Grounding development priorities in human rights: Incentives to improve equality, social security and accountability

The Millennium Development Goals (MDGs) have played an important role in placing key issues on the development agenda that might have otherwise been neglected. Importantly, the MDGs have resulted in the generation and collection of more targeted data, which have been used to influence national and international development policies and measures. Nevertheless, the MDGs, while welcomed by the international development community, were met with skepticism by many who questioned the wisdom of framing as political commitments matters already codified as legal obligations under international human rights law.

One key shortcoming of the MDG framework was its failure to fully reflect the promise of the Millennium Declaration in which countries resolved to strive for the full protection and promotion of all human rights. Indeed, more than a decade after the adoption of the Millennium Declaration, experience has shown that issues left out of a universally-agreed agenda are not effectively monitored and reported on, and easily become blind spots when priorities are set, policies defined or budgets allocated.

Human rights norms and standards provide concrete guidance as to how goals and targets for the post-2015 development agenda should be framed. Governments have already committed to uphold human rights in numerous international treaties. Grounding development priorities in human rights is not only a legal and moral imperative, but can also enhance effectiveness and accountability.

As independent experts appointed by the Human Rights Council, we have been mandated by States to make recommendations for the promotion of human rights at national, regional and international levels. In this statement, we make the following recommendations concerning key priorities for the post-2015 development agenda that are common to our mandates.

**Recommendation 1:** The post-2015 agenda should incorporate equality as a stand-alone and cross-cutting goal, aiming to progressively eliminate disparities within and between the most marginalized groups and the general population as well as between countries in order to achieve more inclusive forms of development.

**Recommendation 2:** The post-2015 agenda should include a goal on the provision of social protection floors, explicitly referencing the right to social security and a human rights-based approach to social protection.

**Recommendation 3:** Accountability must be at the core of the post-2015 development framework. We propose the establishment of a double accountability mechanism, whereby accountability mechanisms are developed at both national and international levels.
GROUNDING DEVELOPMENT PRIORITIES IN HUMAN RIGHTS: INCENTIVES TO IMPROVE EQUALITY, SOCIAL SECURITY AND ACCOUNTABILITY

As independent human rights experts appointed by the Human Rights Council, we make the following recommendations concerning key priorities for the post-2015 development agenda that are common to our mandates.

A. (IN)EQUALITY

Equality is intrinsic to each individual. Article 1 of the Universal Declaration of Human Rights affirms that “all human beings are born free and equal in dignity and in rights.” All people are entitled to the enjoyment of all rights, on an equal footing and without discrimination on any grounds, including race, ethnicity, sex, gender, disability, socio-economic status or age. Moreover, under international human rights treaties States have committed to take measures to ensure the implementation of economic, social and cultural rights to the maximum extent of their available resources. The human rights framework therefore offers a compelling rationale and means for putting inequalities at the centre of development policies and practices.

Recommendation 1: The post-2015 agenda should incorporate equality as a stand-alone and cross-cutting goal, aiming to progressively eliminate disparities within and between the most marginalized groups and the general population as well as between countries in order to achieve more inclusive forms of development.

There is now widespread agreement that the reduction of inequalities must be placed at the heart of the post-2015 agenda (see annex). Inequalities perpetuate exclusion at all levels of development. One of the weaknesses of the MDG framework has been its blindness to the issue of inequality and to the most marginalized members of societies. Its focus on aggregate figures and overall progress failed to account for growing social and economic disparities and incentivized States to prioritize aggregate progress and the ‘low-hanging fruit’ rather than giving special attention to the most vulnerable groups.

A global goal and targets dedicated to eliminating inequalities will draw attention to the most marginalized groups and individuals, create incentives to end discrimination, trigger the creation of more precise data and adjust development aims to better respond to the reality on the ground. It will require States to look beyond average attainments and adopt more effective ways of collecting disaggregated data on inequality and marginalized groups in order to measure progress in reducing inequalities.

