



General Assembly

Distr.: General
14 December 2016

Original: English

Human Rights Council

Thirty-fourth session

27 February-24 March 2017

Agenda items 2 and 3

Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development

Question of the realization in all countries of economic, social and cultural rights

Report of the Secretary-General

Summary

In the present report, the Secretary-General outlines the linkages between economic, social and cultural rights and the Sustainable Development Goals framework as two converging agendas, and highlights equality, non-discrimination and accountability principles as well as a human rights-based approach to data as key to ensuring the implementation of the 2030 Agenda in a manner consistent with the obligations of States under international law. The report identifies key challenges and opportunities for the human rights-based implementation of the 2030 Agenda and contributions of international human rights mechanisms, and concludes with recommendations to that end.

GE.16-22132(E)



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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 31/5, in which the Council requested the Secretary-General to continue to prepare and submit to the Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on the realization of economic, social and cultural rights in the implementation of the 2030 Agenda for Sustainable Development.

2. In the report, the Secretary-General outlines the linkages between economic, social and cultural rights and the Sustainable Development Goals framework as two converging agendas, and highlights equality, non-discrimination and accountability principles and a human rights-based approach to data as key factors to ensuring the implementation of the 2030 Agenda in a manner consistent with the obligations of States under international law. He identifies key challenges and opportunities for the human rights-based implementation of the 2030 Agenda and contributions of international human rights mechanisms.

II. Economic, social and cultural rights and the Sustainable Development Goals: a convergent agenda

3. On 1 January 2016, the 17 Sustainable Development Goals of the 2030 Agenda for Sustainable Development, adopted by world leaders in September 2015 at a historic summit,¹ officially came into force. Member States pledged to achieve the Goals over the following 15 years by mobilizing efforts to end all forms of poverty, to fight inequalities and discrimination and to tackle climate change, while ensuring that no one is left behind, and in a manner consistent with the obligations of States under international law. This new agenda for people, planet, prosperity, peace and partnership, with its 17 Goals and 169 targets, is critically important for humanity and the planet, as it will shape the direction of global and national policies relating to sustainable development.

4. The 2030 Agenda is unequivocally anchored in human rights. It is explicitly grounded in the Charter of the United Nations, the Universal Declaration of Human Rights, international human rights treaties and other instruments, including the Declaration on the Right to Development. It states that the Sustainable Development Goals aim to realize the human rights of all, and emphasizes the responsibilities of all States to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status.

5. Furthermore, the 2030 Agenda is to be implemented in a manner that is consistent with the obligations of States under international law. The implementation of the Agenda should therefore be aligned with international human rights standards; its processes be guided by human rights principles of equality and non-discrimination, participation and accountability; and be targeted towards the realization of human rights, particularly economic, social and cultural rights, taking into account the interdependence, interrelatedness and indivisibility of all human rights.

6. The 2030 Agenda marks a paradigm shift towards a more balanced model of sustainable development, aiming to secure freedom from fear and freedom from want for all, without discrimination. While the Millennium Development Goals addressed only a narrow set of economic and social issues, the 17 Sustainable Development Goals and their

¹ General Assembly resolution 70/1.

169 targets cover a wide range of issues that effectively mirror the human rights framework. Many of the Goals relate closely to economic, social and cultural rights. Goal 16, on peaceful and inclusive societies, covers many dimensions of civil and political rights, including personal security, access to justice and fundamental freedoms. Goal 17, and many of the international targets under each Goal, addresses issues that are related to the duties of international cooperation and the right to development.

7. This new, transformative agenda thus reflects the indivisibility of all human rights – civil, political, economic, social and cultural, as well as the right to development – offering a comprehensive and integrated vision of sustainable development. It is people-centred and strongly grounded in the principles of equality and non-discrimination, with its overriding focus on “leaving no one behind and reaching the furthest behind first”. Furthermore, it calls for greater global policy coherence and integrated responses by Member States and the United Nations system, and more robust accountability and dynamic partnerships with all stakeholders.

