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Visions and Voices for Human Rights: Integrating human rights into the post-2015 agenda

INTERACTIVE FORUM SUMMARY

On 24 September 2013, Amnesty International, the Center for Economic and Social Rights (CESR) and IBON International, with the support of the Permanent Missions of Argentina and Finland to the United Nations and the Office of the High Commissioner on Human Rights (OHCHR), organized a side event at the 68th Session of the United Nations General Assembly to discuss proposals to fully integrate human rights into the post-2015 sustainable development agenda. This interactive forum brought together civil society representatives from different parts of the world, diplomats, parliamentarians and international agencies to discuss how the full range of human rights, including the right to development, can and should concretely inform the future sustainable development framework, which will succeed the Millennium Development Goals (MDGs).

From preamble to practical: Broad consensus on aligning the post-2015 sustainable development agenda with human rights standards

“The human rights-based approach shouldn’t be anything new because its really about honoring the commitments that we as member states and the international community have undertaken already when adopting the UN Charter and international human rights treaties.” ~ Ms. Anne Sipiläinen, Under Secretary of State for Development Policy, Finland

As affirmed in the UN Secretary General’s report to the 68th General Assembly, universally-applicable human rights standards must be the cornerstone of the next sustainable development framework. The [Outcome Document](#) of the GA Special Event on the MDGs furthermore reflected [broad consensus](#) that human rights are crucial to ensuring that the next set of goals and targets are sustainable, effective and legitimate.

“As civil society, we’ve made enormous progress in getting states to recognize that human rights belong on this agenda. The challenge now is to ensure that they are fully inscribed in the new framework, shaping its vision and purpose as well as the content of the goals and the processes by which they are implemented.” ~Mr. Ignacio Saiz, Center for Economic and Social Rights

Forum participants argued that the existing set of international human rights standards, which states have already committed to upholding, can provide an integrated, holistic, cohesive and transformative framework for the post-2015 development agenda, while simultaneously helping to avoid the MDGs’ original shortfalls. Human rights standards guard against inequalities and discrimination, imply core state obligations on achieving a universal social protection floor, and ensure inclusion, transparency and participation in decision-making. Crucially, human rights norms focus on quality and affordability of essential social services like education and healthcare, rather than on their accessibility alone. Participants pointed out that, given their inherent interdependence, all

human rights – whether of a civil, political, economic, social, environmental or cultural nature – must be protected and fulfilled through a balanced set of post-2015 targets and indicators.

“More than 60 years since the Universal Declaration of Human Rights was drafted to include civil, cultural, economic, political and social rights, I hope we can finally abandon the compulsion to pigeonhole rights into separate categories, and effectively use the post-2015 agenda to speak not just of the indivisibility of rights, but to make that indivisibility a cornerstone of human rights promotion, protection and sustainable development.” ~ Mr. Savio Carvalho, Amnesty International

Anchoring the post-2015 development agenda in the full range of human rights principles and standards would furthermore address the structural inequities that have continued to fuel poverty, deprivation and environmental degradation.

Accountability - the cornerstone of a human rights-centered post-2015 agenda

Each of the speakers invoked the central concern that without strong transparency and accountability of all development actors within, above and beyond the state, any future sustainable development commitments would prove ineffective. Participants discussed ways in which human rights understandings of accountability can serve as a guide to determine the priorities for the development agenda, how targets are set and disaggregated, which indicators are prioritized for assessing progress, and which methods can ensure accountability. Speakers also discussed the role existing human rights mechanisms – from community-level monitoring, domestic courts and national human rights institutions to parliamentary oversight bodies, international treaty bodies and inter-governmental peer review mechanisms – could play if the post-2015 commitments are properly aligned with human rights norms. This whole web of human rights accountability, it was argued, could be the real game-changer in setting the proper incentives to drive sustainable and people-centered development. In this context, speakers gave first-hand accounts of instances where “in the name of (economic) development” governments, in concert with business enterprises and international financial institutions, caused severe human rights and environmental harms, leading to deep setbacks in the achievement of MDGs. In this sense, human rights can redefine development processes and outcomes to be cognizant of who benefits, and who becomes worse off, as a result of development policies and projects. Human rights law also involves explicit government duties to protect against and prevent human rights abuses involving their businesses, whether acting at home or overseas.

“[Human rights] laws, that are universal, should be able to guide the way business is done anywhere in the world....we Ogoni would have the right to sue Shell anywhere in the world. Indeed, Nigeria would not even collude with Shell to do what they did. My environment would not be destroyed. If a human rights-based approach is enshrined in the post-2015 framework, those who are supporting the Nigerian government to steal land in Ogoni would not do it, because they would have to think about the people” ~ Mr. Celestine Akpobari, Ogoni Solidarity Forum

A global partnership for human rights in sustainable development

In an interconnected yet increasingly fragile world economy and ecology, human rights, including the right to development, require international cooperation now more than ever. The principle of common but differentiated responsibilities, as agreed at Rio+20 United Nations Conference on Sustainable Development, is similarly articulated in the human rights framework. Human rights norms recognize that, while in most cases the primary duties of states are to implement human rights domestically, those governments with more historic responsibility for, or capacity to shape, the global structural barriers to achieving human rights in development have a higher degree of responsibility to do so. In this sense, the human rights framework has evolved in recent years to provide an essential common yardstick to ensure a coherent, effective and just global partnership for development, with

clearly delineated responsibilities for governments, international institutions and non-state actors including businesses.

