HUMAN RIGHTS AND THE SDGs

PURSUING SYNERGIES

Gobierno de Chile

PERMANENT MISSION OF DENMARK TO THE UNITED NATIONS IN GENEVA

THE DANISH INSTITUTE FOR HUMAN RIGHTS

UNIVERSAL RIGHTS GROUP

The Permanent Mission of Denmark to the United Nations Office at Geneva and the Permanent Mission of Chile to the United Nations Office at Geneva would like to acknowledge the support of the core group on human rights and the SDGs:

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KEY POLICY MESSAGES

'The 2030 Agenda for Sustainable Development is the result of the greatest consultation and consensus ever, and gives us a unique story of agreement and interconnectedness. It constitutes a common vision and aspirational framework to confront global challenges.' - Kate Gilmore, Deputy High Commissioner for Human Rights

- Human rights and sustainable development are interdependent and mutually reinforcing – constituting distinct but converging commitments and obligations that should be realised in an integrated and mutually integrated manner.

- In order to respond to rising global inequalities and realise the 2030 Agenda in a way that truly 'leaves no one behind,' human rights obligations and commitments will need to be applied, implemented and protected.

- At the same time, the SDGs can be seen as an operational plan for realising all human rights, including the right to development, as well as economic, social and cultural rights.

- Realisation of the 2030 Agenda requires planning, monitoring and accountability. Human rights standards and human rights institutions constitute a bulwark against unequal progress, and can ensure coherent implementation and accountability.

- There is a clear momentum to leverage and operationalise the mutually reinforcing potential of human rights and sustainable development; even though most countries are still in the early stage of implementation. States and other stakeholders must work together to integrate human rights in sustainable development policies, plans and processes from the outset.

- The human rights system can help this process by supporting countries to organise integrated plans and mechanisms, and by providing the technical assistance and exchange of best practices required to advance at the pace called for by Agenda 2030.

This report seeks to 'unpack' these issues as well as their operational implications for human rights and the SDGs. To do so, it presents the key discussion points and conclusions of the Satigny meeting.

THE SATIGNY MEETING, JUNE 2017

The Group of Friends on Human Rights and the 2030 Agenda for Sustainable Development was established during the 34th session of the Human Rights Council in March 2017 by Chile, Denmark, Ecuador, Luxembourg, Portugal, Rwanda, and Uruguay. The Group later expanded to include Thailand, Sierra Leone, Azerbaijan, and Fiji.

The Group aims to facilitate a practical, action-orientated and inclusive conversation, to be followed by concerted and inclusive action, about the optimal role of the human rights pillar in making the best possible contribution to the fulfilment of the 2030 Agenda, and the positive effect its fulfilment will have on human rights.

On 29th June 2017, the Group of Friends organised an open-ended meeting in Satigny, Switzerland, to discuss how to leverage the interdependent and mutually reinforcing nature of human rights and sustainable development.

The Satigny meeting gathered more than 130 people, including high-level representatives and delegates from Geneva permanent missions, government institutions, UN agencies, national human rights institutions and civil society.

The Satigny meeting revealed a high degree of common interest, understanding and aspiration, across all partners, to pursue integrated approaches to SDG and human rights implementation.

SYNERGIES BETWEEN HUMAN RIGHTS AND SUSTAINABLE DEVELOPMENT

All human rights are interdependent and interconnected, and the entire 2030 Agenda is premised and founded upon universal human rights. This explains why there is no particular SDG on human rights: human rights are part and parcel of every SDG. If SDG implementation fails to uphold human rights, then progress will ultimately prove illusory.

It has been shown that over 90% of SDG targets are embedded in human rights treaties. Thus, without progress on implementing those treaties, 90% of SDG targets cannot be realised.[1]

This works in both directions: the issue is not only how the promotion and protection of human rights contributes to the realisation of the SDGs, but also about how progress towards the SDGs can contribute to the enjoyment of human rights.

Moreover, the commitment to 'leav[e] no one behind' is both an SDG imperative and a human rights obligation (i.e. equality and non-discrimination). Realising this commitment in the context of the 2030 Agenda will only be possible through the realisation and protection of human rights obligations and commitments by UN member States.

