

Poverty and economic, social and cultural rights

Pursuing economic, social and cultural rights and combating inequalities and poverty, including in the context of the economic, food and climate crises

Background

Human rights, development, and peace and security are the three fundamental, interdependent and interrelated pillars of the UN system. The 2000 Millennium Declaration, the 2005 World Summit, the 2010 Millennium Development Goals (MDGs) Review Summit and the 2012 Rio+20 Conference reinforced these intrinsic linkages and committed the international community to a vision of human rights-based development. The recent global financial, food and oil crises, coupled with rising inequalities within and between countries, have fuelled a powerful global social movement for human rights.

Economic, social and cultural rights (ESCRs) and development are distinct concepts. Civil and political rights are equally relevant to development, as is the 1986 Declaration on the Right to Development. However, for editorial reasons, we are reporting on both development and on economic, social and cultural rights in this chapter.

The MDGs offered a global framework for reducing poverty and monitoring progress that was supplemented by a small number of measureable socio-economic indicators. Yet, they fell well short





of the human rights vision and principles of the Millennium Declaration from which they were derived. As recognized in the UN Declaration on the Right to Development, the human right to development is holistic. It entitles all persons to economic, social, cultural and political development, participation in relevant decision-making processes and an enabling environment for development. Since 2012, the Secretary-General has initiated a number of important consultation processes and advisory mechanisms to support Member States in elaborating the post-2015 development framework, including the UN System Task Team on the post-2015 UN Development Agenda and the High-Level Panel of Eminent Persons on the post-2015 Agenda. All of these processes have urged the establishment of an explicit human rights-based vision and framework as the hallmarks of the post-2015's legitimacy and effectiveness.

Human rights are at the core of people's demands for a genuinely transformative post-2015 development agenda. Structural and not cosmetic change is urgently needed. The litmus test for development must not be confined to a narrow set of indicators or economic growth. Rather, it must be based on the degree to which development strategies satisfy the legitimate demands of people for freedom from fear and want and for a life of dignity. This calls for a reconceptualization of development strategies and priorities, as well as the further development of practical tools and the application of human rights indicators to measure development efforts, progress and outcomes.

During the past two years, a vast array of stakeholders has demonstrated an increasing interest in the dissemination and application of the Guiding Principles on Business and Human Rights. The Guiding Principles were endorsed by the Human Rights Council in June 2011 as an authoritative framework for both States and business to address the impacts of business activities on human rights.

The financial crisis and consequential austerity measures have had a dramatic impact on the full enjoyment of all human rights, including economic, social and cultural rights. This highlights the importance of protecting ESCRs at the international and national levels, including through the ratification and implementation of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR). This represents significant progress achieved towards enhancing the accountability for and justiciability of economic, social and cultural rights.

OHCHR's role

Promoting the integration of human rights, including the right to development, in development and poverty reduction activities is a core part of OHCHR's mandate, with a focus on the poorest and most marginalized groups of society. This mandate is pursued through thematic research, policy formulation, advocacy and capacity-building activities. OHCHR has been an active participant in and contributor to the global debates, consultations and deliberative processes established to define the post-2015 development agenda. The High Commissioner's global leadership role makes OHCHR a natural focal point for facilitating mutually enriching multidisciplinary dialogues and exchanges between human rights advocates, development practitioners, economists and statisticians and the broader public.

The High Commissioner is also mandated to promote and protect the realization of the right to development and generates support from relevant bodies of the UN system for this purpose. The General Assembly's annual resolutions request the High Commissioner to undertake activities aimed at strengthening the global partnership for development among Member States, development agencies and the international development, financial and trade institutions.

OHCHR works to mainstream human rights, including the right to development, within UN development policies, guidelines, operational activities and assistance frameworks by strengthening the UN's leadership on human rights at the country level and promoting the application of a human rights-based approach to programming. As part of this effort, OHCHR chairs the United Nations Development Group's Human Rights Mainstreaming Mechanism (UNDG-HRM), which was established in 2009 to institutionalize human rights mainstreaming in the UN's development assistance efforts. A Multi-Donor Trust Fund (MDTF) supports the work of the UNDG-HRM. As of the end of 2013, a total of US\$8.6 million had been mobilized for activities to strengthen national capacities to realize human rights.

In recent years, OHCHR has strived to highlight the equal status and importance of economic, social and cultural rights relative to civil and political rights and to emphasize their interdependence, indivisibility and inalienability. OHCHR's outreach and advocacy remain instrumental to promoting the ratification of the OP-ICESCR and to raising awareness about the



Roma community in the Republic of Moldova which now has water infrastructure following OHCHR support.

content of the Optional Protocol among civil society and other relevant actors. OHCHR also promotes the application of the Guiding Principles on Business and Human Rights and supports the Working Group on the issue of human rights and transnational corporations and other business enterprises.

