DRAFT for comments
Background paper for Session 1: Practical approaches to rights-based SDGs
that include the 3 dimensions of sustainable development
Of the One Day Intersessional Meeting Between Major Groups And Other
Stakeholders And The Open Working Group On SDGs
Recommendation: How to include RBA in narrative and/or SDGs (14 page)

a) The background text should use the human rights framework as the standard and basis for just, equitable and sustainable development.

b) Goals and objectives should be expressed in human rights terms (for example, poverty - even relative poverty - must be eradicated, not reduced; gender-based violence must be eradicated, etc.)

c) Governments should produce sets of targets and indicators that demonstrate commitment to progressive realization of all human rights.

d) The international community should hold themselves accountable to human rights commitments, including those made as part of this process. This includes accountability around commitments of solidarity - whether through ODA or other mechanisms to ensure that those governments with the least resources are not solely accountable for improving the lives of their poorest and most excluded citizens.

Introduction and definition (1/4- 1/5 page)

According to award winning economist and social critic Amartya Sen, development is the process of expanding people's freedoms.

"These freedoms are both the primary ends and the principle means of development. They include freedom to participate in the economy… ; freedom of political expression and participation; social opportunities, including entitlement to education and health services; transparency guarantees, involving freedom to deal with others openly; and protective security guaranteed by social safety nets, such as unemployment insurance or famine relief."

From a rights perspective, the expansion of freedoms means living up to commitments nearly all countries have made to guarantee human rights for all. This includes civil and political rights such as freedom from arbitrary detention as well as economic and social rights such as the right to employment and a living wage. A key question for development and human rights is the following: "How should we transform our economy such that it is creating more and better jobs for all, while putting in place safeguards to ensure that no one lives below a certain minimum standard of living?

The UN has defined 6 key human rights principles to apply in development policy and practice:universality and inalienability; indivisibility; inter-dependence;equality and non-discrimination;participation and inclusion;accountability and rule of law. (UN Statement of Common Understanding on Human Rights -based Approaches to Development Co-operation and Programming, 2003)The last three are particularly relevant to development,as equality of opportunity is not possible when discrimination exists.

Existing practical applications (1.5 page):

At the macro level, HRBA is about prioritizing the needs of certain sets of stakeholders - poor and underserved communities, ethnic minorities and indigenous peoples, women - over those of other stakeholders - the richest communities, relatively well served populations, men. Particular attention must be paid to those affected by multiple discrimination eg those who are poor, uneducated and have a disability, and to those in fragile states or those affected by conflict. Poverty is a result of power imbalances and eradicating poverty necessarily implies confronting those imbalances. In practice prioritizing the needs of the less powerful over those of the more powerful is a task most governments are not equipped to handle.

When governments do take action towards rights based development ends, it is often because communities have organized to demand their rights. In the best case, those local mobilizations can lead to national level policy change. Here are some examples taken from ActionAid's work in the education sector, that contrast a rights-based approach with a needs-based approach.

A RB Approach requires accountability frameworks at global, national and local levels, while some regional groupings such as the AU have also set up regional HR rapporteurs, Institutions and other processes. The existence and effectiveness of these are also relevant indicators as, for example, the establishment of a functioning national Human Rights Institution. Institutions and processes should be transparent, and accessible to civil society, as demonstrated by the effectiveness of the Universal Periodic Review process. It has been clearly demonstrated that the systematic collection of disaggregated data is critical to an effective rights based approach, and to the measurement and analysis of the impact of laws,policies,and programmes.

Amount available	Needs-based approach: How we would have spent the money	HRBA: How we spend the money now
£20	Buying just part of a school uniform to allow one child to go to school in Kenya	Paying the travel costs of two children to go to speak to the national parliament in Kenya, as part of Global Action Week. This led to the education minister writing to 17,800 primary schools saying lack of uniform should not prevent access.
£200	Buying some textbooks and teaching materials for one school in northern Nigeria	Documenting the positive impact of community school management committees on school performance in 40 schools in northern Nigeria – leading to the government mandating formation of committees in all Nigerian schools.
£2,000	Building an extra classroom in Tanzania benefiting about 100 children	Supporting Tanzanian NGO Maarifa to do research on why children were unable to go to school. It showed that user fees were the problem. A campaign to abolish user fees led to an extra one million children enrolling.
£20,000	Opening a non-formal education centre for two years in Bangladesh, reaching 100 children	Training community audit groups in dozens of districts across Bangladesh to monitor whether the education budget arrives in practice at school level and is used appropriately. This has improved the performance of government schools, helping millions of children.

Visualizing the impact in 15 years of RB SDGs (1/4 page)

HRBA means putting the people's needs first. At the national level, this means that communities who have been traditionally marginalized - ethnic minorities, indigenous peoples, women, and others - have a greater say in decisions that influence their own lives and livelihoods. Extreme poverty would be eliminated, disparities between rich and poor would significantly decrease, and consumption patterns would change significantly, especially in light of increasingly evident constraints on the harvesting and mining of natural resources.

