Human rights and the Sustainable Development Goals¹

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Abstract

The 2030 Agenda contains a collective promise to 'leave no one behind', to eliminate discrimination, reduce inequalities and ensure that targets are met for all with a special focus on those furthest behind. The 2030 Agenda and the SDGs have a strong basis in human rights law and their ultimate objective is the full realisation of all human rights by all people, without discrimination of any kind.

Keywords: Human Rights, SDGs.

Introduction

In 2015 the United Nations General Assembly adopted the 2030 Agenda. The 2030 Agenda has a strong basis in international human rights law. This paper describes the content of the 2030 Agenda and its Sustainable Development Goals (SDGs) in relation to international human rights law. After three years of intergovernmental negotiations and the most consultative process in the history of the United Nations, United Nations Member States adopted the 2030 Agenda for Sustainable Development during the General Assembly Heads of State Summit on 25 September 2015.²

The 2030 Agenda for 'people, planet, prosperity, peace and partnership' will determine the direction of global and national policy for the next 15 years. It offers a paradigm shift in the dominant model of development. It provides a new and transformative vision of sustainable development that is universal, human rights based, gender sensitive, integrated, environmentally sound and people centred.

The 2030 Agenda contains a collective promise to 'leave no one behind', to eliminate discrimination, reduce inequalities and ensure that targets are met for all with a special focus on those furthest behind. Its implementation will now open up important new avenues to mainstream all human rights in global development policies and national policies in both developed and developing countries. The 2030 Agenda contains 17 SDGs with 169 targets, to be achieved by 2030.³

The Sustainable Development Goals

Goal 1 End poverty in all its forms everywhere



Goal 2	End hunger, achieve food security and improved nutrition and promote sustainable agriculture
Goal 3	Ensure healthy lives and promote well-being for all at all ages
Goal 4	Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
Goal 5	Achieve gender equality and empower all women and girls
Goal 6	Ensure availability and sustainable management of water and sanitation for all
Goal 7	Ensure access to affordable, reliable, sustainable and modern energy for all
Goal 8	Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
Goal 9	Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation
Goal 10	Reduce inequality within and among countries
Goal 11	Make cities and human settlements inclusive, safe, resilient and sustainable
Goal 12	Ensure sustainable consumption and production patterns
Goal 13	Take urgent action to combat climate change and its impacts
Goal 14	Conserve and sustainably use the oceans, seas and marine resources for sustainable development
Goal 15	Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss
Goal 16	Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
Goal 17	Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development

The SDGs are associated with global 232 indicators, also based in a General Assembly resolution.⁴

The SDGs followed and built upon the eight Millennium Development Goals (MDGs), adopted by the General Assembly in the 2000 Millennium Declaration, for realisation by 2015. The 2030 Agenda goes far beyond the MDGs in encompassing issues related not only to economic, social and cultural rights but also civil and political rights, as well as the right to development. The MDGs were briefer and less specific than the SDGs.

The Millennium Development Goals

Goal 1: eradicate extreme poverty and hunger



Goal 2: achieve universal primary education

Goal 3: promote gender equality and empower women

Goal 4: reduce child mortality
Goal 5: improve maternal health

Goal 6: combat HIV/AIDS, malaria and other diseases

Goal 7: ensure environmental sustainability Goal 8: global partnership for development

The MDGs achieved significant results, even if they were not fully realised by the target date of 2015.⁶