OHCHR's work contributed to the following key results achieved during the 2012-2013 biennium.

National laws, policies and institutions (EA 1)

During the reporting period, OHCHR has contributed to the achievement of notable results in approximately 30 countries and regions³ around the world, compared to the initial target of 21 countries of engagement.

Increased integration of human rights standards and principles in national development plans, poverty reduction strategies, public budgets and laws and policies governing development cooperation, trade, finance, investment and business activities

OHCHR supported Member States in integrating human rights in national development policies, plans and budgets and in national consultations on the post-2015 development agenda. To this end, OHCHR has provided technical advice on a human rights-based approach to development policies and budget processes and helped build the capacities of national governments and civil society actors

³ Albania, Bolivia, Burkina Faso, Cambodia, Djibouti, Ecuador, Ethiopia, Finland, Guatemala, Haiti, Kazakhstan, Kyrgyzstan, Liberia, Mauritius, Mexico, Mozambique, Niger, Paraguay, Philippines, Portugal, Serbia, Tajikistan, Togo, Tunisia, Uganda, United Kingdom, United Republic of Tanzania and a number of countries in the Central African, Great Lakes and Pacific regions.

on the subject. For example, in Liberia, both the Ministry of Planning and Economic Affairs and the civil society recognized the importance of applying a human rights-based approach in monitoring development impacts and jointly endorsed human rights as the normative framework for monitoring the country's Poverty Reduction Strategy II - the Agenda for Transformation (2013-2017). In addition, following OHCHR's support, Ecuador's new National Development Plan reflects and addresses human rights standards and principles in a holistic way and aims to reduce inequalities.

In 2013, the High Commissioner launched a new publication, entitled *Human Rights Indicators: A Guide to Measurement and Implementation*. With technical guidance from OHCHR, Member States, national human rights institutions (NHRIs), statistical agencies and civil society organizations from a range of countries⁴ made notable efforts to improve measurement and implementation of human rights in their local contexts, using the adopted human rights indicators framework. In Paraguay, for instance, a total of 71 indicators on the right to health, disaggregated by age, sex, ethnic groups, location, disability and people living with HIV, were developed under the leadership of the Executive Branch's Human Rights Network, the Ministry of Public Health and Social Services and the Department of Statistics, Surveys and Censuses.

Significant advances were also made in Mexico, where a comprehensive National Human Rights Action Plan (NHRP) for the period 2013-2017 was elaborated with the participation of OHCHR, civil

⁴ Albania, Bolivia, Burkina Faso, Ecuador, Finland, Kazakhstan, Mauritius, Mexico, Paraguay, Philippines, Portugal, Serbia, Togo and United Kingdom.

society and academia. The NHRP identifies the implementation of the OHCHR methodological framework on human rights indicators as one of its objectives. The improvement of statistical systems and administrative registries on human rights is a mandatory component of the NHRP. Moreover, based on the conclusions of human rights assessments carried out at the local level, a Human Rights Action Plan has been elaborated and is being implemented in the state of Coahuila and a Plan is being elaborated in the state of Oaxaca.

Indicators developed by these countries will contribute to the development of rights-based policies around the world, encourage the alignment of national policies with international human rights treaty commitments and strengthen the empirical grounds for human rights advocacy. OHCHR has also developed world maps to provide a visual overview of global human rights indicators,⁵ beginning with the ratification of international human rights treaties, providing an important platform to integrate a human rights perspective in international and national development agendas and related indicators frameworks.

OHCHR continued to promote and disseminate the application of the Guiding Principles on Business and Human Rights, which it published in 2012 along with *The Corporate Responsibility to Respect Human Rights: An Interpretive Guide*, and engaged in extensive outreach and capacity-building activities with stakeholders at the national level regarding their implementation. For example, OHCHR conducted training for UN and national partners in Mozambique on implementing the Guiding Principles. The training focused on outlining a baseline study on business and human rights that will form the basis for the development of a national action plan. As part of its outreach and capacity-building efforts, OHCHR also developed a comprehensive training package on the Guiding Principles and launched an online training module on the Principles for Responsible Contracts in order to provide guidance for negotiators of international contracts.

Increased compliance of national laws, policies and programmes with international norms and standards on economic, social and cultural rights

The Office has provided technical expertise, produced guidance tools and conducted training workshops to facilitate activities related to economic, social and cultural rights at the country level, including by building the capacities of national

A journey for peace and dignity

My name is Emmanuel Bryma and I am a Human Rights Officer in the United Nations Mission in Liberia (UNMIL).