8. While the Sustainable Development Goals themselves are not framed explicitly in the language of human rights, virtually all of the Goals correspond to the contents of key economic, social and cultural rights. Several Goals are specifically focused on corresponding economic, social and cultural rights, such as the right to adequate food (Goal 2, on zero hunger); the right to health (Goal 3, on good health and well-being); the right to education (Goal 4, on quality education); the right to safe drinking water and sanitation (Goal 6, on clean water and sanitation); the right to work (Goal 8, on decent work and economic growth); and the right to an adequate standard of living, including the right to adequate housing, and equal ownership to land and properties (Goal 11, on making cities and human settlements inclusive, safe, resilient and sustainable).

9. Equally important are the cross-cutting goals on ending poverty (Goal 1), gender equality (Goal 5), reducing inequality (Goal 10) and sustainable natural resources (Goals 12, 13, 14 and 15), which are closely linked to the enjoyment of economic, social and cultural rights. Goals 16 (on peaceful and inclusive societies), 17 (on global partnership) and 8 (on sustainable industrialization) create the necessary conditions and a conducive environment for the effective, progressive realization of economic, social and cultural rights.

10. Many of the targets under the Goals explicitly reflect the content of relevant international human rights standards. Many address availability, accessibility, affordability and quality of education, health, water and other services related to those rights. The goals include targets on access to safe, nutritious and sufficient food for all, universal health coverage, free equitable and quality primary and secondary education, access to safe and affordable water, sanitation, hygiene and housing, and access to safe, effective, quality and affordable essential medicines and vaccines for all.

11. For example, under Goal 6, Member States committed to ensure the availability and sustainable management of water and sanitation for all. The Goal is accompanied by, inter alia, targets 6.1 (to achieve universal and equitable access to safe and affordable drinking water for all by 2030), 6.4 (to substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity, and substantially reduce the number of people suffering from water scarcity by 2030) and target 6.b (to support and strengthen the participation of local communities in improving water and sanitation management). These targets address the key normative content of the right to water, which includes the right to maintain access to existing water supplies necessary for the right to water; the right to be free from interference, such as the right to be free from

arbitrary disconnections or contamination of water supplies; and the right to a system of water supply and management that provides equality of opportunity for people to enjoy the right to water.²

12. Another example of a marked improvement over the Millennium Development Goals is on the right to education. The previous commitment on education under the Millennium Development Goals was merely to ensure that, by 2015, “children everywhere, boys and girls alike, will be able to complete a full course of primary schooling”, while the relevant provisions of both the International Covenant on Economic, Social and Cultural Rights (art. 13.2(a)) and the Convention on the Rights of the Child (art. 28.1(a)) stipulate that primary education should be compulsory and provided free of charge. There is ample evidence that indicates the exclusionary impact of school fees, formal or informal, on the poorest in terms of school attendance and completion. Sustainable Development Goal 4 now includes the element of “free primary and secondary education” in its target 4.1.

13. Notwithstanding the significant gains over the Millennium Development Goals, the new framework also contains some gaps and limitations, which will require close attention to ensure that the implementation of the 2030 Agenda is consistent with international human rights law, including economic, social and cultural rights. Examples include sexual and reproductive health and rights (target 5.6), targets limited to the requirements of national law (targets 5.a and 16.10), and targets 16.2 (ending violence and torture) and 16.10 (on fundamental freedoms). In other cases, inconsistencies with human rights standards may be implicit. For example, target 6.2 aims to eliminate open defecation but, with means of implementation unspecified, may risk criminalizing the poorest people in practice. It has also been pointed out that many of the health-related targets are reductive in their approach and do not reflect critical right-to-health elements (A/71/304, para. 8).

14. The risks of unintended effects and discrepancies must be anticipated and prevented when implementing the 2030 Agenda. At the same time, it has been recognized that, while there is considerable convergence, economic, social and cultural rights have much larger scope than the Sustainable Development Goals, and multiple human rights come into play in each Goal. Thus, approaching the implementation of the Goals from the perspective of economic, social and cultural rights helps to reinforce the integrated and interrelated nature of the Goals and the imperative to ensure a coherent and coordinated approach to their implementation.