Some achievements of the Millennium Development Goals⁷

- The rate of extreme poverty in developing countries was reduced from 47 per cent in 1990 to 14 per cent in 2015 and the number of persons on extreme poverty from 1.9 billion in 1990 to 836 million in 2015.
- The primary school net enrolment rate in developing regions increased from 83 per cent in 2000 to 91 per cent in 2015 and the number of out-of-school children of primary school age worldwide fell by almost half, from 100 million in 2000 to an estimated 57 million in 2015.
- The developing regions as a whole achieved the target to eliminate gender disparity in primary, secondary and tertiary education. In 2015 women made up 41 per cent of paid workers outside the agricultural sector, an increase from 35 per cent in 1990. Women gained ground in parliamentary representation in nearly 90 per cent of the 174 countries with data over the past 20 years. The average proportion of women in parliament nearly doubled during the same period.⁸
- The global under-five mortality rate declined by more than half, dropping from 90 to 43 deaths per 1,000 live births between 1990 and 2015. Despite population growth in developing regions, the number of deaths of children under five declined from 12.7 million in 1990 to almost 6 million in 2015 globally.
- Globally the maternal mortality rate decreased from 330 maternal deaths per 100,000 live births in 2000 to 210 in 2015. More than 71 per cent of births were assisted by skilled health personnel globally in 2014, an increase from 59 per cent in 1990.
- New HIV infections fell by approximately 40 per cent between 2000 and 2013, from an estimated 3.5 million cases to 2.1 million. Antiretroviral therapy averted 7.6 million deaths from AIDS between 1995 and 2013. Over 6.2 million malaria deaths were averted between 2000 and 2015, primarily of children under five years of age in sub-Saharan Africa. The global malaria incidence rate fell by an estimated 37 per cent and the mortality rate by 58 per



- cent. Between 2000 and 2013, tuberculosis prevention, diagnosis and treatment interventions saved an estimated 37 million lives. The tuberculosis mortality rate fell by 45 per cent and the prevalence rate by 41 per cent between 1990 and 2013.
- Globally, 147 countries have met the MDG's drinking water target, 95 countries have met the sanitation target and 77 countries have met both. In 2015, 91 per cent of the global population was using an improved drinking water source, compared to 76 per cent in 1990. Of the 2.6 billion people who gained access to improved drinking water between 1990 and 2015, 1.9 billion gained access to piped drinking water on premises. Over half of the global population (58 per cent) enjoyed this higher level of service. Ozone-depleting substances have been virtually eliminated since 1990, and the ozone layer is expected to recover by the middle of this century.
- Official development assistance from developed countries increased by 66 per cent in real terms between 2000 and 2014, reaching \$135.2 billion. In 2014, 79 per cent of imports from developing to developed countries were admitted duty free, up from 65 per cent in 2000. The proportion of external debt service to export revenue in developing countries fell from 12 per cent in 2000 to 3 per cent in 2013.

In spite of the achievements, the United Nations concluded, "Millions of people are being left behind, especially the poorest and those disadvantaged because of their sex, age, disability, ethnicity or geographic location". It recognised that:

- gender inequality persists
- big gaps exist between the poorest and richest households, and between rural and urban areas
- climate change and environmental degradation undermine progress achieved, and poor people suffer the most
- conflicts remain the biggest threat to human development
- millions of poor people still live in poverty and hunger, without access to basic services.⁹

The success of the MDGs and the challenges still to be met convinced States to make further, more numerous and more specific commitments for the following fifteen years period, commencing on 1 January 2016. The 2030 Agenda and the SDGs are those commitments. They set ambitious but realisable targets that demand the attention and contribution of all sectors – "Governments, the private sector, civil society, the United Nations system and other actors". ¹⁰

There is a very close relationship between human rights and the 2030 Agenda and the SDGs. Every goal is related to specific provisions in international



human rights law and some relate specifically to fundamental human rights principles: empowerment, equality, inclusion, accessibility and accountability.

The 2030 Agenda and the SDGs and human rights

The 2030 Agenda and the SDGs have a strong basis in human rights law and their ultimate objective is the full realisation of all human rights by all people, without discrimination of any kind.

The 17 Sustainable Development Goals and 169 targets ... seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls.¹¹

The Heads of State and Government and High Representatives, in their Declaration, identified five areas of commitment, all of which have a close relationship to human rights. In addition, they identified human rights as an area of commitment in itself. Their commitment requires both specific attention to human rights and the mainstreaming of human rights across all areas.