My journey for peace and dignity came in the wake of the Sierra Leone civil war when I was a human rights activist. I joined the United Nations Mission in Sierra Leone as an interpreter for international staff who interviewed victims and recorded mass graves in the heart of the blood diamond districts.

In 2008, I moved to UNMIL as UN Volunteer Human Rights Officer where my activities changed to monitoring and mainstreaming of human rights and training of national partners. In this role I have been able to make a difference in peoples' lives. Through a blood donation campaign that I organized, the life of a pregnant woman was saved – along with the triplet she subsequently gave birth to. A vegetable garden project I worked on helped reduce poverty by providing livelihood opportunities for people with physical disabilities. Currently, I am engaged in a project to provide educational materials for school for physically impaired students in Grand Gedeh county, Liberia.

Experiences such as these sustain my passion for peace and dignity, making it a journey more than a job.

partners from governments, civil society, national human rights institutions, the UN system and other stakeholders.

In the Americas, for example, Ecuador developed an innovative “Atlas of Inequalities” database that maps persistent gaps in the enjoyment of economic, social and cultural rights and promotes more coherent and targeted public policies. In Guatemala, the Ministry of Labour strengthened its capacity to monitor the working conditions of agriculture workers in compliance with international labour standards. In addition, an operational manual for agricultural labour inspectors was elaborated, which contributed to strengthening the Ministry’s General Labour Inspectorate and improved its performance.

In the Pacific region, the Office has increased the awareness of stakeholders regarding the impact of trade liberalization policies on human rights, including by partnering with UNDP and WHO on the development of a publication. In Cambodia, with OHCHR’s support, parliamentarians and staff of the Ministry of Environment increased their understanding of the importance of and the need to

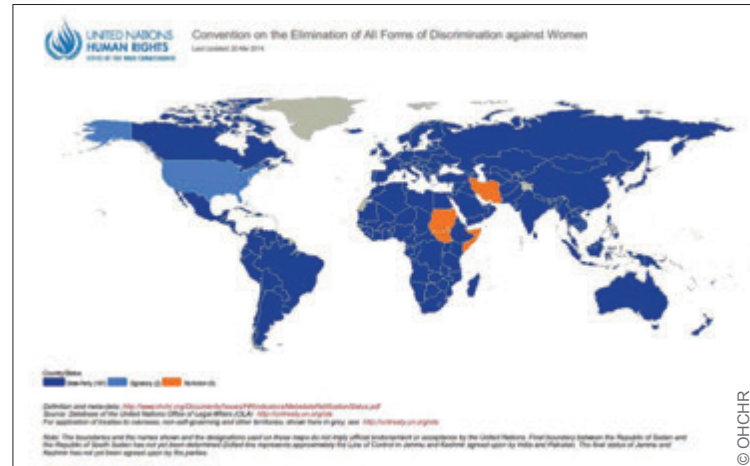
⁵ <http://www.ohchr.org/EN/Issues/Indicators/Pages/HRIndicatorsIndex.aspx>

adopt an environmental impact assessment law in compliance with international standards.

In Central Africa and the Great Lakes region, an inventory of best practices was produced on monitoring economic, social and cultural rights in the context of the exploitation of natural resources. This result followed a high-level regional meeting of experts on human rights, conflict prevention and the exploitation of natural resources in Africa in 2013 that was organized by OHCHR and the International Conference on the Great Lakes Region.

Increased protection by national judicial, quasi-judicial and administrative mechanisms of redress against violations of economic, social and cultural rights

OHCHR has accelerated the entry into force of the OP-ICESCR, including through its advocacy with Member States regarding ratification, strengthening national protection mechanisms and enhancing the capacity of civil society organizations and NHRIs to promote the use of domestic legal remedies in cases of violations. OHCHR pursued this strategy by strengthening the capacity of relevant professionals at the country level, such as judges, lawyers and civil society organizations, to encourage the legal protection of economic, social and cultural rights, including through the provision of training in relation to the justiciability of these rights.



Screenshot of an online tool that generates maps with global human rights indicators.

In Guatemala, a civil society network with over 70 members from NGOs and academia was established to carry out analysis and exchange information on economic, social and cultural rights in relation to the Government's budget, public policies and development strategies. OHCHR provided technical assistance to the network and promoted the use of the UN Principles and Guidelines on Extreme Poverty and Human Rights, the UN Guiding Principles on Business and Human Rights and provided expertise on economic, social and cultural rights litigation. With OHCHR's support, the civil society network played an influential role in advocating for Guatemala's ratification of the



Students at a public school in Mali.

OP-ICESCR, which resulted in the Government's submission of a formal legislative initiative to ratify the Optional Protocol.