PURSUING SYNERGIES AT COUNTRY LEVEL

States have a clear self-interest in seeking operational synergies through integrated approaches to planning, implementing, tracking progress, measuring impact and reporting on their international human rights obligations and sustainable development commitments. At the Satigny meeting, four countries shared their experiences on lessons learnt and emerging good practices, (see below).

> 'THERE IS AN ALMOST MUSICAL HARMONY BETWEEN THE CONCEPTS OF DEVELOPMENT AND HUMAN RIGHTS, WHICH WORKS IN BOTH DIRECTIONS'
>
> H.E. Mr Joaquin Alexander Maza Martelli, 11th President of the Human Rights Council

1. http://sdg.humanrights.dk

'IT IS ESTIMATED THAT OVER 90% OF SDG TARGETS ARE EMBEDDED IN HUMAN RIGHTS TREATIES. THUS, WITHOUT PROGRESS ON IMPLEMENTING THOSE TREATIES, 90% OF SDG TARGETS CANNOT BE REALISED.'

COUNTRY CASE STUDIES

'KENYA WAS IN A STRONG STARTING POSITION REGARDING THE IMPLEMENTATION OF THE 2030 AGENDA'

KENYA

10 years ago, Kenya[2] adopted a long-term development plan called Kenya Vision 2030[3], comprising an economic pillar, a social pillar and a political pillar. Human rights are a core component of the Vision. Further, the Kenya 2010 Constitution has a strong Bill of Rights, which binds decision-makers to include human rights, equity, justice and non-discrimination in both decision-making and the provision of services. There is a strong resonance and alignment between Kenya's long-term development framework, the Constitution and Agenda 2030. This means that Kenya was 'in a strong starting position regarding the implementation of the 2030 Agenda.'

In 2016, Kenya adopted a road map to ensure transition from the MDGs and alignment with the SDGs. The roadmap requires all line ministries, departments and sub-national governments to map and mainstream the SDGs within their respective mandates, and ensure that SDGs are reflected in performance contracts. The roadmap also invites civil society and the private sector to contribute to the implementation of the SDGs. The roadmap was launched in a meeting involving all key national stakeholders.

The Kenyan experience shows an important added value of private sector/business engagement in the domestic implementation process. For example, one of the major telecom sector companies in Kenya, Safaricom, has introduced a number of SDGs into their corporate plan and provides assistance to other corporations to do the same. Moreover, at the ministerial planning level, private business corporations are involved in dialogues to assist in the implementation of the SDGs.

The Kenya case also reveals challenges in terms of moving the whole of government in the same direction in a context of competing priorities and limited resources, and ensuring policy coherence, without necessarily having a clear understanding of how policies interact. Moreover, there is no systematic analysis of how to ensure that no one is left behind, although this should be the key driving force for law- and policy-making.

Kenya reported to the High-Level Political Forum in 2017, and the coordinating ministry made efforts to apply a human rights framework in reviewing the final report. There is also a need to involve Kenya's national human rights institution (NHRI) in such an effort. Linked with this point, there is a need to clarify reporting modalities that bring all actors together.

One step will be to amend the general guidelines for the Voluntary National Reviews (VNRs) and ensure links to the countries' human rights reporting. Moreover, in order to utilise existing human rights mechanisms, national human rights institutions (NHRIs) should be assisted so they can monitor implementation of the SDGs.

2. http://sdg.humanrights.dk/
3. http://www.vision2030.go.ke/

‘FOR CHINA, DEVELOPMENT IS AT THE HEART OF MOST OF THE PROBLEMS FACED BY THE WORLD TODAY’

CHINA

For China, development is at the heart of most of the problems faced by the world today. China’s overall development plan operates with an updated concept of integral and inclusive development, and addresses issues such as poverty reduction, food and labour. It sets specific targets and plans and will include the SDGs. Furthermore, the plan aims to ensure that development benefits are delivered to the entire population in order to overcome challenges in terms of, for example, uneven public health and unbalanced economic growth. This will require the further development of laws and regulations as well as extensive participation on the part of civil society organisations (CSOs), which will be encouraged to engage in implementation, including for vulnerable groups. However, there is still a need for greater collaboration with international organisations, companies and CSOs.