We resolve, between now and 2030, to end poverty and hunger everywhere; to combat inequalities within and among countries; to build peaceful, just and inclusive societies; to protect human rights and promote gender equality and the empowerment of women and girls; and to ensure the lasting protection of the planet and its natural resources.¹²

They also identified the basis of the commitment in human rights law and resolved to implement the agenda in manner that is consistent with obligations of States under international law, which includes human rights.

The new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded in the Universal Declaration of Human Rights, international human rights treaties, the Millennium Declaration and the 2005 World Summit Outcome. It is informed by other instruments such as the Declaration on the Right to Development.¹³

They were unequivocal and unqualified in their endorsement of international human rights law.

We reaffirm the importance of the Universal Declaration of Human Rights, as well as other international instruments relating to human rights and international law. We emphasize the responsibilities of all States, in conformity with the Charter of the United Nations, to respect, protect and promote human rights and fundamental freedoms for all, without distinction



of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status.¹⁴

Human rights feature prominently throughout the 2030 Agenda and in the SDGs themselves. Each goal is related to key elements of international human rights law and many goals explicitly incorporate fundamental human rights principles: empowerment, equality, inclusion, accessibility and accountability. Some examples are Goal 5, on gender equality and empowerment, Goal 10, on equality between and within States, and Goal 16, "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels". In addition, the SDGs are accompanied by specific human rights targets.

Inclusion: 'no one left behind'

The 2030 Agenda's commitment to inclusion is especially significant from a human rights perspective. At the very beginning the resolution says, "As we embark on this collective journey we pledge that no one will be left behind". ¹⁵ At the beginning of the Declaration the same words are repeated. ¹⁶ They are repeated another three times in the text that follows. ¹⁷ It is a significant development since the MDGs and reflects the realisation that at the end of the 15 year period of the MDGs inequality persisted and great gaps remained. ¹⁸ Ensuring that "no one will be left behind" and "reach(ing) the furthest behind first" is a human rights obligation.

The new agenda includes perhaps the most expansive list of groups to be given special focus of any international document of its kind. There is a strong focus on women and girls and gender issues, and the inclusion of children, youth, persons with disabilities, people living with HIV/AIDS, older persons, indigenous peoples, refugees and internally displaced persons and migrants. ¹⁹ There is an important new commitment of Member States to welcome the positive contribution of migrants and ensure that migration takes place with 'full respect for human rights and the human treatment of migrants regardless of migration status, of refugees and of displaced persons" (para 35). ²⁰ One major gap is the lack of specific reference to minorities, including racial, ethnic, religious and sexual minorities. The groups that are specifically identified, however, are not an exclusive list of groups that require special attention. The commitment to 'no one left behind' encompasses all those who are marginalised or disadvantaged.

With the 2030 Agenda and the SDGs so focused on human rights, NHRIs, with their broad mandates for the promotion and protection of human rights, have clear roles to play and contributions to make.

Responsibility for implementation

Through the 2030 Agenda and the SDGs States have made commitments to achieve the identified targets. 'States' does not mean 'governments'. The concept



includes all State institutions, certainly including governments but also including parliaments, courts and other State institutions, such as national human rights institutions (NHRIs). In many respects NHRIs are leading the way in embracing the SDGs and committing to contributing towards their full achievement.

Soon after the adoption of the 2030 Agenda and the SDGs by the General Assembly, the 12th international conference of NHRIs took place in Merida, Mexico. The conference focused on the role of NHRIs in implementing the SDGs. The conference adopted the Merida Declaration.²¹ The Declaration states

Human rights instruments and mechanisms will provide an important framework for the implementation of the SDGs, and the implementation of the SDGs will contribute to the realization of human rights.²²

It calls on NHRIs to be active on implementation and monitoring the SDGs. It encourages

... individual NHRIs, in line with their mandates under the Paris Principles, to collaborate in mutual capacity building and sharing of experiences, and to consider the practical functions they can assume to contribute to a human rights-based approach to implementation of the Agenda.²³

It lists eight relevant 'practical functions' by which individual NHRIs can play their parts in achieving the SDGs.