In Tunisia, OHCHR partnered with Amnesty International to provide training for over 300 human rights defenders and representatives of regional coalitions of civil society organizations from four regions (the North-West, Centre, South-East and Mining Basin regions) on monitoring and advocacy related to economic, social and cultural rights and on ways to use national and international protection mechanisms. In addition to launching a campaign for Tunisia's ratification of the OP-ICESCR, two human rights assessments of the local budgets of Jendouba and Gabes were carried out by these coalitions, with the participation of local mayors.

In Uganda, in 2012 and 2013, 75 civil society organizations began using a human rights case database that had been developed by OHCHR. In addition, a newly established National Coalition of Human Rights Defenders, along with over 30 other civil society organizations, received training on human rights, monitoring and reporting human rights violations and on engaging with the international human rights mechanisms. As a result, a number of civil society organizations produced

periodic reports on the human rights situation and four different cases of violations of the right to health have been brought before the Constitutional and High Courts and the Human Rights Commission.

In the Central Asia region, a regional network of civil society organisations from Kazakhstan and Kyrgyzstan was established to work on and promote the right to adequate housing. In light of the lack of capacity and knowledge on housing rights in Central Asia, the objective of the network is to significantly improve the monitoring of legislation, policies and budgets, address specific cases of housing rights violations and engage with national and international human rights mechanisms.

Responsiveness of the international community (EA 10)

Increased integration of key human rights issues in global political debates and consultation processes to define the post-2015 development agenda

In 2012, OHCHR's advocacy helped to ensure the integration of human rights in the discussions and outcomes of the Rio+20 process. The Rio+20 Outcome Document, *The Future We Want*,

Human rights indicators in Mexico

OHCHR's indicators framework and substantive support have significantly contributed to the strengthened capacity of Mexico to monitor its compliance with international human rights instruments and standards. OHCHR's report, *Generating Human Rights Indicators: Regional Experiences*, summarizes similar experiences in over five countries in the region and has been widely presented in Europe and Latin America.

To date, 32 local-level judicial powers in Mexico have formally adopted OHCHR's framework. The Superior Tribunal of Justice of Mexico City produced two new volumes of *Indicators on the Right to a Fair Trial of the Judicial Power of Mexico City*, which identified Mexico City as a "human rights model city."

Similar volumes were produced by other states and the elaboration of fair trial indicators was formally approved and made compulsory at the federal level by the Supreme Court of Justice of Mexico and the Federal Judicial Council. Fair trial indicators are also being increasingly adopted by prosecutor's offices and police forces.

Additionally, Mexico's Ministry of Interior adopted OHCHR's framework for measuring violence against women. The publication, *How to Measure Violence Against Women in Mexico? Volume I: Structural Indicators*, introduced 111 structural, process and outcome indicators to measure violence against women in the country, which were approved and validated by more than 180 national and international experts on the topic.



In partnership with the Ministry of Environment and Natural Resources, the National Commission for Water and the Mexican Centre for Environmental Rights, two new publications were published, entitled *Structural Indicators on the Right to Water and Structural Indicators on the Right to Healthy Environment*. The development of indicators related to the protection of journalists and human rights defenders, as well as the right to health, is being pursued.



The Secretary-General addresses the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, May 2013.

had a strong focus on reducing inequalities and emphasized the need to respect, protect and fulfil human rights and fundamental freedoms without discrimination. It further recognized the centrality of human rights to the international community's conception of sustainable development, including specific recognition of the right to development and the human rights of women, indigenous peoples, minorities and older persons.

Since the Rio+20 Conference, OHCHR has been active in promoting all human rights, including the right to development, in the deliberations and processes to define the post-2015 development agenda through research, advocacy, global and national consultations and expert meetings. Human rights were further reinforced in the report of the Secretary-General's High-Level Panel of Eminent Persons on the post-2015 Development Agenda, entitled *A New Global Partnership*, which included particularly strong proposals on civil and political rights, universality, accountability and equality. The report of the Secretary-General, *A Life of Dignity for All*, stressed that human rights should be part of the "far reaching vision" of post-2015 and that new goals and targets should take into account human rights and inequalities.

In the beginning of 2013, OHCHR and the Centre for Economic and Social Rights launched a joint publication, entitled *Who Will Be Accountable? Human Rights and the post-2015 Development Agenda*. In June 2013, the High Commissioner issued an open letter to all Member States calling for the implementation of a new universal and balanced

development framework that addresses both "freedom from fear and want" in order to realize all human rights for all without discrimination. This letter and the publication have served as influential advocacy tools for OHCHR's engagement with Member States, civil society and general public on the post-2015 development agenda.