Concluding Questions for the session (1/2 page)

1) HRBA is an approach. How does it link to the question of goals and objectives?

2) A rights based approach is linked to the idea of "progressive realization". Not all countries need to fulfill 100% of rights commitments tomorrow, but they do have to be working towards them keeping in mind the country's context, resources, and so on. How is progressive realization linked to the concept of Common but Differentiated Responsibility? (Why does the progressive realisation principle not apply to some areas of development , for example, some aspects of health?)

3) Though nearly all countries have ratified the covenants related to international human rights laws, there are few effective enforcement mechanisms. What kinds of penalties can the international community impose on those who are not living up to their human rights obligations? How can (economically and politically) weaker countries ensure that stronger countries also comply with international human rights law and international human rights standards?

4)Research evidence shows positive links between accountable government, equality and non discrimination, inclusive growth and sustainable development- why would this be the case?

5) What would be the positive multiplier/ripple effects of a Rights Based Approach to development?

6) Why would data on overall educational attainment and investment in schools not tell us whether the right to freedom from discrimination is being upheld?

Important links (1/4 page)

1) Much of the material here including the table on needs-based vs rights based interventions is taken from "People's Action in Practise: ActionAid's Human Rights Based Approach 2.0" http://www.actionaid.org/publications/peoples-action-practice

2) The International Justice Resource Center has a good overview of the international human rights system including links to relevant conventions and agreements: http://www.ijrcenter.org/ihr-reading-room/overview-of-the-human-rights-framework/

3) The former UN Rapporteur on the Right to the Highest Attainable standard of Health, Paul Hunt, has provided an example of an accountability framework for a

RBA with targets and indicators which is both practical and appropriate for adaptation and application to other sectors of development. (E/CN.4/2006/48 3 March 2006; Sixty-second session,Human Rights Commission, Item 10 of the provisional agenda)

Sesssion 2

from WMG
* How has this cross cutting theme be dealt with in the previous OWG on SDGs?
* How was it dealt with in the post2015 consultation reports?
* What is missing and proposals how to inlcude in RBA
* Questions for the session from different perspectives

From Gill Greer (Volunteer groups)-Regarding the "existing practical applications," the framework developed for a rights based approach to Health, presented by the former UN Rapporteur on Human Rights, Paul Hunt, to the Commission of Human Rights,offers a pragmatic and practical model for implementation and evaluation of a rights based approach, including accountability indicators based on the many previous Human Rights commitments made by member states in Treaties, Conventions and Covenants, which have been regarded as providing an international legally binding framework. (This could include the Universal Declaration of Human Rights,1948; the United Nations International Covenant on Economic, Social and Cultural Rights, adopted in 1966, and as interpreted in General Comments of the United Nations Committee on Economic, Social and Cultural Rights; the 1979 United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and General Recommendations;the Convention on the Rights of the Child,1989; the United Nations Report of the Special Rapporteur on 'The right to education' (A/65/162 (2010));the Report of the United Nations High Commissioner for Human Rights of 17 November 2011 on 'Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity' (A/HR/C/19/41); the United Nations Human Rights Council Resolution 21/6 of 21 September 2012 on 'Preventable Maternal Mortality and Morbidity and Human Rights'; the United Nations Report of the Special Rapporteur on 'Torture and other cruel, inhuman or degrading treatment or punishment' (A/HRC/22/53 (2013); the European Convention on Human Rights,)

Likewise the Universal Periodic Review Process for the Human Rights Council would provide other practical examples, as would some of the law changes

which have addressed the criminalisation of HIV and AIDS as these have been based on a similarly wide range of Treaties, Conventions and Covenants.

Important links:

(I am not sure if this fits better with session 2 but one of our stakeholders-VSO, has put out a report on"Women In Power: beyond access to influence in a post 2015 world " which argues that while a stand alone goal on gender equalityl is needed, measures of women's empowerment should be mainstreamed across all goals and targets in the post 2015 framework, and offers ideas about how the gaps between the rhetoric of international human rights agreements can be monitored at the community level

1. [*Women in Power: beyond access to influence in a post-2015 ... - VSO*](#)
2. www.**vso**.org.uk/.../**vso**.../**vso_women_in_power_**report_summary_10se...

   o [Cached](#)

3. Sep 10, 2013 - *Women in Power: beyond access to influence* in a *post-2015 world. Women* are estimated to account for almost two-thirds of the people **…)**

RBA approach question 1

Should be framed within the context of "leave no one behind," this implies universality. The Universal Declaration of Human Rights lays the framework for setting goals, financing and means of monitoring and evaluation. One of the major flaws of the of the MDGs which needs to be rectified in the next development framework is to have inclusive monitoring of benefits to all people and improved data collection and disaggregation.*

HelpAge response to the UN High Level Panel report: "A New Global Partnership: Eradicate Poverty and Transform Economies through Sustainable Development"