Actions to increase the participation and voice of marginalized groups in policies and programmes to close the gap in the enjoyment of civil, political, economic, social and cultural rights is essential, given that lack of participation in decision-making is a fundamental cause and consequence of inequality.

Targets and indicators

While each country would have to adapt global targets and indicators to their specific context, the human rights framework provides the following guidance:
✓ Collect data on inequalities: The current lack of data on certain issues is not accidental; neglect often coincides with a low political profile. A commitment to better and more accurate data collection is essential to identifying and monitoring inequalities.

✓ Go beyond disaggregation of data: Data should be disaggregated according to gender, age, disability, marginalized groups among others. However, by itself, disaggregation does not automatically result in the reduction of inequalities. It is the action of policymakers in response to the information revealed by disaggregation that can result in the required change, which must then be reflected in target setting.

✓ Monitor more than income inequality: In order to assess progress in reducing inequalities, monitoring must also capture other causes of lack of access to basic rights and services.

✓ Measure inequality: Goals, targets and indicators must be framed in a way that aims to reduce inequalities through targeting the most marginalized; they must not continue to focus solely on aggregate progresses and outcomes. Progress in reducing inequalities should be measured among the following population groups, among others:

- marginalized groups and the general population
- poor and rich
- women and men
- rural and urban
- informal settlements and formal urban settlements

**B. SOCIAL SECURITY / SOCIAL PROTECTION**

All States have a duty to guarantee the right to social security as established in international human rights law (International Covenant on Economic, Social and Cultural Rights, art. 9). In its General Comment No. 19, the Committee on Economic, Social and Cultural Rights defined the right to social security as encompassing the right to access and maintain benefits, whether in cash or in kind, without discrimination in order to secure protection, inter alia, from (a) lack of work-related income caused by sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member; (b) unaffordable access to health care; (c) insufficient family support, particularly for children and adult dependents. Furthermore, the right to social security
includes the right not to be subject to arbitrary and unreasonable restrictions of existing social security coverage, whether obtained publicly or privately, as well as the right to equal enjoyment of adequate protection from social risks and contingencies.

**Recommendation 2: The post-2015 agenda should include a goal on the provision of social protection floors, explicitly referencing the right to social security and a human rights-based approach to social protection.**

Social protection floors are nationally defined sets of basic social security guarantees aimed at preventing or alleviating poverty, vulnerability and social exclusion. Social protection systems play a critical role in protecting the enjoyment of human rights, in particular economic, social and cultural rights, in the face of economic shocks and other recurrent crises. There is mounting evidence that social protection systems can contribute significantly to reducing the prevalence and severity of poverty, to improving social cohesion, to curtailing inequalities, to protecting people from the impacts of increasingly volatile food prices, and to creating sustainable and equitable societies. Yet, 75 to 80 per cent of families today have no access to social protection.

Given the on-going ramifications of the global financial and economic crises that are disproportionately affecting the poorest and most marginalized, now is an especially important time to strengthen social protection systems. Action taken now will ensure greater resilience against future crises, while supporting the most marginalized will help to protect future generations.

A goal on social protection would be aligned with commitments expressed in a number of international fora: General Assembly resolution 65/1 (outcome document of the MDG Review Summit); Recommendation 202 of the International Labour Organization; and the G20 Los Cabos Declaration, among others. On 14 June 2012, the International Labour Conference voted overwhelmingly in favour (452 yes; 0 no; 1 abstention) of the universalization of national social protection floors.

It is time to deliver on these commitments. The post-2015 development framework should aim for all countries to strengthen their social protection floors, which are human-rights based, context-specific and culturally-sensitive in order to meet the challenges particular to each country. The creation of a mechanism to support countries seeking to make progress in this direction could ensure that international support will be provided to developing countries establishing rights-based social protection schemes. This is the motivation behind the proposal for a Global Fund for Social Protection made by the Special Rapporteurs on the right to food and on extreme poverty and human rights.

**Targets and indicators**

As the post-2015 development agenda is being formulated, now is the time for States to deliver on their promises to end hunger, tackle poverty and eliminate inequality through the provision of social protection floors anchored in human rights.