Two of the UNDG's consultation reports, *The Global Conversation Begins* and *A Million Voices*, highlighted the explicit call for human rights principles to be a central, non-negotiable part of the future development agenda. The reports summarized outcomes and recommendations of 11 global thematic consultations and over 80 national consultations organized by the UN on the post-2015 development agenda. OHCHR was active in many of these consultations and co-led the global thematic consultations on governance and accountability with UNDP. This consultation included a regional online outreach, an expert meeting on measuring governance and a global consultation meeting in March 2013 in Johannesburg, South Africa.

The UN System Task Team on the post-2015 UN Development Agenda, of which OHCHR is an active member and contributor, recommended that "human rights, equality and sustainability" be established as the three fundamental principles of the post-2015 development agenda. Following OHCHR's active engagement and technical inputs, the Task Team's report on *Statistics and Indicators for the post-2015 Development Agenda* recommended the integration of human rights

within the measurement framework for the post-2015 development agenda, taking into account OHCHR's guide on human rights indicators. OHCHR also took a leading role in the UN Technical Support Team (TST) for the Open Working Group (OWG) on Sustainable Development Goals and ensured that human rights were a cross-cutting component of the UN's thematic issue briefs and statistical notes for the OWG. OHCHR led the drafting of the TST issue brief on "human rights, including the right to development," and contributed extensively to issue briefs and statistical notes on equality and social equity, governance and global partnership.

In terms of political advocacy, further advances were made in promoting human rights in intergovernmental deliberations. The High Commissioner addressed the General Assembly's Special Event on the MDGs and the post-2015 Development Agenda in September 2013. The Outcome Document emphasized that the post-2015 development agenda should promote "peace and security, democratic governance, the rule of law, gender equality and human rights for all." The High Commissioner was also invited to address the 6th session of the OWG in December 2013 on the subject of human rights, the right to development and global governance. Member States positively received the High Commissioner's statement, which was delivered on her behalf by the Assistant Secretary-General for Human Rights. Importantly, the 6th session of the OWG resulted in a strong and clear agreement among Member States across all regions that human rights should underpin the new development agenda, including the Sustainable Development Goals.

In 2013, OHCHR launched a landmark book, entitled *Realizing the Right to Development: Essays in Commemoration of 25 Years of the United Nations Declaration on the Right to Development*, which brings together contributions from more than 30 international experts in this field. The book aims to promote increased awareness of and compliance with the right to development and offers practical guidance for implementing this right. Additional awareness-raising events were organized, including on the role of NGOs in development, international solidarity, investment policies, youth leaders, the human rights impact of trade and investment agreements and the negative impact of corruption on the enjoyment of human rights. OHCHR continues to support the intergovernmental Working Group on the Right to Development as it discusses criteria and sub-criteria related to the right to development.

Increased integration of key economic, social and cultural rights in global, regional and national responses to economic, food and climate crises and other challenges, including the post-2015 development agenda

OHCHR has actively advocated for the human rights of persons with disabilities, migrants and other groups, in global deliberations on the post-2015 development agenda. For example, the outcome document of the High-level Meeting on Disability and Development is strongly based on the provisions of the Convention on the Rights of Persons with Disabilities. Similarly, Member States adopted a rights-based Declaration at the conclusion of the General Assembly's second High-level Dialogue on International Migration and Development. OHCHR has further supported a number of special procedures mandate-holders in relation to the post-2015 development agenda. For example, the Special Rapporteur on the right to water and sanitation developed concrete proposals for goals, targets and indicators for water and sanitation and the progressive elimination of inequalities in the post-2015 development agenda, within the context of the UNICEF and WHO Joint Monitoring Programme for water and sanitation.

To increase international awareness about the devastating impact of the financial and economic crises on human rights around the world and the human rights implications of financial regulation, OHCHR organized consultations with the financial standard-setting bodies in Basel, such as the Bank for International Settlements, the Financial Stability Board and the Basel Committee on Banking, as well as multiple expert meetings on the human rights impact of austerity measures and financial regulation. Furthermore, OHCHR devoted its 2013 report to the ECOSOC to a substantive analysis on the human rights standards applicable to austerity measures adopted in the context of the economic crisis, particularly on the right to social security.

A number of other important developments have occurred in thematic areas of OHCHR's work, including the right to food and health. For example, with OHCHR's sustained support, the Committee on World Food Security adopted Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security in May 2012, which were fully consistent with international human rights law. Moreover, OHCHR has become an increasingly influential voice within the UN on matters of sexual and reproductive health and rights. The international thematic conference on human rights in the context

of the International Conference on Population and Development (ICPD) Beyond 2014 Review process, co-organized by OHCHR in July 2013 with UNFPA and the Dutch Government, was significant in reaffirming the centrality of human rights in development – a message that resonated throughout a number of meetings and conferences in the lead up to the ICPD Review Process and was reflected in its outcome documents.