III. Equality and non-discrimination

15. The 2030 Agenda for Sustainable Development puts commitments to leave no one behind and to reach the furthest behind first at its heart, cutting across all goals and targets. The human rights principles of equality and non-discrimination cut across all of the Sustainable Development Goals. The 2030 Agenda aims not only to end poverty and hunger, but also to combat inequalities within and among countries; to eliminate discrimination in laws, policies and practices; to build peaceful, just and inclusive societies; to promote gender equality and the empowerment of women and girls; and to protect human rights, including the right to development, so that all human beings can fulfil their potential in dignity and equality in a healthy environment irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status.

² See Committee on Economic, Social and Cultural Rights, general comment No. 15 (2002) on the right to water.

16. One major shift from the Millennium Development Goals to the Sustainable Development Goals is the inclusion of Goal 10, a new cross-cutting and stand-alone goal on reducing inequalities within and between countries. Rising inequalities across the world have become the defining challenge of modern times. Today, people live in a world where the top 1 per cent of the world's population owns almost half of the world's wealth.³ Deepening, divisive and destabilizing inequalities both within and among countries are stirring social unrest, undermining social progress and threatening economic and political stability, affecting all pillars and areas of United Nations work, including development, human rights, humanitarian work, and peace and security. Equality and non-discrimination are at the centre of a human rights framework, including economic, social and cultural rights. The imperative of reducing inequality and ending discrimination means that all people in all countries should benefit from development, without discrimination of any kind. It also means paying special attention to the people who are most excluded or discriminated against, such as women and girls, children, young people, persons with disabilities, persons living with HIV/AIDS, older persons, indigenous peoples, refugees, internally displaced persons and migrants.

17. Tackling economic inequality is an important component of this goal; indeed, it is crucial for achieving a whole host of the other goals and targets. For instance, extreme income inequality slows poverty reduction; eradicating extreme poverty (Goal 1) will therefore be impossible without tackling economic inequality. Economic inequality has been shown to have a number of detrimental human rights effects, perpetuating social exclusion and creating stark disparities in access to health, education, housing and other services essential to the enjoyment of economic, social and cultural rights. A recent study, for example, found evidence that that income inequality is a causal factor in various bad health outcomes, suggesting that up to 1.5 million deaths could be averted in countries of the Organization for Economic Cooperation and Development (OECD) if the Gini coefficient was reduced to below 0.30.⁴ On education, the United Nations Children's Fund (UNICEF) estimates that each extra year of education is associated with a reduction of the Gini coefficient by 1.4 percentage points.⁵ Economic inequality is also strongly correlated with social inequalities and discrimination, interacting with them in a vicious circle to create and deepen marginalization and disadvantage. Human rights actors and mechanisms should therefore strive to ensure that Goal 10 is given proper focus and priority in the implementation of the 2030 Agenda.⁶

18. The special focus of the 2030 Agenda on those left furthest behind and most excluded means that progress can no longer be measured in averages or aggregate, as has often been the case with the Millennium Development Goals. Under the 2030 Agenda, Member States have therefore committed to disaggregate data by income, sex, age, race, ethnicity, migration status, disability, geographic location and other relevant characteristics. Collecting quality, accessible, timely, reliable and disaggregated data to monitor progress across all goals and targets is of utmost importance in ensuring that no one is left behind, and in identifying and prioritizing those who are furthest behind.

³ See Era Dabla-Norris et al, *Causes and Consequences of Income Inequalities: A Global Perspective*, International Monetary Fund Staff Discussion Note, 2015.

⁴ See Kate Pickett and Richard Wilkinson, "Income Inequality and Health: A Causal Review" in Robert Kaplan, Michael Spittel and Daryn David, eds., *Population Health: Behavioral and Social Science Insights*, Agency for Healthcare Research and Quality, 2015.

⁵ See UNICEF, *The Investment Case for Education and Equity*, 2015.

⁶ See also Center for Economic and Social Rights, *From Disparity to Dignity: Tackling economic inequality through the Sustainable Development Goals*, Human Rights Policy Brief, 2016.

