



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Re: *Human rights in the financing for development agenda*

Excellency,

In Addis Ababa, from 13 – 16 July, States will gather at the Third International Conference on Financing for Development to adopt a new agenda on FFD. In order for the post-2015 development agenda to succeed, the FFD outcome must be ambitious. It must set the tone for rights-based development and guarantee the means of its implementation. It must satisfy the demands of people to have their most basic needs met in a world where the ever-growing resources freed by human ingenuity, innovation and scientific advancement are increasingly concentrated in the hands of a wealthy few.

Most of all, the FFD outcome must live up to and build upon the existing commitments of States to promote, protect and fulfil the human rights of all persons, to eliminate inequalities and all forms of discrimination, and to take steps jointly and separately to mobilize the maximum available resources necessary to achieve these objectives.

Excellency,

I welcome the considerable progress that has been made by Member States in integrating human rights considerations in the FFD outcome draft. The present draft contains strong language on stopping tax evasion, preventing illicit financial flows, improving transparency, promoting tax cooperation at all levels, and ensuring that businesses pay their fair share of taxes. It commits States to promote financial inclusion, reduce inequalities, eradicate poverty, ensure gender equality, and provide social protection and essential public services for all with a focus on those furthest below the poverty line.

Critically, the draft calls for increased international cooperation to ensure that its ultimate objectives are met and all persons have access to basic necessities for the realization of economic and social rights. It encourages the use of TRIPS flexibilities to promote access to medicines and other needed technologies, commits States to reduce the costs of remittances and protect the rights of migrants, and calls for improved policy coherence across the economic and development spheres.

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To all Permanent Missions in New York and Geneva

The draft also recognizes that the status quo is not enough, that more must be done to identify innovative sources of finance, to improve effectiveness of development assistance, to harness technological progress for the benefit of people and not just the profit of businesses, to promote transparency, participation and accountability of international financial institutions, to ensure responsibility and accountability of businesses, to prevent and mitigate the negative impacts of financial crises, to guarantee adequate follow-up, monitoring and accountability for FFD commitments, and to establish people as the central subjects, active participants and beneficiaries of development.

Excellency

I call upon States to defend and strengthen these and other commitments presently contained in the draft FFD outcome document, including relevant references to human rights, equality and non-discrimination, good governance, accountability, policy coherence, transparency, participation, responsibilities of businesses, and safeguard policies. An ambitious FFD outcome that fully integrates all relevant human rights commitments will bring hope for the success of a post-2015 development agenda upon which the prospects for human dignity for billions of lives in developed and developing countries alike depend. Such an outcome should strongly reflect the following human rights considerations.

First, under core human rights treaties, States are obligated to mobilize and allocate the maximum available resources for the progressive realization of economic, social and cultural rights, as well as to advance civil and political rights and the right to development. States should support an FFD outcome that actively seeks to mobilize all available resources for development.

Second, States have committed to international cooperation for the realization of all human rights. States should affirm, fulfil and build upon their existing development commitments, and create an enabling international environment for development that aligns economic policies and institutions with human rights standards. They should take measures to ensure coherence between current international legal regimes for trade, finance, and investment and norms and standards for labour, the environment, human rights, equality and sustainability.

Third, States have committed to empower excluded groups, such as women, children, indigenous peoples, migrants, persons with disabilities, older persons, and poor and marginalized groups, and to eliminate all forms of inequality and discrimination. The FFD outcome should ensure that the benefits of development are accessible to all and eliminate discriminatory barriers to the enjoyment of basic services, including financial services.

Fourth, according to the United Nations Guiding Principles on Business and Human Rights and other human rights instruments all actors have human rights responsibilities. States have an affirmative obligation to protect human rights from the potentially negative impacts of private activities including through public-private partnerships and blended finance instruments. Private actors have the responsibility to respect human rights in all contexts, including public private partnerships, blended finance instruments, foreign direct investment and other business activities. The FFD



outcome should call upon States to establish appropriate regulations and accountability mechanisms for all actors in the development and economic spheres. It should also require all actors to respect human rights and to do no harm to their realization.

Fifth, States have an obligation to guarantee that all persons enjoy the rights to food and health as well as the benefits of science and its applications. The FFD outcome should reflect a commitment to ensure that global intellectual property regimes do not obstruct the realization of the right to food, hinder access to medicines, or impede the benefits of development from reaching the poor and marginalized.

Sixth, a successful FFD outcome will set the stage to more effectively monitor human rights progress and ensure accountability of all duty-bearers to rights-holders. A people-centred and planet sensitive post-2015 agenda must adopt a broad, human rights sensitive measure of progress that captures the degree to which the strength of an economy meets the needs and rights of people, and how sustainably and equitably it does so. States should regularly review and monitor their FFD commitments based on specific, measureable, time-bound targets in order to ensure accountability. This should include a global peer review dimension that draws upon and feeds into existing monitoring mechanisms, including the work of relevant human rights bodies. Monitoring efforts should be underpinned by a human rights-based data revolution that makes information more available, more accessible and more broadly disaggregated to track development impacts for all people in all countries.

Excellency,

If these human rights considerations are well reflected in the FFD outcome adopted at Addis, the international community will have set itself squarely on a path toward securing freedom from fear and freedom from want for all people without discrimination. As you work toward this objective, I hope that you will consider the attached key messages on human rights and FFD that further elaborate upon the human rights commitments of all relevant stakeholders in the context of FFD.

I wish you the greatest success in ensuring an outcome that reflects and is accountable to the needs and demands of people, fully integrates relevant human rights commitments, encapsulates the imperative of human-rights based policy coherence, and sets the tone for upcoming negotiations on the post-2015 development agenda and climate change.

Sincerely,

Zeid Ra'ad Al Hussein
High Commissioner for Human Rights