OHCHR organized the Annual Forum on Business and Human Rights, under the guidance of the UN Working Group on business and human rights, during which approximately 1,500 participants gathered to discuss trends and challenges in the implementation of the Guiding Principles and promote dialogue and cooperation on issues linked to business and human rights. OHCHR engaged with relevant regional institutions, including the European Union, the Organization of Economic Cooperation and Development and the Council of Europe to discuss the alignment of standards with the Guiding Principles and their implementation. As a result, the Council of Europe drafted a declaration of support for the Guiding Principles for submission to the Council of Europe Steering Committee for Human Rights. OHCHR also engaged with the International Organization for Standardization to align the implementation of ISO26000 Guidance on Social Responsibility with the Guiding Principles.



OHCHR staff monitor the right to access to safe drinking water and sanitation in a resettlement site in Cambodia.

Human rights mainstreaming within the United Nations (EA 11)

Increased integration of all human rights standards and principles into UN system development policies and programmes

Strengthening the UN's leadership, advocacy and inter-agency collaboration on human rights

OHCHR successfully engaged with, and in some cases led, a range of UN inter-agency forums on

Member States call for full integration of human rights in the post-2015 development agenda

The General Assembly established the Open Working Group (OWG) on Sustainable Development Goals as a follow-up to the Rio+20 Conference in order to lead intergovernmental discussions and prepare proposals related to the Sustainable Development Goals for the 69th General Assembly. During its 6th session in December 2013, the OWG discussed the thematic issues of human rights, the right to development and global governance. Member States from all regions agreed that human rights should underpin the new development agenda and be integrated across all goals, targets and indicators. More specifically, Member States supported calls for the new agenda to:

- Align goals, targets and indicators with existing human

rights standards and apply a human rights-based approach, placing the right to development at its centre;

- Recognize poverty eradication as a human rights imperative;
- Address both freedom from want (poverty eradication and advancement of economic and social rights) and freedom from fear (access to justice, democratic participation and rights and personal security) for all persons, without discrimination;
- Address inequalities, within and between countries, through the establishment of a goal or goals to promote equality and non-discrimination and mainstream equality targets and the disaggregation of indicators across all goals;

- Include a focus on vulnerable, excluded, marginalized or disempowered groups such as women and girls, migrants, persons with disabilities, indigenous peoples, children and youth and minorities;
- Foster a global partnership for development, including strengthened international cooperation and measures for reform of the international system and addressing inequities and unequal representation in global governance institutions in line with the Declaration on the Right to Development; and
- Ensure effective accountability mechanisms, including for the private sector (i.e., by drawing on the UN Guiding Principles on Business and Human Rights).

development issues. The milestone outcomes achieved during the reporting period included a revised job description for the Resident Coordinator (RC) which elaborated specific human rights duties in line with recent policy developments (such as the *Rights Up Front* action plan of the Secretary-General) and revised UNDG guidance on how United Nations Country Teams (UNCTs) can help promote and protect human rights at the country level. These achievements were supplemented by OHCHR's efforts in 2013 as co-convenor of the UNDG Resident Coordinator System Issues Working Group.

By 2013, the UNDG-HRM, chaired by the Deputy High Commissioner, had matured into a strong forum for system-wide policy dialogue, advocacy and country support. Important achievements included successful advocacy for the integration of human rights provisions in the 2012 General Assembly resolution on the Quadrennial Comprehensive Policy Review (QCPR). The QCPR resolution encouraged the UN to strengthen its normative (which includes human rights) and operational linkages and place particular emphasis on supporting national initiatives for equitable, inclusive, transparent, participatory and accountable development processes, with a focus on people who are disadvantaged by poverty and other vulnerable groups.

A Multi-Donor Trust Fund was put in place to operationalize the UNDG-HRM work plan. By the end of the biennium, a total of US\$8.6 million had been mobilized for the MDTF. This enabled the full implementation of the UNDG-HRM work plan in 2013, with a focus on high-quality country-oriented support. The deployment of human rights advisers (HRAs) to various RC's offices is a central component of the HRM's support. During the biennium, the UNDG-HRM established a roster of highly qualified candidates for HRA positions and decided on deployments to Bangladesh, Dominican Republic, Jamaica, Malawi, Maldives, Nigeria, Sierra Leone, Timor-Leste, United Republic of Tanzania and Zambia, as well as to the Regional UNDG Teams in Asia Pacific and Latin America and the Caribbean.

