

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

DEPUTY EXECUTIVE DIRECTORS

Michele Alexander, *Development and Global Initiatives*
Carroll Bogert, *External Relations*
Iain Levine, *Program*
Chuck Lustig, *Operations*

Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

DIVISION AND PROGRAM DIRECTORS

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Joseph Amon, *Health and Human Rights*
Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Coursen-Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugee*
Arvind Ganesan, *Business and Human Rights*
Liesl Gertholtz, *Women's Rights*
Steve Goose, *Arms*
Graeme Reid, *Lesbian, Gay, Bisexual and Transgender Rights*

ADVOCACY DIRECTORS

Philippe Boloipon, *United Nations, New York*
Maria Laura Canineu, *Brazil*
Kanae Doi, *Japan*
Jean-Marie Fardeau, *France*
Meenakshi Ganguly, *South Asia*
Tiseke Kasambala, *Southern Africa*
Lotte Leicht, *European Union*
Sarah Margon, *Washington DC, Acting*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*
Juliette de Rivero, *United Nations, Geneva*

BOARD OF DIRECTORS

James F. Hoge, Jr., *Chair*
Susan Manilow, *Vice-Chair*
Joel Motley, *Vice-Chair*
Sid Sheinberg, *Vice-Chair*
John J. Studzinski, *Vice-Chair*
Hassan Elmasry, *Treasurer*
Bruce Rabb, *Secretary*
Karen Ackman
Jorge Castañeda
Tony Elliott
Michael G. Fisch
Michael E. Gellert
Hina Jilani
Betsy Karel
Wendy Keys
Robert Kissane
Kimberly Marteau Emerson
Oki Matsumoto
Barry Meyer
Aoife O'Brien
Joan R. Platt
Amy Rao
Neil Rimer
Victoria Riskin
Graham Robeson
Shelley Rubin
Kevin P. Ryan
Ambassador Robin Sanders
Jean-Louis Servan-Schreiber
Javier Solana
Siri Stolt-Nielsen
Darian W. Swig
John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

June 20, 2014

Letter to the UN General Assembly Open Working Group 12 on Sustainable Development Goals ahead of the 12th Session

Dear Excellency,

As you may be aware, the Co-Chairs of the United Nations General Assembly Open Working Group on Sustainable Development released on June 2 their “zero draft” of suggested sustainable development goals and related targets. This was mandated by the Rio+20 outcome document, and is in preparation for next week’s informal consultations in advance of Open Working Group Session 12. These informal consultations are a very important moment for governments to build on the many positive features of this draft, but also to strengthen it in some significant areas.

Throughout this process, the concern of Human Rights Watch, as an international human rights organisation, has been to ensure that future goals and targets on sustainable development are consistent with, and serve to further advance, existing international human rights commitments. Our research suggests that development not firmly grounded in human rights can leave behind the most marginalized and vulnerable people. For example, discrimination based on gender, age, ethnicity, or disability, among others, may mean that the poorest and most marginalized may not enjoy improved access to health, education, or economic opportunity made available through development or achieved by others in the same society. More disturbingly still, development that is not rooted in human rights can be associated with abusive practices and further impoverishment of people already living situations of extreme poverty. There have been situations where people have been forced from their land and homes to make way for large commercial investors, compelled to toil long days for low pay in dangerous conditions, or exposed to life-threatening pollution from poorly regulated industries.

While governments have existing obligations to respect, protect, and fulfil rights, the fuller integration of human rights into sustainable development can contribute to improved outcomes, promoting a form of development that is more inclusive, participatory, just, transparent, and accountable, precisely because it is rights-respecting. The Open Working Group has the historic

HUMAN
RIGHTS
WATCH

HRW.org

opportunity to propose credible goals and targets that incentivise greater respect for rights, hold governments to account for delivering them, and ultimately lead to a more sustainable manner of development.

To this end, Human Rights Watch welcomes the reaffirmation of the importance of the Universal Declaration of Human Rights in the opening section of the zero draft, and other important goals and targets related to the realization of human rights. We urge your government and other member states to hold firm on the commitments to rights already reflected in the draft. We believe, however, that there is scope throughout the document to make specific references to international rights standards and their relevant monitoring bodies. For example, goals related to key economic, social, and cultural rights such as education, health, water and sanitation, and food fail to reflect their legal recognition as human rights and their corresponding core contents.

There are some specific areas where we urge strong leadership in maintaining or strengthening current language.