- National social protection floor target: By 2030, all people in all countries should have access to a social protection scheme, at least at the level of national
floors for social protection as agreed in ILO Recommendation 202. Such a target
could be split into different components: (i) income security for various
segments of the population (e.g., children, older persons, unemployed persons,
etc); (ii) access to essential health care; and (iii) access to basic services, such as
water and sanitation, education, housing and others (as defined by national
priorities).

- **Possible indicators:** percentage of children and total population with access to
  essential healthcare, education goods and services; children receiving cash and
  in kind support guaranteeing income security during childhood; men and women
  of an active age who are not working due to unemployment, sickness, maternity
  or disability and who receive support; older persons who receive pensions;
  percentage of those working in the informal economy who are covered by social
  protection.

- **Measuring progress on inequality:** Progress should be measured with reference
to inequalities and by disaggregating disadvantaged population groups,
especially given that the most marginalized are largely concentrated in informal
labour markets with no access to contributory social protection and limited
access to non-contributory schemes due to discrimination, lack of legal identity
and other factors.

- **Global Fund for Social Protection target:** Establish a Global Fund for Social
  Protection, as proposed by the Special Rapporteurs on the right to food and on
  extreme poverty. Such a fund would have two key functions: 1) to close the
  funding shortfall for putting in place a social protection floor in least developed
countries; and 2) to help underwrite these schemes against the risks of excess
demand triggered by major shocks.

On this note, the new development framework should also require and support
States to develop employment programmes and job creation schemes that create
decent work, especially for the most marginalized. For example, under a global goal
on reaching full and decent employment, the framework could require national
programmes to reduce precarious work, ensure a living wage, labour rights and
gender equality at the workplace, and improve the employment opportunities of
vulnerable and marginalized groups.

However, despite the importance of decent work and employment and its links to
social protection, social protection should not be subsumed entirely under an
employment goal. A human rights approach to social protection requires
comprehensive, universal sustainable systems with both contributory and non-
contributory elements; the right to social protection is absolute and not dependent on
employment status.

### C. ACCOUNTABILITY

We reiterate the call made in March 2012 by 22 mandate-holders of the Human Rights
Council’s Special Procedures to put accountability, the foundation of a human rights-
based approach to development, at the core of our commitments. The open letter sent to
States negotiating the Rio+20 process proposed the establishment of a double
accountability mechanism.
Recommendation 3: Accountability must be at the core of the post-2015 development framework. We propose the establishment of a double accountability mechanism, with accountability mechanisms developed at both national and international levels.

At the national level: It is vital to establish or strengthen participatory accountability mechanisms through which people's voices can be heard and independent monitoring can be conducted. States should establish national-level accountability mechanisms to ensure that commitments made at the global level are fulfilled. These mechanisms should include independent monitoring that enables civil society participation not only in defining the indicators to measure progress, but also in providing information to evaluate implementation. Countries that have established independent bodies to assess the enjoyment of human rights (e.g., the South African Human Rights Commission) or national institutions with balanced representation that include both government officials and representatives of civil society to address other major issues (e.g., the Brazilian National Council on Food and Nutrition Security) have seen the concrete benefits of enabling people to hold public authorities accountable for failure to take action. In countries where such mechanisms already exist, States should provide authority and resources for these bodies to monitor the implementation of the post-2015 commitments. While some States may be wary of such mechanisms, viewing them as creating additional burdens, the reality of our experience is that empowering people contributes to lasting success.

Institutions in which civil society has a voice and include mechanisms that ensure an independent monitoring of progress towards agreed targets enable States to better understand the nature of the challenges faced, and to change policies that do not produce results. Conversely, policies not informed by the views of those they seek to serve or not monitored often are inefficient and short-lived. We strongly believe that we cannot work for the people without the people.

In line with current international standards, the new development framework should reflect the duty of States to establish accountability mechanisms for ensuring and monitoring that business enterprises respect human rights, throughout their operations, including effective access to remedies when negative impacts occur.