Catalytic funding support has also been allocated to UNCTs for capacity-building initiatives in the field of human rights in Costa Rica, Guinea-Bissau, Indonesia, Morocco, Myanmar, Turkey, Uruguay and Zambia. As a critical component of the work plan of the UNDG-HRM and OHCHR, steps have been taken to further strengthen the UN's country-level leadership on human rights, including by updating the UN system's policy guidance for RCs, developing a learning and support strategy that is tailored to both their needs and the revised RC job description, and developing a monitoring and evaluation framework for assessing

Stories from the field on human rights mainstreaming

"One advantage that we have in our Delivering as One initiative lies in our ability to bring together under one policy agenda the specific agency mandates and how they relate to human rights." – UN Resident Coordinator, United Republic of Tanzania

The UNDG-HRM's publication, *Mainstreaming Human Rights in Development: Stories from the Field*, describes how human rights principles and mechanisms have been successfully incorporated into national development processes, drawing on the convening power of the UN, its normative role and its impartiality. The publication explains the work of six UNCTs, comprised of many different agencies, which has yielded positive results in diverse areas such as prison

reform, addressing discrimination and integrating human rights in local water and sanitation development planning.

Following the recommendations issued by the Special Rapporteur on torture, the Government of Uruguay requested assistance from the UN to reform its prison system. The UNCT responded by devising a reform strategy for the prison system and supported strategic elements of its implementation, including training police officers, prison guards and civil servants, and advocating for an increase of the age of penal responsibility. UN agencies working in the Republic of Moldova, United Republic of Tanzania, and Viet Nam partnered with governments and local organizations to follow-up on recommendations from special

procedures of the Human Rights Council on complex issues, including addressing discrimination and social inclusion in the Republic of Moldova and ensuring access to education for ethnic minorities in Viet Nam.

In the United Republic of Tanzania, the Universal Periodic Review provided an opportunity for UN agencies to support the Government in participatory consultations for development planning and implementation. In Kenya and the Philippines, international human rights standards and principles have been explicitly linked to development programmes and policies at the sectoral level (water and sanitation in the Philippines) and through the national development plan in Kenya.



OHCHR, UNFPA and the Dutch Government co-organized the International Conference on Population and Development Beyond 2014 Review Process, July 2013.

the performance of UNCTs in applying a human rights-based approach to development programming. With close to 80 requests from RCs and UNCTs for diverse forms of support, there is a high demand and buy-in from UN field presences that far exceeds the financial capacities of the MDTF.

Integrating human rights standards and principles, including on economic, social and cultural rights, into UN development policies and programmes at global, regional and country levels

OHCHR continued to mainstream economic, social and cultural rights in its engagement with FAO, WHO, UN-Habitat and UN-Water, with regard to the rights to adequate housing, food, health, water and sanitation. More specifically, OHCHR mainstreamed human rights in the work of the UN-Habitat and the UN Housing Programme, inter alia, by engaging with the UN-Habitat Governing Body, during meetings with senior management and through capacity-building on human rights. As a result, UN-Habitat adopted a policy document, entitled *UN-Habitat commitment to the human rights-based approach to development*.

OHCHR organized a high-level panel discussion at the Human Rights Council on the integration of the Guiding Principles on Business and Human Rights in the UN system and on the role of the UN in advancing the business and human rights agenda in the context of the post-2015 Sustainable Development Goals, as mandated by Human Rights Council resolution 21/5. OHCHR has continued to provide human rights inputs to the High-Level Task Force on the Global Food Security Crisis, the UN Zero Hunger Challenge, the Inter-Agency Standing Committee and the UN Integrated Strategy for the Sahel.

A number of results can be reported at the regional level. For example, human rights were significantly reflected in a training package on protection for the Risk, Emergency, and Disaster Task Force Inter-Agency Workgroup for Latin America and the Caribbean (REDLAC), which was developed to standardize the reflection of protection concerns in trainings provided to UNCTs in humanitarian contexts. Substantive support was provided to the UNDG Eastern and Southern Africa Secretariat and Quality Support Assurance Team for various United Nations Development Assistance Framework (UNDAF) rollout and MDG Acceleration Framework countries in the region which ensured that their outcomes were linked with Universal Periodic Review recommendations.

At the country level, OHCHR was successful to varying degrees in mainstreaming human rights issues in the work of UNCTs, peace missions and humanitarian operations, particularly in relation to UNDAFs, UN joint programmes, UN agency-specific activities and thematic working groups. More specifically, 43 out of an initially targeted 47 countries⁶ have integrated human rights in their UNDAFs and UN programmes. Further mainstreaming results were achieved in 18 countries,⁷ which were not included in the targets of the OHCHR Management Plan 2012-2013.