19. The United Nations system is called upon to be “fit for purpose” in its support for Member States in meeting this imperative, and in relation to this, the United Nations system is putting the imperative to combat inequalities and discrimination at the heart of its policies and operational work. More specifically, under the auspices of the United Nations System Chief Executives Board for Coordination, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UN-Women have been leading the development of a shared framework for action on combating inequalities and discrimination as a universally applicable, coherent, strategic and whole-of-system plan of action that is operationally-oriented and fully grounded in the normative standards of the United Nations, including the Charter, the Universal Declaration of Human Rights, relevant international treaties and conventions and in the Sustainable Development Goals themselves. The purpose of the shared framework for action is to establish a common understanding within the United Nations system of the challenges of rising inequalities and pervasive discrimination, to identify the separate and joint actions needed to combat it, and to promote the systematic integration of equality and non-discrimination issues in United Nations support for the implementation of the 2030 Agenda and the Sustainable Development Goals.

IV. Accountability

20. The 2030 Agenda for Sustainable Development commits Governments to establishing a robust, voluntary, effective, participatory, transparent and integrated follow-up and review framework, and sets out important principles to guide the review process at all levels, including gender sensitivity and respect for human rights. As part of its follow-up and review mechanisms, the 2030 Agenda encourages Member States to conduct regular and inclusive reviews of progress at the national and subnational levels which are country-led and country-driven. These national reviews are expected to serve as a basis for the regular reviews by the high-level political forum meeting under the auspices of the Economic and Social Council. As stipulated in the 2030 Agenda, regular reviews by the high-level political forum are to be voluntary, State-led, undertaken by both developed and developing countries, and involve multiple stakeholders.

21. Accountability is a cornerstone of the human rights framework and a litmus test for the human rights-based implementation of the 2030 Agenda. The human rights framework defines who is responsible for what and towards whom, and clarifies the nature of obligations – to take steps to the maximum of their available resources to achieve progressively the full realization of economic, social and cultural rights – as well as those that are of an immediate nature, notably to remove discriminatory laws, policies and other measures, and to assure minimum essential levels of each of the rights to assist those left furthest behind. It then establishes the conditions to hold duty-bearers answerable to rights-holders for their decisions and omissions, and provides mechanisms through which people can endorse their rights, monitor progress transparently, sanction poor performance and seek redress for human rights violations.⁷

22. An accountability framework for the implementation of the 2030 Agenda must therefore be strengthened at the global, regional and national levels and linked with relevant accountability mechanisms for human rights and other international norms and standards. Country and thematic reviews should systematically draw upon information and recommendations from United Nations human rights mechanisms as a means to achieve the

⁷ See also OHCHR and the Center for Economic and Social Rights, *Who Will Be Accountable? Human Rights and the Post-2015 Development Agenda*, United Nations, 2013.

Sustainable Development Goals and the realization of economic, social and cultural rights and all other human rights in a coherent manner (see paras. 32-49 below).

23. Accountability at the global level requires States to meet their responsibilities for international cooperation and to create an enabling international environment for development. The new Global Partnership for Sustainable Development and the implementation of Addis Ababa Action Agenda for financing for development⁸ must learn from and address the gaps and weaknesses of Millennium Development Goal 8 (on “a global partnership for development”), which lacked time-bound targets and failed to address global inequalities and power imbalances. It must also tackle global inequities, including in trade, finance and investment, and also combat corruption, illicit flows of funds, trade mispricing and tax evasion.

24. Participation is another interrelated dimension of accountability. The participation of rights-holders calls for accountability on the part of duty-bearers. All rights-holders, in particular the most marginalized and disadvantaged, should be guaranteed the means to participate in decisions that affect the enjoyment of their rights. At the collective level, civil society organizations comprising persons who organize themselves formally and informally around common interests should also participate in policymaking, implementation and evaluation.

25. Implementing the 2030 Agenda and the Sustainable Development Goals will involve many forms of multi-stakeholder partnerships, with public-private sector partnerships acting as a key mechanism to mobilize financial and other resources for development. To date, however, most partnerships lack an adequate accountability framework to secure a human rights-sensitive implementation of the 2030 Agenda. This includes the responsibilities of businesses and private sector to respect human rights. States have an obligation to protect human rights and to ensure that businesses and private sector act in accordance with international human rights, and labour and environmental standards. The Guiding Principles on Business and Human Rights offer key normative and operational guidelines in this regard, and should be the basis for ensuring that implementation partnerships are accountable, including through follow-up and review processes.