National accountability mechanisms would enable a structured dialogue at national level between governments and their constituencies, which would coordinate with the international human rights system and feed into the international review mechanism. Collective learning and the dissemination of best practices would be encouraged at domestic and international levels.

At the international level: Existing intergovernmental institutions could monitor, on the basis of agreed indicators, progress on global goals in a process similar to the Universal Periodic Review inaugurated in 2007 by the Human Rights Council to provide a peer review of the human rights records of all 193 Member States of the United Nations every four years.

The Universal Periodic Review (UPR) is a process involving a peer review of the human rights records of each United Nations Member State every four years. This State-driven process conducted within the Human Rights Council provides an
opportunity for States to explain how they are working to improve the human rights situation in their countries. The Universal Declaration of Human Rights and the international human rights treaties ratified by the country forms the baseline of the review and the UPR culminates with recommendations to the State under consideration, which it may accept or reject.

The success of the UPR largely rests on the fact that, beyond “national reports” prepared by the State concerned, the Human Rights Council also considers “compilations of United Nations information” prepared by the Office of the High Commissioner for Human Rights, drawing from information emanating from the United Nations human rights monitoring mechanisms and other United Nations entities, “Summaries of stakeholders’ information” based on information provided by non-governmental organizations, along with information submitted by national human rights institutions and other actors (e.g., regional organizations, research institutions) is also considered. In other terms, the UPR is a peer review process grounded in State reporting and in independent monitoring, which helps to ensure equality of treatment between States and quality of the process of review.

The UPR has provided a framework for exchange and dialogue at the national level across State structures as well as between the State and civil society. It also provides an opportunity for States to share best practices and has stimulated bilateral cooperation and exchanges. States should be encouraged to consider creating a similar mechanism for the commitments to be made in 2015. Given the many international dimensions of sustainable development, specific focus should be placed on the duty of international assistance and cooperation in solving international problems of an economic, social, cultural or humanitarian character and on the extraterritorial human rights obligations of States.

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Inequalities undermine the realization of human rights. UN agencies have acknowledged the worrying levels of these income and wealth inequalities, adding at the same time that inequalities in access to land and other productive assets, as well as in social outcomes and access to services, are widespread. As stated by the UN System Task Team on the Post-2015 Development Agenda in its report to the Secretary General, “persistent inequalities and struggles over scarce resources are among key determinants of situations of conflict, hunger, insecurity and violence, which in turn are key factors that hold back human development and efforts to achieve sustainable development.” The worrying level of inequalities also led the Task Team to state that “high inequalities have impeded sustainable development and have no place in a world where a decent and secure well-being should be a prerogative of all citizens.”

Our understanding of the importance of equality has greatly improved over the past decades. Equality has been shown to have net positive impacts on a range of social and economic indicators as well as on the management and sustainable use of environmental resources.

Inequality correlates with health and social problems. Problems such as mental illness, obesity, cardiovascular disease, teenage pregnancy, lack of social mobility and neglect of child welfare increase with greater inequality. Income inequality may even cause health and social problems, independent of other factors, as suggested by a range of expert studies. Overall, societies that do the best for their citizens are those with the narrowest income differentials.

In its contribution to the post-2015 development agenda, the United Nations Research Institute for Social Development (UNRISD) documents that inequality hampers economic growth and poverty reduction efforts as high levels of inequality i) push large segments of the population into low-wage jobs, holding back domestic consumer spending; ii) can act as a catalyst for financial crises through under-consumption and the creation of various “bubbles”, resulting from the accumulation and hoarding of assets, which can destabilize the real economy; iii) make it difficult to construct broad-based, redistributive and fiscally sustainable social welfare systems. As the UNRISD contribution notes, inequality “corrodes the social fabric”, as high levels of inequality create polarized societies in which fragmented systems of social provision deliver high quality education and health services only to those who can afford them, while others have to rely on underfunded and overstretched public services. Equally, it “may undermine efforts to build more democratic societies” as high levels of inequality make it easier for those with economic power to use it politically to preserve their interests.