- 1. Provide advice to national and local governments, rights-holders and other actors, to promote a human rights-based approach to implementation and measurement of the Agenda, including by assessing the impact of laws, policies, programmes, national development plans, administrative practices and budgets on the realization of all human rights for all.
- 2. Develop and strengthen partnerships for implementation by promoting transparent and inclusive processes for participation and consultation with rights-holders and civil society at all stages of the implementation of the Agenda, such as the development of national and sub-national strategies to achieve the SDGs, including reaching out to those who are furthest behind.
- 3. Engage with duty-bearers, rights-holders and other key actors, including government agencies, parliaments, the judiciary, local authorities, national statistical offices, civil society, major groups, marginalised groups, mainstream and social media, the UN and other international and regional institutions, to raise awareness and build trust and promote dialogue and concerted efforts for a human rights-based approach to implementation and monitoring of the



Agenda, and safeguarding space for engagement of rightsholders and civil society.

- 4. Assist in the shaping of global national indicators and sound data collection systems to ensure the protection and promotion of human rights in the measurement of the Agenda, including through seeking collaboration with national statistical offices, where appropriate, and other relevant national institutions, and by building on existing international and regional human rights mechanisms.
- 5. Monitor progress in the implementation of the Agenda at the local, national, regional and international levels, to disclose inequality and discrimination in this regard, including through innovative approaches to data-collection and partnerships with rights-holders, vulnerable and marginalized groups for participatory and inclusive monitoring, and by identifying obstacles as well as actions for accelerated progress.
- 6. Engage with, and hold governments to account for poor or uneven progress in the implementation of the Agenda, including by taking implementation progress and obstacles into consideration when reporting to parliaments, the general public and national, regional and international mechanisms, such as the Human Rights Council and its mechanisms, including the Universal Periodic Review, the Special Procedures, treaty bodies, as well as the International Labour Organization's supervisory bodies, UN regional commissions and the High-level Political Forum.
- 7. Respond to, conduct inquiries into, and investigate allegations of rights violations in the context of development and SDG implementation, including in relation to discrimination and inequality that can erode the trust between the State and the people.
- 8. Facilitate access to justice, redress and remedy for those who experience abuse and violation of their rights in the process of development, including by receiving and processing complaints, where NHRIs have such functions.²⁴

Other State institutions need to follow the example of NHRIs to identify what roles they can play and what contributions they can make to the achievement of the SDGs. Unfortunately, there is little evidence in most countries that they have even begun this task. There is still little knowledge of the SDGs. This represents a major challenge not only for the institutions but also for educators, especially academics, in assisting institutions to understand what is required of them. What are the roles in parliaments in relation to the SDGs? of courts? of anti-corruption bodies?



And what is the role of civil society? Although States bear obligations under international law, civil society's participation is essential. The United Nations has identified nine 'Major Groups' as the main channels for participation in sustainable development:

- women
- children and youth
- Indigenous peoples
- non-governmental organisations
- · local authorities
- workers and trade unions
- business and industry
- · scientific and technological community
- farmers.²⁵

In most cases, however, little has yet been done to raise awareness of the SDGs among these groups and to develop and implement strategies for their participation in initiatives towards achieving the SDGs. Again educators, particularly academics, have roles to play.

Monitoring and reporting: steps to accountability

Monitoring and reporting on a State's performance of its international human rights obligations are a key strategy in promoting and protecting human rights. Without monitoring and reporting it is not possible to know whether a State is meeting its international obligations or whether its performance is improving or deteriorating. In the same way as monitoring and reporting are essential in relation to a State's performance of its international human rights obligations, so they are essential in ensuring implementation of the 2030 Agenda and the SDGs. The 17 goals, 169 targets and 232 indicators should all be the subject of regular measurement and publication to encourage implementation by promoting accountability.

