

FRA Director Michael O’Flaherty’s concluding remarks

Intersessional meeting of Human Rights Council

**‘Human Rights and the 2030 Agenda: Empowering people and ensuring
inclusiveness and equality’**

Geneva, 16 January 2019

Concluding remarks

Thank you very much indeed for the kind introduction. A caveat: the Rapporteur will give you an impressionistic sense of the day. I will by definition not mention everything and I do not intend to exclude anything.

But let me start where Peggy [Hicks] ended and that is the extent to which you absolutely affirmed today, without a voice of dissent, the profound interrelationship, the essential and intimate relationship of delivery of the SDGs and respect and protection of human rights. That was not just declared as a matter of firm principle and statement, but it was evidence-based. A number of speakers gave us data to demonstrate this as a reality. That’s important because it’s a firm answer to those who would say the relationship is ‘do development’ and you’ll get human rights. That’s not the case at all as you’ve emphasized. The doing of development needs the strong participation of the human rights actors at UN level, regional level and national level.

All of that said of course, there were a lot of concerns during the day. This morning, there was very strong emphasis on how there’s an overall failure, a lagging behind of the delivery of SDGs themselves. There was some discussion, lively discussion, as to the reasons for the lagging. The financial dimension was emphasized but so also were issues of poor governance and corruption. And I would add as a fourth element of the lagging behind the extent to which we still do not get the SDGs as genuinely global, as impacting for every UN Member State – including those, for instance, in the EU.

Turning to the narrower issue of human rights within the SDGs, again there was no dispute that this relationship is underdeveloped and many reasons given for this. We heard just a moment ago from Marion [Barthélemy] about one of the divides that were identified which are contributing to this lagging: the famous Geneva and New York one, and more broadly, the mutual, I won’t say mistrust, that’s too strong, but unease perhaps, of the human rights and development communities. An unease that’s been around since I first visited this building in the 1980s.

What’s behind all of that? Well, we don’t have time now, I certainly don’t, but we have to take a new look at what triggers this unease. Is it because we the human rights actors are not sufficiently demonstrating how our approaches lead to and offer clear governance solutions? Perhaps that’s an element of it. And perhaps another element of it is inherited

prejudice, where we actually have the unease because of a prejudice that isn't based on contemporary fact, but on some perceived historical problems. The third element of unease I will mention before moving on is the one that we were reminded of very late in the afternoon, surprisingly, which is that much more generally human rights are under such attack everywhere and that has to be a factor taken into account as we look at where the partnering will take place.

Now turning to the future and to the partnerships, there was a lot of discussion today necessarily about who are the necessary actors for enlivening human delivery within the SDG context. The primary actor is the rights holder because the SDGs are about empowerment - of leaving no one behind. The rights holder is the heart of the project. Who is the rights holder? We must give primary space to the most marginalized communities, people at the grass-roots.

We were also reminded that we must be gendered in identifying the rights holder. It is above all else women rather than men whose voices should be preferred and we were reminded of the importance of hearing the voice of, having the participation of young people.

Turning to the duty bearer, we have a necessary emphasis on the extent to which the State has to appreciate the mainstreamed nature of delivering the SDGs and their human rights heart. We were also reminded of how the State has to get sub-national - to its regional levels and get local. The State for this our purpose is also the village.

The role of NHRIs received appropriate necessary attention. They are not just a measure of delivery of SDG 16, they are critical to the delivery of all SDGs - and that is still inadequately acknowledged.

The business community got a lot of attention. We were reminded not just to focus on big business, but also on SMEs. And we were reminded to draw the links, build the bridges between existing business and human rights initiatives and the SDG efforts.

And civil society, I left it late in the list not because it is not important, it is crucial. And the key point here that civil society in all its manifestations and all its levels be involved as a partner in the delivery of SDGs.

The development aid actors: I don't need to say anything other than to remind of their importance. But also, we were reminded in one intervention today that there are other international conversation needed including for South-South cooperation, South-South conversations. We furthermore need conversations about delivering human rights-powered SDGs at the regional level in conversation with the regional organizations. I caught just one reference today, ASEAN. There are so many others. Take my own region, Europe, where delivery of the SDGs, the human rights quality of the SDGs will involve the very close involvement of the Council of Europe and indeed, of the European Union - which is the basis on which my own institution is engaged on the topics.