V. A human rights-based approach to data

26. The central commitment of the 2030 Agenda to leave no one behind implies moving beyond assessing average and aggregate progress, towards ensuring progress for all population groups at a disaggregated level. This will require disaggregating data to identify who is being excluded or discriminated against, how and why, and also who is experiencing multiple and intersecting forms of discrimination and inequalities.

27. The 2030 Agenda therefore commits to developing broader measures of progress to complement gross domestic product (GDP), and recognizes that disaggregated data will be needed to help with the measurement of progress and to ensure that no one is left behind. Follow-up and review processes at all levels are to be people-centred, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind. All data are to be disaggregated by income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts.

28. Data disaggregation is also essential for monitoring the progressive realization of the economic, social and cultural rights associated with the Sustainable Development Goals,

⁸ General Assembly resolution 69/313, annex.

while the elimination of any discrimination in law and in practice is an obligation of an immediate nature. Human rights indicators, which are based on international legal standards, are essential tools for measuring the realization of the Sustainable Development Goals and economic, social and cultural rights, as the use of conventional socioeconomic statistics alone is not sufficient if they are not properly compiled and analysed in the light of human rights standards (see A/HRC/31/31).

29. In this context, the 2030 Agenda calls for a strengthened capacity to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts. This presents an unprecedented opportunity for the measurement of the realization of economic, social and cultural rights.

30. At the same time, it will be important to ensure that the collection and analysis of data on the implementation of the Sustainable Development Goals respects human rights principles, given that collecting and disaggregating (or not disaggregating) data involve critical decisions that can pose substantial risks to the protection of the rights of the populations concerned. Those decisions need to be taken through appropriate processes, upholding human rights norms and principles, including:

(a) Participation. The participation of stakeholders in data collection is critical, in particular for the most marginalized or “invisible” groups (such as indigenous peoples, persons with disabilities, or minorities), or the organizations that represent them, including with the aim to mitigate any risks of collecting data on those groups;

(b) Data disaggregation and collection by population group. Data disaggregation and collection that allow for the comparison of different population groups are central to a human rights-based approach to data, and form part of a State’s human rights obligations. Data should be collected and disaggregated by grounds of discrimination recognized in international human rights law. Data should be published in a format that permits detection of possible multiple and intersecting disparities and discrimination. Qualitative indicators and analysis of legal, institutional or cultural status of affected populations are also essential to enhance the understanding and contextualization of the data;

(c) Self-identification. Data collection should not create or reinforce existing discrimination, but always “do no harm”, including by respecting personal identity and people’s own self-identification;

(d) Transparency. Data collection should be independent, transparent and accurate, and respect the rights to seek, receive and impart information of the people concerned, in accordance with the Fundamental Principles of Official Statistics;

(e) Privacy. Respecting the right to privacy and confidentiality of individual identification is also essential, particularly with regard to privacy concerns relating to big data and surveillance; strategies for preventing and mitigating data leaks or security breaches should also be put in place;

(f) Accountability. Accountability refers to both data collection for accountability and accountability in data collection. In the first sense, independent statistics, free from political interference, are fundamental tools to inform and hold those in power accountable for their policy actions (or inactions). Moreover, as State institutions, national statistics offices have human rights obligations in their daily exercise of statistical activities.

31. The above-mentioned principles are part of the human rights guidance on data and statistics developed by OHCHR, in consultation with human rights and statistics experts and practitioners. This human rights-based approach, and the values and norms underpinning it, are consistent with the Fundamental Principles of Official Statistics, and should help reinforce their implementation.

VI. Challenges and opportunities for national implementation

32. The 2030 Agenda for Sustainable Development presents unprecedented opportunities for advancing the realization of economic, social and cultural rights, as its implementation should be pursued in a manner that is consistent with the obligations of States under international law. At the same time, the 2030 Agenda expresses and reaffirms in multiple instances the commitment of Member States to achieve sustainable development for all, taking into account different levels of national development and capacities, different national realities and levels of development, and respecting national policy space for sustained, inclusive and sustainable economic growth, in particular in developing States.