Monitoring could focus on specific SDGs or on the whole range of SDGs more generally, drawing out and concentrating on those targets and indicators that are most closely related to international human rights obligations. It could draw particular attention to progress in advancing the enjoyment of human rights for the most disadvantaged and marginalised groups as part of the 'no one left behind' commitment under the 2030 Agenda. It could also include a focus on compliance with the key human rights principles of empowerment, equality, inclusion, accessibility and accountability. Reports of the results of monitoring should be publicised nationally so that there is broad public and political discussion of performance. Reporting can lead to adjustments of implementation strategies, plans and schedules if it reveals that targets are unlikely to be met.

The 2030 Agenda and the SDGs have their own international monitoring and reporting mechanism too, the High Level Political Forum (HLPF) and the UN



Secretary General who must undertake an annual review of implementation.²⁶ The HLPF was established by the General Assembly in 2013 to

provide political leadership, guidance and recommendations for sustainable development, follow up and review progress in the implementation of sustainable development commitments, enhance the integration of the three dimensions of sustainable development in a holistic and cross-sectoral manner at all levels and have a focused, dynamic and action-oriented agenda, ensuring the appropriate consideration of new and emerging sustainable development challenges.²⁷

It is convened every four years under the auspices of the General Assembly and annually under the auspices of the Economic and Social Council.²⁸

Under the 2030 Agenda the HLPF will 'have the central role in overseeing follow-up and review at the global level'.²⁹

The high-level political forum will have a central role in overseeing a network of follow-up and review processes at the global level, working coherently with the General Assembly, the Economic and Social Council and other relevant organs and forums, in accordance with existing mandates. It will facilitate sharing of experiences, including successes, challenges and lessons learned, and provide political leadership, guidance and recommendations for follow-up. It will promote system-wide coherence and coordination of sustainable development policies. It should ensure that the Agenda remains relevant and ambitious and should focus on the assessment of progress, achievements and challenges faced by developed and developing countries as well as new and emerging issues.³⁰

Conclusion

The 2030 Agenda and the SDGs represent very important initiatives for improving State performance of international human rights obligations. They have received the unanimous endorsement of the UN General Assembly and they have been accepted by 192 individual States. Their specific reliance on international human rights law provides a valuable new tool in human rights advocacy and activism. They open new opportunities for national level activism for the promotion and protection of human rights. To date, however, national human rights advocates and defenders do not seem to have grasped the significance of the Agenda and the SDGs for their work. ***

Endnotes:

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¹ This paper has been developed from a paper written by the author for a workshop on the role of national human rights institutions in relation to the Sustainable Development Goals, held Amman, Jordan, from 13 to 15 December 2016. The workshop was conducted by the United Nations



Development Programme's Regional Hub in Amman and the Arab Network for National Human Rights Institutions.