China adopted a new National Action Plan (NAP) on human rights in 2016. It highlights China’s obligations under international human rights instruments, and addresses the full range of economic, social, cultural, civil and political rights, with a particular focus on vulnerable groups. In order to ensure effective implementation of the NAP, China will improve the supervisory mechanisms, including by establishing third party assessment mechanisms. In addition, sub-national governments are tasked with developing their own plans for implementation, while countrywide human rights training forms a major component of the NAP, and will help to further ensure widespread domestic implementation.

'A GUIDING PRINCIPLE BEHIND GERMANY'S NATIONAL STRATEGY IS THAT IT SHOULD LOOK BEYOND NATIONAL BORDERS, AND CONSIDER BOTH INTERNATIONAL AND NATIONAL IMPLEMENTATION'

GERMANY

The German Government supports the implementation of the SDGs through a three-dimensional approach: putting the SDGs on multilateral agendas and supporting international organisations in their reform processes; supporting partner countries and other stakeholders in their implementation; and having a sufficiently ambitious national implementation plan. Further, Germany supports the Partners for Review[4] initiative, which facilitates knowledge-sharing among States that go through the Voluntary National Review.

For the last 15 years, Germany has had a sustainability strategy and has reported on it annually since 2014. The strategy has now been reframed and aligned with the 2030 Agenda. Germany has also developed an elaborate architecture for sustainable development, including a Sustainable Development Council, a parliamentary commission, and comprehensive consultations with civil society and the public.

A guiding principle behind Germany's national strategy is that it should look beyond national borders, and consider both international and national implementation, thereby acknowledging that Germany has global responsibilities and that its decisions have a planetary impact. In that regard, Germany has also aligned its international development cooperation with the SDGs, and sought to ensure the inclusion of a human rights-based approach to its development cooperation.

At the heart of the German national strategy on sustainable development is a sustainable management system that includes an obligatory 'sustainability impact assessment' for the federal government, covering both laws and regulations. This provides a foundation for streamlining the SDGs into the national framework and for ensuring policy coherence through ministries at federal, regional and municipal levels - all the way to the individual level.

Germany reported to the High-Level Political Forum in 2016. Examples of how SDG implementation has inspired progress on human rights implementation include the adoption of a new law, in May 2017, on equal pay for equal work. This law reform was a direct consequence of the benchmark included in SDG 5. Similarly, the Istanbul Convention on violence against women and domestic violence was adopted as a consequence of the national review process on SDG implementation; while the German action plan on the UN Guiding Principles on Business and Human Rights was inspired by SDG 8. Hence, the review of domestic progress with SDG implementation has identified areas where Germany could make immediate progress on human rights. Yet Germany is only at the beginning of integrated implementation, and many questions remain with regards to implementing the 2030 Agenda in line with its legal obligations under international human rights law.

4. http://www.partners-for-review.de/

'IN 2012, ECUADOR SET UP AN INFORMATION SYSTEM ON HUMAN RIGHTS IMPLEMENTATION CALLED *SI DERECHOS*...SUCH NATIONAL ONLINE PLATFORMS REPRESENT A CRUCIAL METHODOLOGICAL FOUNDATION [...] FOR LINKING THE DEVELOPMENT AND HUMAN RIGHTS AGENDAS'

ECUADOR

The adoption of a new Constitution in Ecuador in 2008 was part of a wave of new constitutions in Latin America that provide explicit guarantees for human rights. Ecuador's National Development Plan further provides guidance and principles for the implementation of human rights, and is completely aligned with the 2030 Agenda and its SDGs.

The National Development Plan is framed around national priorities related to the SDGs and explicitly follows a human rights-based approach to development, including through convergence of objectives and indicators. It confirms the universal, inalienable, indivisible, interdependent and interrelated nature of all human rights, and ensures benefits for all. The strategy of linking follow up to the implementation of the 2030 Agenda and its SDGs, with the promotion and protection of human rights at all levels, can be seen as an important tool for all countries.

