive* agenda: including explicit commitments to groups left behind (eg people with disabilities, indigenous people); much more comprehensive on gender equality; and a pledge to reduce economic inequality within and between countries.

The language and framing of some of the goals and targets *directly reflect relevant provisions of economic and social rights standards* (eg SDG4: “ensure all boys and girls complete free, equitable and quality primary and secondary education” and SDG11: “ensure access for all to adequate, safe and affordable housing”). Others *make explicit reference to human rights norms* (eg CEDAW) and institutions (eg NHRIs). The Declaration explicitly anchors Agenda 2030 in the UDHR and international human rights standards, envisaging a world of “universal respect for human rights and human dignity, rule of law, justice, equality and non-discrimination.”

These gains were hard won. Why did it matter to us as human rights advocates to align the SDGs with human rights? As we saw with the MDGs, *global development goals play a major role in shaping policies and budgets* that determine how human rights - especially ESC rights - are enjoyed in practice (sadly, moreso than ratifying relevant international covenants such as the ICESCR). But they can also mould understandings of development in potentially paradigm-shifting ways. That’s their purpose & value: to provide a fresh articulation of the universal aspiration for human development and well-being, and to serve as a vehicle for accountability – mutually between governments, and between government and people. If aligned with human rights norms, *they can provide a powerful boost for human rights accountability*. If not, they can seriously undermine human rights in the ways that we saw with the MDGs.

## ***In what ways can the SDGs assist in advancing the human rights agenda?***

Three aspects of the SDGs are potentially strategically useful in the current context to address the setbacks for human rights identified in session 1.

1. *They include an unprecedented commitment to tackle rising economic inequality – a pervasive threat to all human rights. The escalation of economic inequality over the last 15 years - a factor behind the recent rise of populist, nationalist forces - is the most damning indictment of the MDGs and the failed development model they sustained. Agenda 2030 is the first international consensus agreement to tackle such inequality within and between countries. It is particularly useful for spotlighting inequalities in high and middle income countries– see Philip Alston’s visit to US, where the SDGs provided a more plausible reference point than the ICESCR (which the US has not ratified).*
2. *They give a boost and validation to neglected/contested or emerging ESC rights issues: eg social protection floors, or rights to water and sanitation. Quantifiable targets aligned with ICESCR provisions can serve as benchmarks for human rights monitoring – eg what constitutes a reasonable standard of progressive realization. The SDGs are also a spur to better data gathering on ESCR, including closer monitoring of disparities between groups (eg target 5.4 indicator requires data on unpaid care work by women and men).*
3. *They can be used to open up civil society space as a development imperative: SDG 16 commitments have been invoked in this regard at the national level. In contexts such as Egypt, where overt human rights advocacy is severely restricted, the SDGs have provided a safer front for rights-based monitoring and organizing by our partners.*

These are some of the ways in which Agenda 2030 can advance the human rights agenda. But our task is also to explore *how human rights can advance implementation of Agenda 2030* and in particular address some of the weaknesses we’re seeing in its implementation. We can’t assume that merely aligning the SDGs with human rights provisions is enough to make them the transformative agenda we hoped for. Two years on, we’re seeing *serious shortcomings in implementation*: some inherent to the process itself, others resulting from the current context.

- *The SDGs suffer from a toothless system of accountability (or “follow-up and review”):*
  - The HLPF’s Voluntary National Review process is cursory – limited to 15 minutes per country - and gives limited space for civil society participation.
  - The global indicators agreed upon dilute the ambition of the targets (eg Goal 10)
  - There are delays and foot-dragging in getting National Development Plans off the ground: particularly in HICs where there is no donor/ UN agency pressure or increased hostility towards multilateralism (eg US). In others, such as the UK, plans are sketchy, and only focused on ODA, not domestic poverty/inequality.
  - A trend in L/MICs is that of pasting SDGs onto existing development plans, resulting in a business as usual approach and cherry-picking of commitments.