- ² Resolution A/RES/70/1 25 September 2015 at www.un.org/en/ga/search/view_doc.asp? symbol =A/RES/70/1. The UN now maintains a specialist website (called a 'knowledge platform') on sustainable development through the 2030 Agenda and the SDGs, at https://sustainabledevelopment.un.org/. The Office of the High Commissioner for Human Rights and the UN Development Programme provided active support and technical assistance to Member States during the intergovernmental negotiations, including through political advocacy, substantive research and extensive technical contributions to the work of the UN System Task Team.
- ³ The official United Nations website for the SDGs is https://sustainabledevelopment.un.org/.
- ⁴ Resolution A/RES/71/313 6 July 2017 at https://undocs.org/A/RES/71/313. See also https://unstats.un.org/sdgs/indicators/indicators-list/.
- ⁵ Resolution A/RES/55/2 8 September 2000 at www.un.org/millennium/declaration/ares552e.htm.
- ⁶ United Nations *The Millennium Development Goals Report* 2015 at www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf
- ⁷ United Nations *The Millennium Development Goals Report 2015* at www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf p 4-7.
- ⁸ Nonetheless, only one in five members of parliament is a woman: United Nations *The Millennium Development Goals Report 2015* at www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf p 5.
- ⁹ United Nations *The Millennium Development Goals Report 2015* at www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf p 8.
- ¹⁰ Resolution A/RES/70/1 25 September 2015 OP 39 at www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/1.
- ¹¹ Resolution A/RES/70/1 25 September 2015 PP 3 at www.un.org/en/ga/search/view_doc.asp? symbol=A/RES/70/1.
- ¹² Resolution A/RES/70/1 25 September 2015 OP 3 at www.un.org/en/ga/search/view_doc.asp? symbol=A/RES/70/1.
- ¹³ Resolution A/RES/70/1 25 September 2015 OP 10 at www.un.org/en/ga/search/view_doc.asp? symbol=A/RES/70/1.
- ¹⁴ Resolution A/RES/70/1 25 September 2015 OP 19 at www.un.org/en/ga/search/view_doc.asp? symbol=A/RES/70/1.
- ¹⁵ Resolution A/RES/70/1 25 September 2015 PP 2 at www.un.org/en/ga/search/view_doc.asp? symbol=A/RES/70/1.
- ¹⁶ Resolution A/RES/70/1 25 September 2015 OP 4 at www.un.org/en/ga/search/view_doc.asp? symbol=A/RES/70/1.
- ¹⁷ Resolution A/RES/70/1 25 September 2015 OP 26, 48, 72, at www.un.org/en/ga/search/ view_doc.asp?symbol=A/RES/70/1.
- ¹⁸ United Nations *The Millennium Development Goals Report 2015* at www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf p 8.
- ¹⁹ Resolution A/RES/70/1 25 September 2015 OP 23 at www.un.org/en/ga/search/ view_doc.asp? symbol=A/RES/70/1.
- ²⁰ Resolution A/RES/70/1 25 September 2015 OP 35 at www.un.org/en/ga/search/view_doc. asp? symbol=A/RES/70/1.
- ²¹ Merida Declaration on the role of national human rights institution in implementing the 2030 Agenda 10 October 2015 at http://nhri.ohchr.org/EN/ICC/International Conference/12IC/Background%20Information/Merida%20Declaration%20FINAL.pdf.
- ²² Merida Declaration on the role of national human rights institution in implementing the 2030 Agenda 10 October 2015 para 12 at http://nhri.ohchr.org/EN/ICC/InternationalConference/12IC/Background%20Information/Merida%20Declaration%20FINAL.pdf.
- ²³ Merida Declaration on the role of national human rights institution in implementing the 2030 Agenda 10 October 2015 para 17 at http://nhri.ohchr.org/EN/ICC/InternationalConference/12IC/Background%20Information/Merida%20Declaration%20FINAL.pdf.





²⁴ Merida Declaration on the role of national human rights institution in implementing the 2030 Agenda 10 October 2015 para 17 at http://nhri.ohchr.org/EN/ICC/InternationalConference/12IC/Background%20Information/Merida%20Declaration%20FINAL.pdf.

²⁵ See https://sustainabledevelopment.un.org/mgos.

²⁶ Resolution A/RES/70/1 25 September 2015 OP 87 on sessions of the High Level Political Forum and OP 83 on the Secretary General's annual reports, at www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/1.

²⁷ Resolution A/RES/67/290 9 July 2013 OP 2 at www.un.org/en/ga/search/view_doc.asp? symbol=A/RES/67/290.

Resolution A/RES/67/290 9 July 2013 OP 6 and 7 respectively at www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/67/290.

²⁹ Resolution A/RES/70/1 25 September 2015 OP 47 at www.un.org/en/ga/ search/view_doc.asp?symbol=A/RES/70/1.

Resolution A/RES/70/1 25 September 2015 OP 82 at www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/1.