Ecuador's vision for sustainable development is the concept of Buen vivir/Sumak Kawsay (good living). The vision recognises the right to live in a healthy balanced environment in harmony with nature, with guarantees for sustainability.

In Ecuador, human rights implementation is considered a prerequisite for realising this vision. Hence implementation of the 2030 Agenda, according to the Ecuadorian vision, requires the application and protection of all core human rights instruments, principles and norms.

In 2012, Ecuador set up an information system on human rights called Si Derechos, in response to one of its accepted recommendations in the second UPR cycle. It was developed by the Ministry of Justice, Human Rights and Worship, with the support of OHCHR. Si Derechos provides a report library, and an overview of recommendations and information relating to the 73 human rights recognised in the national Constitution. It is a platform for effective social participation in public affairs and strengthened transparency and accountability for monitoring progress in human rights implementation, and for mainstreaming human rights across all national and sectorial policies. Once the information is gathered, a statistical analysis is made about the level of accomplishment of each recommendation or right. In this way, both progress towards, and obstacles to, implementation are identified. Another aspect of the portal is internal human rights information management between line ministries in the context of international reporting processes.

The Ecuadorian experience highlights the significant potential value added of information systems and mechanisms for reporting on, and implementation of, human rights. Such national online platforms represent a crucial methodological foundation for the construction of human rights indicators, and for linking the development and human rights agendas. Moreover, in making the process transparent and information available for all actors, it promotes shared responsibility for the full realisation of human rights and the SDGs.

In Ecuador, initial challenges were faced in standardising information and processes across various national entities and line ministries. More funding resources, capacity building, and technology transfer were highlighted as key challenges to ensuring the long-term success of such systems.

Finally, Ecuador recalled the importance of establishing clear strategies at the global level for the financing the enhanced implementation of the 2030 Agenda and human rights obligations and commitments, including through the improvement of international cooperation in tax matter, the strengthening of fiscal policies, and the creation of a democratic and transparent intergovernmental organ for international tax affairs within the UN system.

Inspired by the four country presentations participants shared additional experiences and lessons learnt. A short summary of the discussion is provided below:

National processes

Capitalising on synergies between human rights and sustainable development at the domestic level requires significant political will and dedication. Leveraging these 'converging agendas' is not something that will happen in 'Geneva' or 'New York' (i.e. in the Human Rights Council or at the High-Level Political Forum) – it will have to happen at the national and sub-national level. The formulation and implementation of national action plans require an action-oriented and inclusive domestic dialogue, as well as the incorporation of the SDGs and human rights across domestic development policies (according to a country's own priorities and context).

Strong institutions

Adequate national implementation processes require the commitment and engagement of central ministries to coordinate relevant agencies, line ministries and other actors – including parliaments, NHRIs and civil society.

Collaboration with the private sector

The 2030 Agenda foresees a strong role for companies in supporting sustainable development, but also requires them to act in line with the UN Guiding Principles on Business and Human Rights.

Role of Civil Society Organisations

Some States have made impressive progress by including CSOs in SDG-related processes, councils and networks (e.g. for the elaboration of national actions plans and indicators). States must make a clear commitment to ensure strong civil society engagement – in a watchdog role with regards to human rights implementation on the ground, and also with regards to the implementation of the SDGs at the national and subnational levels. The particular importance of including rights-holders, such as indigenous peoples and persons with disabilities, was highlighted.

Role of national human rights institutions

NHRIs are generally seen as a key mechanism for human rights implementation at the national level. These independent human rights institutions play a crucial role in supporting and monitoring the implementation of human rights. NHRIs present a potential entryway for mainstreaming the SDGs and the 2030 Agenda into existing human rights processes and structures. Benefiting from established national mechanisms and processes will lessen the burden of reporting and overlap of efforts. Moreover, the existence of independent NHRIs is itself an indicator of progress under SDG 16, especially given the crucial role of NHRIs in securing space for civil society.