33. For instance, the 2030 Agenda acknowledges the importance of regional and subregional dimensions, regional economic integration and interconnectivity in sustainable development, and that regional and subregional frameworks can facilitate the effective translation of sustainable development policies into concrete action at the national level. In addition, it acknowledges the role of national parliaments through their enactment of legislation and adoption of budgets and their role in ensuring accountability for effective implementation.

34. As Governments move forward in operationalizing the global commitments captured in the Sustainable Development Goals at the national level, it is essential that the integrated and universal nature of the Goals and targets is maintained and implemented as a coherent whole, rather than selectively. This presents a challenge for most States, in particular least developed countries, with 17 Goals and 169 targets to be implemented and their progress monitored. Governments would need to define national baselines and benchmarks towards achieving the global targets, “guided by the global level of ambition but taking into account national circumstances”.

35. As the Sustainable Development Goals effectively mirror economic, social and cultural rights, the concept of core obligations under the International Covenant on Economic, Social and Cultural Rights can further guide efforts towards their implementation at the national level. One is the concept of progressive realization. In its article 2 (1), the Covenant requires States “to take steps” to the maximum of their available resources to achieve progressively the full realization of economic, social and cultural rights. Even though States may realize economic, social and cultural rights progressively, they must also take immediate action, irrespective of the resources they have, in five areas: elimination of discrimination; economic, social and cultural rights not subject to progressive realization; obligation to “take steps”; non-retrogressive measures; and minimum core obligations.

36. Applying these concepts of core obligations from economic, social and cultural rights should therefore assist not only in maintaining a coherent and integrated approach but also in prioritizing national efforts to leave no one behind, while avoiding retrogression on Goals and targets that are on track or have already been achieved, which would also require regular and conscious monitoring efforts. For example, with regard to targets relating to the elimination of discrimination against women, which under human rights law impose obligations with immediate effect, monitoring of these targets should ensure that no new discriminatory laws or policy measures are introduced.

37. Several of the targets will require efforts at the global and regional levels, and the mobilization of resources to address common challenges, such as migration, illicit financial flows, pollution of the oceans, improving terms of trade and global tax cooperation. The need for international cooperation to support the implementation of the 2030 Agenda is recognized under Global 17 (on the Global Partnership for Sustainable Development) and under the a, b and c targets of each of the other Goals.

38. Under human rights law, these commitments are framed as integral part of State obligations. For example, under article 2 (1) of the International Covenant on Economic, Social and Cultural Rights, each State Party is required to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the Covenant. Similar provisions for international cooperation can be found in most other international treaties, which further strengthens the collective accountability of States in the implementation of the 2030 Agenda. Under article 4 (1) of the Declaration on the Right to Development, States have the duty to take steps, individually and collectively, to formulate international development policies with a view to facilitating the full realization of the right to development.

39. Both the 2030 Agenda (and its Goal 17 in particular) and the Addis Ababa Action Agenda contribute to creating an enabling environment for the realization of the right to development and all other human rights, including economic, social and cultural rights. The Addis Ababa Action Agenda contains numerous human rights considerations, such as the Guiding Principles on Business and Human Rights, reporting on environmental, social and governance impact, and the need for environmental and social safeguards in the context of activities by businesses and development banks. Members States agreed to promote financial inclusion, reduce inequalities, seek to eradicate extreme poverty, ensure gender equality and provide social protection and essential public services for all, with a focus on those furthest below the poverty line. For their part, civil society organizations have increasingly adopted a rights-based analysis to financing for development.

40. Another set of implementation challenges that could reveal an opportunity for applying a human rights-based approach relates to the need to ensure transparency, participation and accountability. As these are key human rights principles themselves, human rights frameworks offer useful guidance that should be taken into account in order to ensure not only that the implementation of the 2030 Agenda is in accordance with international law, but also that the outcomes and the impact of interventions are more sustainable and responsive to the aspiration of the people, particularly those who are left furthest behind. Applying these principles would ensure that all affected stakeholders are empowered to participate freely and meaningfully throughout processes to define national benchmarks and in strategies to localize the Sustainable Development Goals. Transparent and inclusive national implementation processes will lead to more relevant country strategies and actions, as those most affected can often help to identify the greatest challenges to be addressed and the opportunities to overcome them.