“The right to development provides an important framework for development cooperation, allowing us to move away from a donor-recipient framework towards a rights-based approach to financial transfers beyond ODA and in line with common but differentiated responsibilities and polluter pays principles.” ~ Mr. Paul Quintos, IBON International

Participants shared concern that the MDG successor framework risks outsourcing and privatizing the sustainable development process. A business-led approach to development, it was argued, has already led to the erosion of the ability of state in protecting human rights, undermined workers’ rights and entitlements to basic living standards, and constrained the policy space of governments, especially poorer ones, to meet their development priorities. In the face of this overreliance on private sector-led development, a human rights-centered agenda would ensure private sector accountability as part of a broad vision of development aimed at realizing human dignity for all. Human rights operational standards oblige governments to show and prove that they are generating and allocating the maximum of available resources for sustainable development, including through their macroeconomic and fiscal policies.

“One of the problems of the MDGs is that they did not address macroeconomic policy. They set targets within a context, without actually challenging that context. So you were supposed to halve absolute poverty without changing the economic policies that created poverty.” ~ Ms. Radhika Balakrishnan, Center for Women’s Global Leadership

In this sense, human rights can also help guide financing for sustainable development discussions. In line with the 2002 Monterrey Consensus on Financing for Development, integrating human rights into post-2015 development also requires a holistic framework for democratically determining means of implementation, based on all available resources. Especially pertinent to providing alternatives to a business-led model of development is a stronger emphasis on the constraints which cross-border tax evasion and financial secrecy jurisdictions pose to domestic resource mobilization, as well as the lack of effective regulation of the financial sector. These have both been critical factors impeding progress towards the MDGs.

Key takeaway messages

1. The post-2015 framework must, at the very least, respect and reflect existing human rights legal norms, standards and political commitments to which governments have already voluntarily agreed and committed to uphold and implement.
2. All human rights are interdependent, interrelated and mutually reinforcing. To be effective, post-2015 commitments on economic, social and cultural rights (e.g. decent work, health, education, food) must be mutually reinforced by civil and political rights commitments, especially to protect the rights to freedom of opinion and expression, association, participation, information, transparency and access to justice, so as to enable people to own and monitor a transformative sustainable development process.
3. Effectively addressing inequalities must be a central focus of the post-2015 agenda, with governments committing to progressively reduce structural barriers to equality faced by different groups, with a focus on both tackling disparities in outcomes and policy efforts.
4. Monitoring and human rights accountability systems should be incorporated into the structure of the framework, building on the existing human rights protection regime. This should

include clear and time-bound commitments for all relevant actors, including third-party states, the private sector and international institutions. Civil society monitoring and review processes should be strengthened, in particular by robust commitments to ensure transparency and participation of rights-holders in the design, implementation and monitoring of development policies.

5. The post-2015 framework must reflect the current international consensus that governments have a duty to protect human rights through proper oversight and regulation of private actors, especially business and private financial actors, to guarantee in practice that they respect human rights and the environment, including in their cross-border activities.
6. A genuine and balanced global partnership would enable people and institutions to monitor the common but differentiated responsibilities of all actors in meeting development goals. To be good-faith partners, governments, business and international institutions must assess the spill-over effects of their conduct (e.g. corporate accountability, environment, trade, aid, tax, migration, intellectual property, debt, monetary and financial regulation) on human rights outside of their borders. Existing human rights norms can provide a common set of standards and a useful yardstick to assess policy coherence for sustainable development.
7. A holistic and comprehensive approach to financing the sustainable development agenda requires commitments to enhanced transparency, participation and accountability of fiscal and macro-economic policies in line with governments' human rights duties to generate and allocate the maximum available resources for human rights.

Further reading

- Joint Statement of 49 leading civil society voices: [‘Human Rights for All Post-2015’](#)
- CESR briefing: ‘A Matter of Justice: Securing Human Rights in the Post-2015 Sustainable Development Agenda’ in [English](#) and in [Spanish](#).
- Joint CESR/OHCHR publication: ‘Who Will be Accountable?: Human Rights and the Post-2015 Agenda’ in [English](#), [Spanish](#), [French](#), [Russian](#), [Chinese](#) and [Arabic](#).
- Amnesty International, [‘Human rights and the post-2015 development agenda: ‘Time to deliver’’](#)
- Amnesty International, [‘From promises to delivery - putting human rights at the heart of the Millennium Development Goals’](#)
- IBON International, [‘Without Corporate Accountability, “Good Governance” Falls’](#)
- IBON International, [‘Reforming Global Sustainable Development Governance: A Rights-Based Agenda’](#)
- Center for Women’s Global Leadership, [‘The Integration of Gender and Human Rights into the Post-2015 Development Framework’](#)



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