- *There is a striking lack of “policy coherence” between the SDGs and dominant economic policy trends which are fuelling poverty and inequality.* This is especially true of fiscal policy - how resources are mobilized within and between nations.
  - The SDGs have been adopted just as *the austerity drive* expands across the global south. An ILO study finds two thirds of the world’s countries implementing some combination of austerity measures from 2016 -20. Eg Brazil has locked in austerity by constitutionally prohibiting any increase in public spending for the next 20 years beyond inflation. Key global development institutions such as the IMF are perpetuating the problem, pushing fiscal consolidation in their programming (despite the best advice of their own policy analysts).
  - Another glaring contradiction affecting international cooperation in financing of the SDGs is the continued existence of *tax havens* (pretty easy to shut down after all, if there was political will in the right places), despite the waves of revelations since 2015 about the massive scale of tax abuse. Corporate tax abuse robs developing countries of trillions (an estimated 50bn annually from Africa), dwarfing total OECD ODA. Yet recent progress in international tax cooperation is now being eroded, especially as the US threatens a new race to bottom on corporate tax avoidance.
  - In this context, a serious concern of CSOs is the *over-reliance on private sector financing of the SDGs*. It’s ironic that cash-strapped austerity-ridden governments with decreasing capacity to resource investment in sustainable development are turning to the corporate sector as the engine of Agenda 2030. Of course the private sector has a key role in generating growth and creating decent work (and some businesses are taking SDG commitments seriously). But the very first step businesses could take to advance the SDGs is to pay their fair share of taxes. Uncritical support by governments and UN agencies for *public-private partnerships* without commensurate safeguards for corporate accountability, and without seriously considering HR-friendly public financing alternatives, poses a serious threat to Agenda 2030 and has lead many CSOs to speak of the “corporate capture” of the Agenda.

***How can human rights help to address these challenges in the implementation of the development agenda?***

There are three key ways in which human rights advocacy can help tackle these problems:

*1. Strengthening the accountability infrastructure:*

Human rights standards and mechanisms have an important role to play in buttressing the weak architecture of SDG monitoring and review - in a complementary not supplementary way.

Examples at the international level:

- Special Procedures are analyzing the structural obstacles to poverty eradication (such as austerity and economic inequality) and bringing a human rights lens to new development initiatives (eg Universal Basic Income or Social Protection Floors).
- Treaty Bodies are scrutinizing the extra-territorial impacts of wealthier countries on development and human rights in poorer countries (see CEDAW's 2016 findings on Switzerland, prompted by a submission by CESR and Tax Justice Network on the costs for women's rights and SDG5 of Switzerland's role as a tax haven).
- The SDGs have been referenced in the UPR as benchmarks of progress on human rights commitments.
- UN Working Group on Business and Human Rights provides an opportunity to align corporate SDG initiatives with National Action Plans on business and human rights.

Examples at the regional, national and local level:

- Even more scope for human rights mechanisms to play an SDG review and accountability role at these levels. Regionally, ECLAC is showing the way by harmonizing the regional gender strategy (Montevideo process) with the periodic SDG reporting.
- National HR Institutions (NHRIs) in particular are well-placed to play a leading and coordinating role in national implementation plans – CESR is working with DIHR to equip NHRIs with better methods of ESC rights monitoring in the SDG context.
- There are numerous examples of city-level organizing around the SDGs, some involving NHRIs (eg Defensoria del Pueblo de Buenos Aires, or Komnas Ham in Indonesia).

## 2. *Providing entry points for rights-based civil society organizing and monitoring:*

In many countries CSOs are organizing from a human rights perspective around SDG implementation, shaping and critiquing development plans: Guatemalan right to health advocates are using the SDGs to advance health reforms; US criminal justice advocates & legal aid providers are working with the Dept of Justice to create national indicators for SDG16. The Civil Society 2030 Reflection Group, made up of 8 international CSOs and networks including CESR and Social Watch, produces a goal-by-goal shadow report, [Spotlight on Sustainable Development](#), in advance of the High Level Political Forum each year.

Many of these efforts involve collaboration between the human rights, development and environmental communities, and others working for social and economic justice – eg tax justice advocates. Most are self-organized initiatives, as CSOs often have to fight for inclusion in official SDG implementation processes. A critical task for the human rights community is to insist on civil society participation as both a goal of Agenda 2030 (SDG16) and a critical means of ensuring its implementation.

### 3. Reshaping the narrative:

While the SDGs can help enrich the narrative on human rights (for example by putting economic inequality on the agenda as a development and human rights concern), there are many more ways in which *human rights can help reshape the narrative on development*.

We are living in a time when official discourses are increasingly blaming those living in poverty for their own situation, criminalizing homelessness, begging and organizing. In the face of these narratives, we need to be bolder in asserting:

- That the right to be free from poverty is a human right, and that poverty is a systematic denial of all human rights
- That inequality is cause and consequence of human rights violations
- That “leaving no one behind” means tackling discrimination and promoting substantive equality, not just ensuring equality of opportunity
- That cooperation between countries is an international human rights obligation
- That the ultimate goal of development is to realize all human rights for all people

This requires us to reshape our own narratives and approaches to human rights: to embrace a more holistic and transformative concept of human rights that unleashes their potential force as guiding principles of socio-economic policy, as redlines against the inequities of neo-liberal policies which fuel poverty and inequality, and as justification for a fairer distribution of global resources and know-how.