Role of parliaments

It was noted on a number of occasions that the legislative and budgetary and roles of parliaments make them a vital partner for the implementation of UN and regional human rights recommendations (e.g. from the UPR and Treaty Bodies), and the SDGs. Moreover, the executive oversight role of parliaments makes them an extremely useful platform to monitor and assess progress (with the participation of domestic CSOs and NHRIs), and hold governments publicly accountable against that progress.

Overall therefore, parliaments and parliamentarians can be key domestic actors in the pursuit of synergies between human rights and the 2030 Agenda.

Reporting

The risk of overburdening States with reporting obligations can be avoided by harmonising SDG and human rights reporting. This requires the development of designated processes, mechanisms or working groups, for example through the establishment of national mechanisms for implementation, reporting and follow up. Such mechanisms can undertake the monitoring of, and reporting on, human rights and the SDGs in a joined up manner. So far, most States have not referred to human rights in their reporting to the HLPF. This will require awareness-raising among stakeholders involved in development planning.

Data

The risk of overburdening States with reporting obligations can be avoided by harmonising SDG and human rights reporting. This requires the development of designated processes, mechanisms or working groups, for example through the establishment of national mechanisms for implementation, reporting and follow up. Such mechanisms can undertake the monitoring of, and reporting on, human rights and the SDGs in a joined up manner. So far, most States have not referred to human rights in their reporting to the HLPF. This will require awareness-raising among stakeholders involved in development planning.

Building capacity

Human rights education and training are a key part of building domestic capacity for implementation at national level. One example of why this matters is the fact that a large proportion (around 60-70%) of recommendations emanating from the UPR require legislative reform and parliamentary engagement. Therefore, enhancing parliamentarians' awareness and understanding of the SDGs and human rights will provide a stable foundation for them to become advocates for integrated domestic implementation and reporting.

Tensions

SDGs constitute a common roadmap for international development and are underpinned by legal obligations arising from international human rights law. This represents a clear hierarchy of legal obligations. However, tensions may emerge when, for example, big infrastructure projects displace communities, or where major investment decisions are made without considering the benefits for the local population. This calls for principled pragmatism, implying navigating tensions at the basis of rule of law and democratic procedures, and ensuring non-retrogression. Much has already been achieved in terms of such 'vertical integration' of rights and priorities. However, another set of tensions may arise in terms of ensuring

horizontal convergence between the SDGs, e.g. prioritising environmental protection versus industrial protection. Ensuring horizontal coherence, ensure that one goal does not negatively affect the achievement of another goal is an unresolved challenge.

Differentiated capacities and international cooperation

Not all States have the same capacity to implement the SDGs and human rights. The international community must provide adequate assistance in the form of technical assistance or capacity-building support – in consultation with, and with the consent of, the States concerned. Donors must strive to be responsible partners and update their development policies in alignment with the SDGs, and with a clear commitment to a human rights-based approach. Safeguards to do not harm must be in place, along with a commitment to promote equality. It is necessary to be mindful of such differences in capacity when providing assistance to SIDS, LDCs and other developing States, in support of their efforts to effectively implement human rights and the SDGs, as well as when exploring the creation of platforms for the exchange of good practice.

THE ROLE OF THE UN SYSTEM, INCLUDING THE HUMAN RIGHTS MECHANISMS

Having considered the experiences of States, including achievements, challenges and opportunities at country-level, participants moved to discuss how the UN human rights system, including its monitoring mechanisms, might best support States to pursue synergies between the implementation of international human rights obligations and commitments, and the attainment of the SDGs 'leaving no one behind.'

UN human rights system

There is no specific SDG on human rights, rather the entire agenda is premised on human rights and focused on those furthest behind. Thereby, human rights become the responsibility of all.

Delivering effective capacity-building support to States, at their request, requires the engagement of the wider UN system, and

demands a dedication to mainstreaming human rights and the SDGs across the system, and more specifically at country level where the UN system must operate in an integrated manner.

