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25th Annual Meeting of the International Coordinating Committee of National Human Rights Institutions (ICC)

NHRIS AND THE RIGHT TO DEVELOPMENT

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Palais des Nations, Geneva

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Excellencies, Commissioners and Colleagues,

Thank you, Chair, for giving UNDP the floor. We also wish to thank the ICC for dedicating this session to a topic that is at the heart of my organization. I am also very pleased to join Ms. Magdalena Sepulveda, the UN Special Rapporteur on Extreme Poverty and Human Rights, with whom UNDP continues to enjoy a very close relationship.

Sustainable development must be about enabling countries to accelerate and sustain that progress. It must be about establishing a trajectory of human development which allows all people to exercise their choices and meet their aspirations. The forty year review of human development progress undertaken by UNDP for its 2010 global Human Development Report, found that it is the quality, more than the speed, of growth which mattered most in lifting human development. Thus growth needs to be both inclusive and sustainable, by widening inclusion and moving away from decisions and processes that erode democratic space and breed social inequality, discrimination, intolerance, and violence.

Economic growth per se does not necessarily result in poverty reduction, and poverty reduction does not automatically equate with a reduction in inequality. From a human development perspective, poverty is seen as more than income deprivation,
and is concerned with an enabling environment for people. Unfortunately, intentional (power structures or social attitudes) and unintentional (failure to recognize differential impact of policies on individuals or groups) exclusion continue to affect choices and opportunities of people.

Corrective measures are required for ‘blind’ development policies that are not sufficiently reaching socially excluded people. Policies also have to go beyond ‘equality of opportunities’ as deep disadvantages accumulate over time, and it is imperative to identify socially excluded groups as well as to understand underlying social, political, cultural and economic processes. Whilst some important efforts have already been taken to disentangle the links between human rights, development and economics, inequality is on the increase and yet it remains on the margins of the development policy agenda masked by concepts such as exclusion. Addressing structural equality would pave the way for addressing power relations and meaningful participation. This is likely to address a range of discriminatory patterns not always associated with income. The challenge for us as the human rights community is therefore to ensure that we unpack inequality in a manner that is measurable and sufficiently demystified for it to be positioned into the new development discussion.
Whilst discussion deepens on addressing structural inequality, demystification of human rights combined with a multi-sectoral, multidisciplinary and holistic approach beyond the usual legal and formalistic approach to human rights are necessary to expand across disciplines making human rights more accessible.

Translating laws into policy and practice still remains a global challenge. With several new constitutions especially those that include socio-economic rights, this gap of translating law into policy, the prerogative of the executive, is very quickly being filled by the judiciary. If anything, this is an alert for UNDP to step up our support on policy formulation and implementation especially on socio-economic rights whilst also ensuring that support expands beyond the executive to other arms of the state. Furthermore, adapting the human rights system to assimilate into government systems seems more feasible than developing human rights processes separate to the national operating systems.

More comprehensive policy coherence to link inter-governmental processes and strengthen communication between global and national systems to enable more effective responses and interventions is imperative. Whilst acknowledging that some processes may be different, complementarity between these processes can ensure more effective and coherent outcomes that would serve to connect and strengthen the linkages between human rights and development, in particular. As an illustration,
we observed that the UPR is perceived as primarily a human rights process and is somewhat disconnected to other UN processes in spite of its complementarity. The comprehensive country submissions, as an example, to the 2010 Millennium Summit did not always correlate reports nor were they seen as advancing human rights in spite of the spirit of the Millennium Declaration. Similarly, UPR recommendations made limited references to the Millennium Development Goals and related socio-economic rights.

Within this context, it was rather encouraging to engage with the Human Rights Council yesterday on the specially convened panel on UPR support as the importance and relevance of human rights in development processes was acknowledged. A very relevant outcome of that meeting was the request for more support on the technical implications and operationalization of these linkages. The role of NHRIs was acknowledged with calls for their strengthening to tackle the responsibilities and challenges that they must undertake and manage.

Similarly and during UNDP's engagement again during this session of the Human Rights Council, this time on mainstreaming human rights within the UN system, the importance of leadership in mainstreaming human rights was acknowledged. There is no doubt that more effective leadership and greater championing of human rights and leadership is now more critical than ever. We
need a similar and/or enhanced leadership in elevating political debate into robust implementation, leadership that will be innovative in garnering new partnerships with government, the private sector and civil society. Given the highly dynamic and changing environment that are currently in, the challenges that we face affect our common humanity and as such have to be tackled head on and collectively. At the same time cultivating and grooming young people in reference to Ms Fraser Moleketi’s statement on the Youth 21 Summit in Nairobi, Kenya, requires us to ensure greater investment in this constituency.

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To this end and stemming from UNDP’s recently held Global Human Rights Community of Practice, dedicated to the commemoration of 25 years of the Declaration on the Right to Development, that brought together over 70 staff from 50 country offices, we collectively acknowledged that to respond to the new set of terms of the social contract between the State and its people, that development strategies will need to go beyond incremental changes to systemic transformation. This will require new and significant investments in people, institutions, infrastructure and technologies. The capacities of governance systems and institutions, as well as incentives and technologies, need to be systematically adapted and sometimes reconfigured so that we can collectively deliver on more
integrated development strategies on at least three levels namely the enabling environment, organizational and individual level.

The first is the enabling environment which includes rules, laws, policies, power relations and social norms. The second is the organizational level which includes internal structures, policies and procedures. The third is the individual level which includes skills, experience, leadership and knowledge management.

Addressing individual skills and developing a well-equipped cadre with a specific skills set that will include skills in engaging at a policy and strategic level is worthy of an equivalent and intensive investment together with ongoing peer support and mentorship.

And so more needs to be done and this is where we see a greater role for the NHRIs to bring its much needed technical expertise to strengthen and enhance national collaborative capacity that are critical for long-term economic and societal development, from a human rights-based perspective. The independence status is also a commodity that must be nurtured to bridge the strained relationship between the state and its people through transitions, conflict and overall deepening of the culture of human rights.
As we effect a post-2015 transition to Sustainable Development, we can only build on what worked and learn from what did not work, from the MDG process. UNDP reiterates that both Rio +20 and the Post 2015 processes offer us a perfect opportunity, and again NHRI.s can play a critical and catalytic role in ensuring human rights are integrated into various current and future global, regional and national processes.

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These are just some of the observations and areas that we too will strengthen and support you in your efforts to respond to the massive mandates that you must implement. I look forward to exchanging views and learning from your experiences.

Thank you!