VII. Contributions of international human rights mechanisms

41. Human rights mechanisms, including the Human Rights Council and its subsidiary bodies, and international human rights treaty monitoring bodies offer the opportunity of promoting the accountability of those responsible for implementing the 2030 Agenda, and in ensuring that they do so in full conformity with human rights law. More than half of the targets of the Sustainable Development Goals – many of them related to economic, social and cultural rights – are already being monitored, to varying degrees, by the human rights mechanisms of the United Nations. The recommendations and concluding observations of human rights mechanisms play an important role in identifying key human rights issues at the country level and in prioritizing the most excluded and marginalized individuals and groups that will be relevant to the implementation of the Goals.

42. The Committee on Economic, Social and Cultural Rights has, for example, since its fifty-eighth session, made a recommendation focused on the Sustainable Development Goals as standard practice in all its concluding observations, reading:

The Committee recommends that the State party take fully into account its obligations under the International Covenant on Economic, Social and Cultural Rights and ensure the full enjoyment of these rights enshrined therein in the implementation of the 2030 [Agenda for Sustainable Development] at the national level, with the support of international assistance and cooperation when needed. Achieving the Sustainable Development Goals would be significantly facilitated by the State party establishing independent mechanisms to monitor progress, and by treating beneficiaries of public programmes as rights-holders who can claim entitlements. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind in the process.

43. Similarly, the Committee on the Rights of the Child has begun to link the Sustainable Development Goals to the rights contained in the Convention on the Rights of the Child in its concluding observations. This has also assisted the United Nations in its work at the country level, including for the elaboration of the United Nations Development Assistance Framework. The Sustainable Development Goals will be at the core of the Committee's work with UNICEF in the creation of a specific working group on follow-up to and monitoring of the Sustainable Development Goals related to children's rights.

44. Several special procedure mandate holders have been actively engaged in the process for the implementation of the Sustainable Development Goals through joint advocacy, thematic studies and developing partnership with United Nations entities to integrate human rights in Goal implementation efforts. For example, as a member of the task force on monitoring inequalities in access to drinking water, sanitation and hygiene for the 2030 Sustainable Development Agenda led by UNICEF and the World Health Organization, the Special Rapporteur on the right to water and sanitation is working closely with relevant United Nations entities to integrate the human rights to water and sanitation in monitoring and implementing the water and sanitation targets of the Sustainable Development Goals.

45. The Working Group on the Right to Development has also been seized with the 2030 Agenda in the context of the right to development. In its report on its seventeenth session (A/HRC/33/45), the Working Group recommended that, in its future deliberations, it should study the contributions of States to the implementation of the right to development, at the national, regional and international levels, in keeping with the mechanisms relating to the Sustainable Development Goals. It also recommended that OHCHR consider facilitating the participation of experts in the eighteenth session of the Working Group to provide advice, with a view to contribute to the discussion on the implementation and realization of the right to development and on relevant implications of the 2030 Agenda.

46. The Human Rights Council has emphasized the importance of implementing the 2030 Agenda for Sustainable Development in a large number of its resolutions. The Council has also requested OHCHR and special procedure mandate holders to place a particular emphasis on the implementation of the Sustainable Development Goals in their reports. In February 2016, the Council devoted its annual high-level panel discussion on human rights mainstreaming to the theme of the 2030 Agenda and human rights, with an emphasis on the right to development. The discussion provided an opportunity to further explore the substantive links between the Goals and all human rights, including the right to development. At the discussion, the need to consider possible modalities to strengthen exchanges between the Council and the high-level political forum as part of the follow-up and review mechanism was highlighted.

47. In this regard, the universal periodic Review, which is based upon the principles of universality, interdependence, indivisibility and interrelatedness of human rights, has been

an important avenue through which the Human Rights Council can further contribute to thematic and country reviews of the implementation of the Sustainable Development Goals, and to promoting further linkages between the Goals and all human rights, including economic, social and cultural rights. In its State, United Nations system and stakeholder reports and recommendations, the universal periodic review can serve as a comprehensive source of information on integrating human rights into the processes for the implementation and monitoring of the Sustainable Development Goals. To facilitate making such linkages, OHCHR has upgraded the Universal Human Rights Index (<http://uhri.ohchr.org/en/>) to introduce new search categories so that recommendations or observations made by human rights mechanisms are searchable on the basis of the 17 Goals.