⁶ Afghanistan, Armenia, Azerbaijan, Bolivia, Brazil, Burkina Faso, Cape Verde, Chad, Côte d'Ivoire, Djibouti, Ecuador, Ethiopia, Fiji, Georgia, Haiti, Honduras, Indonesia, Iraq, Kenya, Kosovo (all references to Kosovo should be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo), Lao People's Democratic Republic, Liberia, Madagascar, Mali, Mauritania, Mozambique, Myanmar, Paraguay, Philippines, Russian Federation, Rwanda, Samoa, Senegal, Serbia, Sierra Leone, South Sudan, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Togo, United Republic of Tanzania, Viet Nam and Zimbabwe.

⁷ Angola, Benin, Cambodia, Democratic Republic of the Congo, Lebanon, Libya, Malaysia, Maldives, Niger, Republic of Moldova, Somalia, South Africa, Sri Lanka, State of Palestine, Sudan, Timor-Leste, Ukraine and Yemen.



The Secretary-General speaks at the launch of the UNDAF in the State of Palestine, August 2013.

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Human rights and a human rights-based approach were consistently integrated in the UNDAFs and UN agency-specific programmes in Bolivia, Kenya, Paraguay and Ukraine and countries in the Pacific region and in the One UN programmes in Liberia, the Republic of Moldova and Rwanda. In relation to UN humanitarian operations and protection work, human rights significantly informed the work of UNCTs, Humanitarian Country Teams and relief agencies in Côte d'Ivoire, Haiti, South Sudan, State of Palestine⁸ and Sudan. Furthermore, UNCTs have increasingly supported the work of international human rights mechanisms and reflected their recommendations in the UNDAFs and joint programmes of Azerbaijan, Malaysia, Serbia, the former Yugoslav Republic of Macedonia and Togo.

The UN-Moldova Partnership Framework 2013-2017 includes extensive commitments to work towards the implementation of international human rights recommendations. The general comments of the Committee on Economic, Social and Cultural Rights formed the basis for action in social rights areas. In Paraguay, indigenous peoples' and women's rights were reflected in the UN policy on human development and the international community integrated human rights in their thematic areas of work related to governance, gender, health and education. In Sri Lanka, national and international

human rights law, including the UN Guidelines on internally displaced persons, constitute the core framework for the work of the newly formed Durable Solutions Promotion Group, which addresses protection issues related to housing, land and property, livelihood, access to social services, poverty and other critical human rights issues of internally displaced persons.

Challenges and lessons learned

There is a powerful global call emanating from Member States and civil society across all regions that human rights should be a central, defining element of a new transformative post-2015 development agenda and must be integrated into its goals, targets and indicators. OHCHR has helped to advance this call and produced viable technical proposals on how a post-2015 human rights vision can be translated into action. The certainty of a successful post-2015 agreement, however, cannot be taken for granted. Between now and 2015, OHCHR will face greater demands for leadership and technical expertise, including "how to" guidance on measurement issues and ensuring that a post-2015 development agenda is an effective vehicle for accountability and equality. OHCHR will need to consolidate and build upon its existing achievements within increasingly difficult capacity constraints.

⁸ All references to Palestine should be understood in full compliance with United Nations General Assembly resolution 67/19.

The undg-hrm has achieved a great deal since its modest beginnings and the years 2014-2015 will see its work plan fully implemented. Human rights policy gains are not always warmly embraced and therefore need to be vigorously and consistently defended. OHCHR's leadership and drive is integral to the success of the undg-hrm, along with an empowered and effective UN Development Operations Coordination Office. If the undg-hrm is to fully realize its promise, further effort will be required to expand its buy-in and build a stronger sense of shared responsibility among all UN agencies.

OHCHR's human rights mainstreaming efforts will also need to further expand to encompass advice and support for the roles and responsibilities attributed to UN development entities under the Secretary-General's *Rights Up Front* initiative. Key elements of this work will be the deployment of HRAs to critical country contexts, the rollout of a tailored human rights learning and support strategy for RCs, and the provision of quality assurance support to UNCTs in addressing human rights concerns in country analyses and UNDAFs.

Sustaining the gains of human rights mainstreaming during the pilot phase of the *Delivering as One* initiative for UN reform is another critical objective, particularly in light of the rapidly growing number of interested countries.

Challenges remain in the realization of the right to development, especially in the context of the continued politicization and polarization of intergovernmental debates. There is a need to enlarge the constituencies in support of the right to development and ensure the coherence of human rights-based policy in the global partnership for development. This will require the complete mainstreaming of all human rights, including the right to development, into the work of the United Nations system. The practical relevance of indicators, which serve as tools for moving from human rights standard-setting to implementation and measurement on the ground, has resulted in numerous requests for OHCHR's support and demands for the compilation of indicators, both at national and international levels, posing significant capacity challenges.