Equality supports sustained economic development, contrary to the often-cited view that pursuing equality reduces efficiency and growth. This is documented in a host of studies. Notably, research conducted by Andrew Berg and Jonathan D. Ostry, respectively Assistant Director and Deputy Director of the International Monetary Fund’s Research Department, shows that more equal societies have a greater likelihood of sustaining longer-term growth.

Rising inequalities constituted a main cause of the economic crisis which is currently leading to severe set-backs in the progressive realization of many economic,
This is the diagnosis of leading experts, among others Raghuram Rajan, Chief Economic Advisor (CEA) in India’s Ministry of Finance, and Joseph Stiglitz, recipient of the 2001 Nobel Memorial Prize in Economic Sciences, xvii pointing in particular at the "huge inequalities in income distribution which generated much larger investable funds than could be profitably employed." xviii Till van Treeck and Simon Sturn of the Macroeconomic Policy Institute (IMK), in a study published by the International Labour Organization (ILO) and based upon a survey of the role of income inequality in causing the “Great Recession,” in particular in China, Germany and the United States, argued that “reducing inequality is crucial for more macroeconomic stability on a global scale.” xix

Equality is not a natural outcome of development. We cannot expect equality to be achieved simply by the natural course of events. One development theory known as the "Kuznets hypothesis" postulates that as a country develops, inequality increases at first (as people move from low-productivity agriculture to the more productive industrial sector, where average income is higher and wages are less uniform), and then decreases after a certain average income is attained, as a society matures and establishes old-age pensions, unemployment benefits, and other social transfers. But income inequality has been on the rise—or stagnant at best—in most countries since the early 1980s. xx

Many advanced economies saw a long increase in income inequality in the post-war period. Inequality was at its lowest in the 1970s. The trend towards equality was reversed since: according to the International Labour Organization, between 1990 and 2005, approximately two thirds of the 73 countries for which data are available experienced an increase in income inequality (as measured by changes in the Gini index). xxi The richest 1 per cent of the world’s population currently owns 40 per cent of global assets; while the bottom half of the world’s population holds just 1 per cent of global wealth. xxii Gender income inequality too remains a huge challenge: the average deficit of women’s earnings compared to men’s was 22.9 per cent during the period 2008–2009. xxiii

Inequality and environmental degradation are mutually reinforcing. This is in part because, as noted by the 2011 Human Development Report on “Sustainability and Equity”, “runaway growth in consumption among the best-off people in the world is putting unprecedented pressure on the environment”. xxiv But it is also because the poor and marginalized are particularly vulnerable to the negative effects of ecological degradation and climate change. Climate change is mainly caused by wealthy countries and the wealthiest individuals in these countries, but it will disproportionally impact the poorest countries and the poorest individuals in these countries, impeding the fulfilment of the human rights of the most vulnerable groups. Inequalities, in other terms, will worsen the negative effects of climate change and environmental degradation, while these negative effects further exacerbates existing inequalities within and among countries.

Reducing inequalities is achievable. Over the past two decades, fiscal policy reduced inequality by about one-third in OECD countries. xxv The limited redistributive impacts of fiscal policies in developing countries largely explain the greater inequality observed in these countries. However, some of the most unequal societies in the global South, such as Brazil, Ecuador and Uruguay, are at the same time demonstrating a capacity to decrease inequality, including through social support programs such as Oportunidades.
in Mexico and Bolsa Familia in Brazil, as well as—in the case of Brazil—broader access to education. Moreover, we also understand better than before how to promote human development altogether with sustainability, equality and human rights.