- **In the proposed goal on health (Goal 3)**, we urge that the commitment relating to sexual and reproductive healthcare be strengthened to include sexual and reproductive health rights, which provide people, and women and girls in particular, the right to make decisions regarding their own bodies and health. Further, we call for a specific target for universal access to palliative care and pain medicine, consistent with the 2014 World Health Assembly Resolution, EB134.R7. Finally, in goal 3.4 we urge the addition of a reference to the need to ensure access to narcotic drugs for medical and scientific purposes, an obligation under the 1961 Single Convention on Narcotic Drugs with which compliance has been poor in numerous member states. The addition should read “while ensuring the adequate availability of narcotic drugs for medical and scientific purposes.”
- **In the proposed goal on education (Goal 4)**, we urge explicit reference to the UN Convention on the Rights of Persons with Disabilities and to the legal duties set out in the Covenant on Economic, Social and Cultural Rights concerning free education. A significant number of children worldwide who are not in school are those with disabilities and experience discrimination and other barriers to education associated with their disability. The goal should reflect the legal duty on states to ensure universal, compulsory, and free primary education that is culturally appropriate quickly, and have a detailed plan to do so. It should reflect the duty on states to ensure the availability and accessibility of secondary and higher education and the progressive introduction of free education in both levels of education.

- **In the proposed Goal 5 on gender equality and the empowerment of women and girls**, we are pleased to see strong targets related to the rights of women and girls, including a target to end all forms of discrimination against women and girls, and to eliminate all forms of violence and harmful practices against women and girls. We welcome a recommitment to ensure universal access to sexual and reproductive health and reproductive rights in accordance with the Programme of Action of the ICPD, and significant attention paid to women’s economic issues. We are concerned with the lack of recognition of sexual rights, and urge their inclusion. We are troubled that Goal 5 is the only goal whose targets all lack target dates for completion. We believe this gives the impression of a lack of urgency, and may create an accountability gap for reaching these targets. We urge your government to push for the inclusion of target dates for Goal 5. And we urge that the goal explicitly recognizes women’s and girls’ human rights. Empowerment of women may be insufficient if their rights are not fully respected by their own government or within society. We also call for this goal to include specific references to women and girls with disabilities, particularly in paragraphs 5.2, 5.8, and 5.9. Our research in a number of countries has found that women with disabilities are particularly vulnerable to violence, have almost no voice in the political process, often have limited access to sexual and reproductive health care, and are stripped of their reproductive rights.
- **We believe that Goal 8 on promoting strong, inclusive, and sustainable economic growth and decent work for all** could be further strengthened by a commitment to introduce mandatory requirements on corporations to undertake human rights due diligence around their work and publicly report on their human rights, social and environmental impacts, as well as payment made to domestic or foreign governments. To ensure targets in this goal are met, governments should also commit to monitoring the global human rights practices of businesses headquartered on their soil and ensure that all companies under their jurisdiction act in accordance with international human rights law.
- **We welcome the inclusion of a new proposed goal (Goal 10) on the reduction of inequality**. We are also encouraged by the specific reference to the need for the elimination of discriminatory laws, policies, and practices, including development projects, and the mandate for reliable and timely disaggregated data. We believe this goal should be maintained throughout negotiations, and not removed as it was prior to Open Working Group Session 11. We also call for this goal to make explicit reference to international human rights standards, including the need to eliminate both direct and indirect forms of discrimination, and the need for governments to bring their legal framework into line with this, ratify international agreements where they have not done

so, including allowing individuals to bring cases alleging discrimination to international bodies, and to permit UN rapporteurs and other independent experts to monitor governments' respect for rights. We also urge the adoption of targets for reducing unjustified disparities between different social groups, alongside concrete targets for improving the condition of and the ability to make decisions about development affecting them of the poorest and most marginalised.

- **Proposed Goal 16 is a key goal to ensure the sustainability of development gains.** We are pleased to see its inclusion. This goal must be kept to ensure the success of the other goals. The targets on access to information, transparent institutions and the freedom of media, association and speech must be maintained. In particular, we are urge governments to maintain targets 16.3, 16.4, 16.10, 16.11, 16.12, 16.13, 16.14, 16.15, 16.16, and 16.17. We urge that the language on these points be further strengthened to specify that governments should commit to respect for civil and political rights, including the rights to freedom of speech, association and assembly, the ability of people to participate in free elections, and access to information and the rule of law, through the adoption of legal frameworks that guarantee these rights.
- **Under Goal 17, the means of implementation,** we urge governments to ensure that international organizations, including international financial institutions, respect human rights through their development policies and programs.

I hope that your government can press for these changes at upcoming meetings of the Open Working Group on Sustainable Development.

Yours sincerely



Iain Levine
Deputy Executive Director for Program
Human Rights Watch