OHCHR Delegation to Rio+ 20

Contributions of High Commissioner for Human Rights Navi Pillay at the

Official Round Table of the UN Conference on Sustainable Development

The Way Forward in Implementing the Outcomes of the Conference

Topic One: **Sustainable Development Goals**

Of course, it is a sustainable vision that all of us here at Rio seek. But it does us no good to look forward if we are moving backward. I believe that that we cannot set a post-2015 agenda based on pre-1992 thinking.

Clearly, we must reaffirm the principles of the **Rio Declaration**, learn the **lessons of the MDGS** –both positive and negative—, and embrace a **new paradigm of development** if we are to have an enlightened process of formulating new SDGs. We need not look far to find the elements of such a new paradigm.

Many of the celebrated "MDG success stories" since 2000 are now sites of mass protest decrying wide-spread deprivation, repression and inequalities masked by the **narrow models of economic analysis** that have characterized development approaches in the pre-2015 period.

Civil society everywhere is calling for meaningful **participation**, higher levels of **accountability** from governments and international institutions, an end to **discrimination** and exclusion, a better distribution of economic and political power, and the protection of their rights under the **rule of law**.

"The Peoples of the United Nations" THE PEOPLE OF THE WORLD are speaking, often at great personal risk, and the degree to which their legitimate concerns are heard and reflected in the post-2015 agenda will significantly determine both the legitimacy and the success of that agenda.   This means, in contrast to the genesis of the MDGs, that we must have a truly **participatory** process for formulating the SDGS.

In sum, as we think about the content of new SDGs, we should listen to the resounding calls from Tunis, to New York, to Santiago, for a social, political and economic order that delivers on the promises of "freedom from fear and want," and an SDG framework that reflects a **fuller range** of civil, political, economic, social and cultural **rights**, including the right to development and the right to a healthy environment.

Topic Two: **Green Economy**

What we are looking for is a green economy that **puts people and their rights**, rather than government power or corporate profit **at the centre**.

This means free, active and meaningful **participation** of affected groups, free, prior and informed consent of **indigenous** peoples on their lands, full **accountability** of both the public and private sectors to people as holders of rights, an end to **discrimination** on the basis of race, sex, language, religion or any other basis, the political and economic **empowerment** of people, and full **coherence** between international human rights obligations on the one hand, and green economy policies on the other.

And it means recognizing that **environmental** factors, their causes and consequences, and the prevention and mitigation of their impacts, are not accidents nature or unavoidable costs of economic development, but rather the **products of choices made by governments, and the by the private entities** that governments are charged with regulating, under the rule of law.

It means that all actors, in both the public and private sectors, must exercise **due diligence**, including through the use of human rights **impact assessments**.

Particular care must be taken to prevent and **remedy** any negative impacts on the human rights of **vulnerable and marginalized** groups, including indigenous peoples, minorities, migrants, persons living in poverty, older persons, persons with disabilities, and children.

And explicit attention must be given to protecting the human **rights to food, to water and sanitation, to health, to housing, to education, to justice, to development, and to participation** in public affairs, in the context of a green economy.

The empowerment of **women**, the protection of their **rights**, and their meaningful participation in decision making must be assured.

And, finally, any policies and measures adopted to advance sustainable development must be firmly grounded in, and respectful of, all internationally agreed **human rights and fundamental freedoms, including the right to development. and the right to a healthy environment.**

Topic Three: Institutional Framework for Sustainable Development

A human rights approach is built around the explicit identification of rights-holders (people) and the duty-bearers (governments and others) that are responsible for delivering on the associated rights. In other words, it is about **accountability**.

Accountability strengthens political commitment, promotes a culture of justification of policy choices and resource allocations, facilitates monitoring and measurement, and improves incentives for fair delivery of social services.

But this has institutional implications. It implies transparent and effective **accountability mechanisms,** including administrative, political, judicial, quasi-judicial and independent national institutions, as well as facility-level accountability mechanisms in the context of service delivery.

That's why we have advocated for a **dual-level institutional framework, with monitoring and accountability mechanisms at both the national and global levels**.

The experience of the **Human Rights Council** is relevant to this debate. While still nascent and with its own political challenges, that Council, explicitly based on the normative foundations of international human rights **law**, equipped both with **independent expert** monitoring mechanisms and a **universal periodic review** of each country by its peers, where **civil society** participates actively, and where no country holds a **veto** and no country is granted a pass, is the state of the art in international accountability.

Similarly—and we have only begun to scratch the surface here—we need meaningful **reform of global governance** institutions, processes, and policies in the political, legal, economic, social, environmental, trade and development spheres, to ensure greater **equity**, higher levels of democratic **participation** and **accountability**, and fuller **coherence** with international human rights standards.

Topic Four: **Resources, Technology and Capacity**

None of us takes lightly the very real **economic challenges** of our time. But neither can we avoid taking a hard look at the challenges of **political will**, and the way governments and international institutions set priorities.

It is true that we are living in an age of strained resources. But it is also a time when **military budgets** remain bloated, and **corporate compensation** has reached all-time highs.

We know from the research of the Millennium Project that, while some 2 trillion dollars was spent on more than an half century of **aid**, in just a single year in the wake of the financial crisis, some 18 trillion was mobilized to **bail out the banks.**

And the siphoning off of vital development resources through **corruption**, waste resulting from **bad governance**, and **economic impunity** resulting from a failure by governments to effectively regulate economic actors all point to the conclusion that the problem, in the first instance, is not a lack of resources, but their misuse.

From the countries of the north to the countries of the south, from the public sector to the private sector, from the international sphere to the national sphere- there is plenty of **responsibility**—and, equally plenty opportunity—to go around.

But, first, we must get our **priorities** straight.   And these start, necessarily, with the core responsibilities of governance—ensuring **freedom from fear and want**—and the core obligations of the state, including **human rights obligations**.

Indeed, even in times of financial crisis and austerity, governments are obliged under human rights law, to the maximum extent of available resources, and taking account of **international cooperation**, to provide for the progressive realization of economic and social rights, without **discrimination**, and without **retrogression**.

But **international cooperation** is not charity. It is an international obligation for all States, both under the Charter and under the core UN human rights treaties, and this is further informed by the Declaration on the Right to Development and a host of other human rights instruments and MDG 8. Human rights-based international assistance, aid, and cooperation are therefore global responsibilities.   And, after all, global challenges like climate change and development require global solutions.