The human rights system, mostly resident in Geneva, has an important role to play. The constellation of organisations in Geneva make it a veritable 'SDG hub or laboratory', where UN entities can develop new and innovative ways to support States in their efforts to promote the implementation of human rights and the 2030 Agenda, and where States can exchange experiences and good practices.

More should be done to enhance cooperation and linkages between the UN organisations / processes in Geneva and in New York. The added value of involving the human rights pillar in the processes under the High-Level Political Forum (HLPF) should be showcased and further explored.

Bringing human rights into the reporting process on SDGs implementation at the High Level Political Forum in New York; promoting a human-rights based approach to sustainable development; exploring private sector partnerships in implementation; and addressing on-going concerns over UN budgetary restrictions for human rights and development, were identified as key challenges to ensuring adequate support for the implementation of the SDGs and human rights.

The Human Rights Council

Thus far, the main body responsible for human rights at the UN, the Human Rights Council, has paid only ad hoc attention to understanding and strengthening the human rights pillar's contribution to the implementation of the SDGs, within all member States.

Incorporating SDG implementation within the existing programme of work of the Human Rights Council could provide a platform for the better fulfilment of human rights commitments and obligations. This would result in sharing of national experiences and best practices on implementation, identifying opportunities for technical cooperation and a platform for UPR recommendations. This could be done through discussions on clusters of SDGs, for example addressing 6 goals each session. In addition, some States could promote certain goals and targets through side events, statements and other initiatives. By the end of each year, all goals would have been discussed, and all States provided with a space to share their experiences and lessons learnt. General Debates under item 6 (UPR) and item 10 (technical assistance and capacity-building) as well as inter-sessional discussions, are optimal forums for allowing greater discussion on these issues. These debates could also be arenas for States to make requests for capacity building and technical assistance, in support of their domestic implementation processes, and for a more streamlined UPR process.

At the HLPF, Goal 17, which specifies the means of implementation necessary to achieve the 2030 Agenda, is reviewed every year. This, for example, includes an annual review of efforts to ensure the necessary financial resources, including through the strengthening of domestic resource mobilisation and capacity for tax and other revenue collection, In a similar vein, the Human Rights Council should also pay attentions to the human rights implications of the lack of regulation of financial systems.

Human rights implementation/monitoring mechanisms

The vast majority of SDG targets are already monitored by the UN human rights monitoring mechanisms. Hence, these mechanisms, especially the UPR, the Special Procedures and the Treaty Bodies, are well placed to help States benefit from the synergies and complementarities between human rights and the SDGs. Linking human rights recommendations to SDG implementation ensures that these synergies are being operationalised. However, it requires that the connection between human rights and the SDGs is unpacked in a practical and relevant way.

One key challenge when pursuing such policy coherence, is to reduce the complexity of recommendations, and identify key areas for implementation. **The Universal Human Rights Index**[5] facilitates access to all human rights recommendations issued by the UPR, the Special Procedures and Treaty Bodies. Efforts are on going to cluster these recommendations and link them to the SDGs, thereby facilitating an integrated implementation processes. It also implies seeking coherence in the implementation of human rights and international labours standards.

Several **Treaty Bodies** (TBs) have already explored synergies between human rights and the SDGs and put out numerous comments on how their respective treaties relate to the SDGs. The Committee on the Right of the Child (CRC) and the Committee on the Elimination of Discrimination against Women (CEDAW) are the most advanced in that regard. Generally, Treaty Bodies should

5. http://ap.ohchr.org/documents/dpage_e.aspx?si=A/71/304

be encouraged to raise human rights issues in the context of the SDGs, particularly when State delegates from line ministries present to the Committees. Further, they could encourage States to take this link into account in their National Action Plans on Agenda 2030 and related implementation processes. Thereby, States could use the dialogue with Treaty Bodies and their expertise to bridge national gaps with implementation.

Special Procedures mandate-holders have already begun to reflect on the role of the SDGs and their link with human rights implementation. For example, the Special Rapporteur on the right to health has recently published a report on the linkages between the right to health and the SDGs.[6] Special Procedures engage directly with States, including through country visits, and have a clearly defined function to identify best practices as well as challenges, where capacity-building and technical assistance from the UN human rights pillar could be beneficial.