Finally, in terms of actors, and again I'll say nothing more than mention that great session this afternoon on partnerships and what it means to have meaningful and sustainable partnerships. It's not automatic; it needs effort.

Now, turning to interesting practices and suggestions for practice, I'll wrap up with these and I'll put them in two categories: firstly, international. Well, obviously we were reminded that there is a need for every voice at the High-Level Political Forum to deliver strong human rights messages. And so, Member States should ensure that their voices at the Platform are resonant with the human rights qualities. Secondly, it was suggested that SDG-related human rights reports such as the 12 reports of Special Rapporteurs we heard about today are tabled at the HLPF.

It was suggested this morning that there be a more explicit integrating of human rights findings, be they of treaty bodies or of UPR into the Voluntary National Reviews of the SDGs.

We heard mentioned today of a number of new tools that we can all use at the international level. From the Danish Institute of Human Rights, there was the sdgdata.humanrights.dk platform. You heard a lot about it, no more from me. And I would mention another at the regional level, which is relevant for EU Member States: the European Fundamental Rights Information System, which my Agency is developing, which will also serve delivery of the SDGs within the EU domestic context.

Turning back to the human rights side of the house, it was recognized that more work is needed to support treaty bodies and special procedures to be SDG-sensitive in their work.

And finally in terms of international practice, we heard from Mary Robinson this morning the suggestion that there might be considered a joint meeting of the Human Rights Council and ECOSOC to take place in New York.

Moving in conclusion to the national level, again late in the day today, a speaker mentioned that it's not as if we came to development anew with the SDGs - there's so much to learn from decades of experience and practice, including in terms not only of what works, but what doesn't work, so that we don't repeat mistakes. I think that's just a good overall advice.

Moving to more specific suggestions, we were reminded by a Member State this afternoon that when the UN delivers country-level SDG-related advice, that it has a duty to ensure that such advice is profoundly rights-based.

Moving to SDG-human rights planning at the national level, at the central level, we were reminded by good examples from a number of states that the central planning for SDGs with their human rights quality needs to be chaired at the highest level of government.

We heard from one country where the Deputy Prime Minister chairs the SDG central planning as a good practice.

We need within all of the planning at the national level to engage all of the actors in a respectful and participatory manner. We need to engage the breath of governance. The SDG framework must be bigger than the government, but it must engage all of the Government if it's to be meaningful. We heard many good examples from a number of states around combining on single platforms a state's SDG work and its UPR focus of attention. We also heard of platforms, which if not in place yet are in development, where the compliance with SDGs is interwoven with assessment in the National Monitoring Reporting Framework (NMRF) context. And there were examples today given of explicit linking of SDG planning with national human rights plans of action, the general ones, but also the gender-specific ones and any number of others. And we were reminded with regard to all three such initiatives that these can reduce the reporting burden for states and are thus very compelling and interesting when presented to Member States.

We heard just a little while ago about the initiative of the SDG tracker, that's organized by one government, which can become more receptive to, alert to the human rights dimensions.

It was recalled to us today, again staying at these national-level good ideas, that we have to help NHRIs to become more familiar with, better friends with, better partners to statistical bodies. And this is a challenge. I know it from my work. Gathering data on the most vulnerable people in our society is difficult. Statistical bodies typically don't know how to do it, but that NHRI-statistical body relationship is underdeveloped.

Yet another important point that came this afternoon with regard to the involvement of civil society in the national initiatives: that it's not just about inviting them in, respecting them, listening, but it's also about protecting, again that aspect of human rights under threat. The partners we need to bring to the table are themselves sometimes at grave risk.

And finally in terms of ideas for the national level, we were reminded repeatedly of the need to go local. Any approach to SDGs including from the human rights point of view, that misses out on the village and on the street is ultimately likely to fail.

I think I'll leave it there. I will just say that my takeaway, my single two or three line takeaway from the entire day, is that if we do not succeed in delivering the SDGs with human rights embedded within them, then the whole SDG project will fail. And that this fact ultimately, to my mind at least, has to be the clear and evidence-based message that we send to the High-Level Political Forum of 2019.

Thank you.