\[1\] Olivier De SCHUTTER, Special Rapporteur on the right to food; Magdalena SEPÚLVEDA, Special Rapporteur on extreme poverty and human rights; Catarina de ALBUQUERQUE, Special Rapporteur on the human right to safe drinking water and sanitation; Verene SHEPHERD, Working Group of Experts on People of African Descent; Alfred de ZAYAS, Independent expert on the promotion of a democratic and equitable international order; Cephas LUMINA, Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights; Frank LA RUE, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Anand GROVER, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Margaret SEKAGGYA, Special Rapporteur on the situation of human rights defenders; Gabriela KNAUL, Special Rapporteur on the Independence of Judges and Lawyers; François CRÉPEAU, Special Rapporteur on the human rights of migrants; Rita IZSÁK, Independent Expert on minority issues; Pablo De GREIFF, Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; Pavel SULYANDZIGA, Working Group on the issue of human rights and transnational corporations and other business enterprises; Rashida MANJOO, Special Rapporteur on violence against women, its causes and consequences; Kamala CHANDRAKIRANA, Working Group on the issue of discrimination against women in law and in practice; Surya Prasad SUBEDI, Special Rapporteur on the situation of human rights in Cambodia.

\[ii\] See among other treaties, the International Covenant on Civil and Political Rights, article 2(1), and International Covenant on Economic, Social and Cultural Rights, article 2(2).

\[iii\] See, in particular, International Covenant on Economic, Social and Cultural Rights, article 2(1); Convention on the Rights of the Child, articles 4, 24(4) and 28; Convention on the Rights of Persons with Disabilities, article 4(2).


\[v\] Widespread political support for the idea of non-contributory minimum social protection crystallised in 2009, when the heads of the United Nations (UN) agencies launched the Social Protection Floor Initiative as one of the nine UN joint initiatives to cope with the global economic and financial crises. In 2011, in a landmark move, the G20 States expressly declared their support for social protection in the Cannes Summit Final Declaration.


\[vii\] See note 1.


\[x\] The UPR was established through the General Assembly resolution 60/251, which also created the Human Rights Council. In October 2011, the consideration of Haiti marked the end of the first cycle of the UPR, with all 193 Member States having had their human rights records peer reviewed. For more information, see http://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx

\[xi\] UN System Task Team on the Post-2015 UN Development Agenda. Realizing the Future We Want for All, Report to the Secretary-General, New York, June 2012, p. i.

\[xii\] UN System Task Team on the Post-2015 UN Development Agenda. 2012, para. 33.


\[xiv\] Karen Rowlingson. Does income inequality cause health and social problems? Joseph Rowntree Foundation, September 2011, 51 pp. Note: this report provides an independent review of the research in this field, paying particular attention to the evidence and arguments put forward in “The Spirit Level”, which placed income inequality firmly within public debate (Wilkinson and Pickett, 2009). One study, for example, suggest that the loss of life from income inequality in the US in 1990 was the equivalent of the

xv UNRISD, Inequalities and the Post-2015 Development Agenda, UN Research Institute for Social Development, Research and Policy Brief 15 (October 2012), p. 3. Note: the reader can find the primary sources and references for each statement made by UNRISD in a note prepared by UNRISD as a member of the UN Task Team Working Group on “Emerging Issue of Inequality (including gender)”: UNRISD, Inequalities and the Post-2015 Development Agenda: A Concept Note, p. 3.


xxii UNRISD, Inequalities and the Post-2015 Development Agenda, UN Research Institute for Social Development, Research and Policy Brief 15 (October 2012), p. 1. As another study shows, the faster growth in most developing countries than in industrialized countries, allowing for a certain convergence of the economies, did not compensate for the growth of inequalities at domestic level: global inequality (between all citizens of the world) remained extremely high, oscillating around 70 Gini points during the period 1988–2005, 10 Gini points higher than inequality within even the most unequal individual countries (Branko Milanovic, Global inequality recalculated and updated: the effect of new PPP estimates on global inequality and 2005 estimates, Journal of Economic Inequality (2012) 10, p. 16).


xxv OECD, Divided We Stand: Why Inequality Keeps Rising, December 2011.

xxvi Branko Milanovic, ‘More or less’, 2011, pp. 10. Note: Brazil’s Gini dropped from the low 60s in 2000 to somewhere below 57 today.