The Universal Periodic Review (UPR) is a peer review mechanism that enjoys the unique participation of member States. The start of the third cycle provides an opportunity for more concerted efforts towards leveraging synergies, so the UPR can inform SDG action at country-level, not only in the context of SDG 16, but across all SDGs.

The Danish Institute for Human Rights has recently produced a useful guide for linking the UPR to the SDGs[5]. These linkages could be further explored in the UPR process by :

- Embedding the SDGs into UPR recommendations;
- Requesting reporting on the implementation of the SDGs in mid-term and State under Review (SuR) reports;
- Asking advanced questions addressing the SDGs;
- Encouraging reviewing States, where they make specific recommendations related to the SDGs, to support the implementation of those recommendations by offering capacity-building or technical assistance to the State under review (SuR).

Reporting on human rights implementation is a daunting task for many States, and SDG reporting may be seen as adding an additional burden. Therefore, efforts should be made to link national reporting on the implementation of obligations and accepted recommendations from the UPR, TBs and SPs, with national reporting on the SDGs. Enhancing coordination in this regard, could help lessen the burden of reporting and strengthen the coordination of domestic implementation across the two agendas. This in turn would bring clarity to the HLPF reporting process.

National mechanisms for implementation, reporting and follow-up (NMIRFs)

A national mechanism for implementation, reporting, and follow-up (NMIRF) is a national public mechanism or structure that is mandated to coordinate and prepare reports to, and engages with, international and regional human rights mechanisms, and to coordinate and track national follow-up and implementation of treaty obligations and the recommendations emanating from these mechanisms.[7]

Some of the best practice examples of NMIRFs show that clustering hundreds of recommendations emanating from the human rights mechanisms down to 10-20 core priorities, allows States to frame their national action plans around prioritising these recommendations. Expanding or enhancing pre-existing NMIRFs by, for instance, clustering human rights recommendations around the SDGs, could help mitigate the burden of reporting on the SDGs, as well as streamline the process of domestic implementation.

Hence, NMIRFs offer a noteworthy and action-oriented tool for building on complementarities and tackling the implementation of human rights recommendations and obligations on the one hand, and the SDGs on the other, in a joined up fashion. NMIRFs can even be budget neutral, as it can be done initially through focal points in key line ministries and other State departments.

Several existing NMIRFs (for example Paraguay and Ecuador) are expanding their scope to also coordinate the implementation of, and reporting on, the SDGs (e.g. SIMORE+). Clear synergies and best practice experience flows from these recent experiences. Finally, opportunities for South-South cooperation could be explored through the exchange of good practice in the development of such mechanisms. For example, States with positive experiences in the development of NMIRFs could, in providing UPR recommendations, offer assistance in sharing their experience and expertise to the SuR. The recently established Group of Friends for NMIRFs is a particularly relevant initiative, as it will undertake consultations at regional level in the coming years to provide an opportunity for States to share best practice and experience on how to improve domestic implementation.

6. https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/sdg/upr_folder_final.pdf
7. http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

Mainstreaming human rights in UN development operations and country teams

The UN Development Group (UNDG) is a consortium, binding together over 38 agencies of the UN system. UNDG guides, supports, tracks and oversees the coordination of development operations policies within the UN-system. The Mainstreaming, Acceleration and Policy Support (MAPS) was adopted by the UNDG as a common approach to its support for the implementation of the 2030 Agenda at country level. More attention should be placed on enhancing the inclusion of human rights into this supportive effort for domestic implementation, for example, by using UNDPs 'Rapid Integrated Policy Assessment' tool.

The Office of the High Commissioner for Human Rights (OHCHR) can play a crucial role in supporting the implementation of both human rights and the SDGs on the ground; by directly delivering technical assistance and capacity-building via its more than 60 field presences, and, indirectly, by supporting other UN presences around the world. Also, its extensive data platform/index can show the UN human rights pillar's relevance for the development pillar in leveraging synergies between the two. OHCHR should be provided with the means and the capacity to respond to requests by States, in support of their efforts to implement the SDGs and human rights at the domestic level.