48. Such engagement, and the contributions of international human rights mechanisms with the processes for the implementation and monitoring of the Sustainable Development Goals, should be deepened and become a norm. In this context, the Human Rights Council, in a welcome development, provided, at the request of the President of Economic and Social Council, substantive contributions to the most recent session of the high-level political forum, held in July 2016. As the thematic focus of the forum in 2016 was on leaving no one behind, the contributions made by human rights bodies focused on their work in the field of equality and non-discrimination. Human rights bodies were requested again to contribute to the session of the forum in 2017, which will have a thematic focus on eradicating poverty and promoting prosperity in a changing world, pursuant to General Assembly resolution 70/299.

49. As independent institutions of accountability, national human rights institutions have a critical role to play in monitoring and ensuring that national implementation of the 2030 Agenda is conducted in accordance with international human rights standards and principles. In recognition thereof, participants in the twelfth International Conference of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, held in Mérida, Yucatán, Mexico, from 8 to 10 October 2015, adopted the Mérida Declaration on the role of national human rights institutions in implementing the 2030 Agenda for Sustainable Development. In the Declaration, participants emphasized that national human rights institutions were uniquely placed to play a bridging role between stakeholders and to promote transparent, participatory and inclusive national processes of implementation and monitoring. They could also contribute to a human rights-based implementation of the 2030 Agenda by, inter alia:

(a) Assessing the impact of laws, policies, programmes, national development plans, administrative practices and budgets on the realization of all human rights;

(b) Promoting transparent and inclusive processes for participation and consultation with rights-holders and civil society at all stages of the implementation of the 2030 Agenda;

(c) Holding Governments to account for poor or uneven progress in the implementation of the 2030 Agenda;

(d) Responding to allegations of rights violations in the context of development and implementation of the Sustainable Development Goals, including in relation to discrimination and inequality;

(e) Facilitating access to justice, redress and remedy for those who experience abuse and violation of their rights in the process of development, including by receiving and processing complaints, where national human rights institutions have such functions.⁹

VIII. Conclusions and recommendations

50. In the light of the close linkages between the Sustainable Development Goals and economic, social and cultural rights, the implementation of the 2030 Agenda for Sustainable Development presents an unprecedented opportunity for the advancement of economic, social and cultural rights, civil and political rights, and the right to development as well. The benefits of the two convergent agendas will not, however, be fully exploited unless specific and conscious attention is paid to the requirements and attributes of economic, social and cultural rights during the implementation of the 2030 Agenda.

51. A number of requirements for advancing the realization of economic, social and cultural rights in the context of implementing the Agenda 2030 for Sustainable Development have been highlighted in the present report, inter alia:

(a) To ensure that the implementation of the Sustainable Development Goals and their targets is consistent with international human rights law, particularly the substantive content of economic, social and cultural rights, including the core obligations, minimum core content and the interrelated and essential features of availability, accessibility, acceptability and quality of each right;

(b) To prioritize focus and actions on addressing inequalities and discrimination to leave no one behind and reach the furthest first, requiring the disaggregation of data based on all grounds of discrimination under international law while paying close attention to the needs of all marginalized groups, including those not mentioned in the 2030 Agenda;

(c) To strengthen the accountability framework at the national and global levels, and to ensure the effective and meaningful participation of people, particularly those left furthest behind, in decisions that affect their lives;

(d) To promote accountable partnerships for the implementation of the Sustainable Development Goals, including by supporting the application of the Guiding Principles on Business and Human rights to private sector partnerships;

(e) To promote further the linkages between the international human rights mechanisms and the follow-up and review mechanisms of the 2030 Agenda;

(f) To promote and implement a human rights-based approach to data, and the sharing of good practices in this regard.

⁹ See also “Realizing rights through the Sustainable Development Goals: the role of national human rights institutions”, briefing paper by the Danish Institute for Human Rights and the Centre Economic and Social Rights, June 2015.