In 2016, 88% of UN Country Teams (UNCTs) had mainstreamed human rights into their development plans and programmes with member States. Moreover, 70% of UNCTs had included human rights in the Common Country Analysis leading to the definition of the UN Development Assistance Framework (UNDAF). The proactive integration of human rights obligations, and the recommendations of UN human rights mechanisms, into UNDAFs has an enormous potential for ensuring coherence, but also requires guidance, including for Resident Coordinators (RCs). Indeed, there are signs this is happening already. For example, the UN Development Operations Coordination Office (UNDOCO) estimates that 73% of UN Country Teams now include recommendations from Treaty Bodies, the Special Procedures and the UPR in UNDAFs.

OHCHR and UNDP should further strengthen on-the-ground collaboration with all UN agencies in order to ensure that human rights have a clear place in UNDAFs and that a human rights-based approach is embedded within all members of UNCTs, from UNDP to UN Women, UNICEF, WHO, ILO and beyond.

There is also a need to adapt development and human rights funding to the new development landscape after the adoption of the 2030 Agenda. The current funding to OHCHR, UNDP and other international organisations is often earmarked, resulting in limited flexibility to support SDG implementation in response to requests by States.

Private sector engagement

The 2030 Agenda anticipates that the private sector will play a key role and contribute substantially to its implementation, including through Public-Private Partnerships (PPPs). In this context, compliance with the UN Guiding Principles on Business and Human Rights is of fundamental importance to ensure that businesses do no harm and that PPPs do not lead to the creation of a two-tiered social system.

Yet, discussions with the private sector should go beyond 'do no harm,' to ensure that businesses partnering with States on the implementation of certain SDGs do not undermine the achievement of other SDGs, or the human rights of specific groups. In some cases, the inadequate capacity of governments to negotiate with the private sector may need to be addressed.

Means of implementation

To achieve balanced and integrated implementation of the SDGs, economic policy choices and development finance decisions will need to take account of obligations under human rights law, and recommendations from human rights mechanisms, with regards to the mobilisation of resources. This is especially true in the context of signing macroeconomic and trade agreements; in the development of taxation policies; when exploring how to effectively address economic inequality and when exploring how the externalisation of human rights obligations links to resource mobilisation, where States act as members of international organisations.

The greatest opportunities and lessons to be drawn at this early stage of implementation are at the national and sub-national level.

Elements of good practice for national implementation include:

- Ensure better coordination within States through integrated national strategies and mechanisms for implementation, reporting and follow-up on the SDGs and human rights.

- Build understanding and the capacity of parliamentarians, NHRIs and civil society, to ensure accountability in implementation.Use human rights mechanisms to assess gaps in SDG monitoring and implementation, and to identify needs for additional indicators and data.

Focus on sharing and mutual learning and support:

- The conversation has just started, we need to be creative and further develop tools.

- Encourage and foster platforms for the sharing of experiences, including at the regional level, and build up a plethora of knowledge and information to support other States and relevant stakeholders in driving the integrated implementation of human rights and the SDGs.

Development of tools and approaches:

- Existing reporting and accountability mechanisms in the human rights system can be used to inform and guide SDG implementation. Likewise, the SDGs can enhance the impact of the human rights system. The convergence has to work both ways.

Bringing the SDGs to the Human rights system:

- Link human rights reporting to the SDGs.

- Cluster recommendations from human rights mechanisms, and link these directly to SDGs.

- Use the third cycle of the UPR as an opportunity to create data for SDG implementation; encourage States to ask questions and raise issues that can guide SDG implementation; link development cooperation efforts and finance to the implementation of UPR recommendations.

Bringing human rights to SDG processes:

- Guide States on how to 'recycle reporting' from the human rights-system and put it to use for SDG monitoring.

- Bring human rights to Regional Sustainable Development Forums and to the global High-Level Political Forum in New York.

- Address the issue of business and human rights in the context of the SDGs; for example by promoting accountability in the implementation of public-private partnerships, and in public procurement decisions.

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