Background

1. Human rights, the rule of law and the quest for sustainable development are inextricably linked. In his 2013 report on the Millennium Development Goals (MDGs) to the General Assembly, “A Life of Dignity for All”, the Secretary-General built on the findings of the national, regional and global consultations, highlighting that “Lasting peace and sustainable development cannot be fully realized without respect for human rights and the rule of law.”

In the Declaration adopted at the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels in September 2012, Member States reaffirmed that “the advancement of the rule of law [...] is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realisation of all human rights and fundamental freedoms including the right to development, all of which in turn reinforce the rule of law.” Furthermore, within outcomes specific to the development agenda namely, the 2000 Millennium Declaration, the 2010 MDGs Review Summit, and the 2012 Rio + 20 Outcome, the centrality of human rights and the rule of law as well as the need for the development agenda to be consistent with international law, have consistently been re-affirmed.

2. In the outcome document of the General Assembly’s Special Event to follow-up on efforts made towards achieving the Millennium Development Goals, Member States agreed that the post-2015 development agenda shall be inclusive, people-centred with goals that are universal in nature and applicable to all countries, and that it should promote rule of law and human rights for all.

Context

3. Several options have been advanced for the integration of human rights into the new development agenda. The UN Global Compact and the Sustainable Development Solutions Network have called for a specific goal on human rights. Alternately, the Secretary-General’s High Level Panel (“A New Global Partnership”) and many others have suggested

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1 A/68/202.
2 A/RES/67/1.
3 A/RES/55/2.
4 A/RES/65/1.
6 A/RES/68/6.
aligning all goals with existing human rights standards and principles. The Panel itself called for a transformative agenda, based on non-discrimination, that would ensure “... no person – regardless of ethnicity, gender, geography, disability, race or other status – is denied universal human rights and basic economic opportunities.” It further recommended designing goals focused on reaching excluded groups, “for example by making sure we track progress at all levels of income, and by providing social protection to help people build resilience to life’s uncertainties”.

4. Likewise, the United Nations Development Group’s September 2013, “A Million Voices: The World We Want” report on global consultations on the post-2015 development agenda emphasised that: “[p]eople demand that this new agenda be built on human rights, and universal values of equality, justice and security”. People call for the new development agenda to be inspired by the vision of human rights, including the right to development. They also emphasise that human rights norms and standards can, and must, guide the choice and formulation of goals, targets and indicators and underpin each sectoral issue, as well as the implementation and accountability framework. Their expectation is thus that human rights not be confined to a narrative or preamble, or quarantined into a separate, stand-alone goal, but that human rights be mainstreamed throughout the entire agenda.

5. Common to all options is the particular attention paid to the need for the new agenda to have a balanced and universal approach that reflects not only freedom from want but also freedom from fear. At the same time, there is particular emphasis on the right to equality and non-discrimination. It has been made clear that in order to ensure that no one is left behind, the agenda should aim for the elimination of all forms of discrimination, as well as of structural impediments such as unequal power relations, unequal resources and systemic biases that perpetuate gender and other inequalities. It should furthermore ensure all stakeholders, including marginalised, disempowered and excluded groups, have a say in developing the new agenda, in the setting of priorities and in holding decision-makers accountable to achieve those priorities. In addition, it has been stressed that integrating human rights in policy and decision-making on the environment can further advance the achievement of environmental objectives, as well as support progress in the social and economic dimensions of sustainable development. The conversation has also focused on how accountability for achieving post-2015 goals could be strengthened at global, regional, national and sub-national levels, including with respect to the private sector. Finally, member states and civil society alike have stressed the need for the new agenda to promote reform of global governance in the areas of trade, finance, investment, intellectual property, climate and other regimes to ensure that the international rules and policies are consistent with, and do not undercut, the minimum standards set by human rights, including the right to development.

6. In regard to the rule of law, there is international consensus that rule of law is critical to sustainable development not only as an essential condition thereof but also as a development outcome in its own right. There is moreover a general acknowledgment that its integration into the post-2015 development agenda can advance inclusive economic growth, reduce inequalities and build well-functioning institutions that ensure participation and the delivery of services, including providing access to justice for all, especially the poor and most vulnerable. In this way, the rule of law, poverty eradication and sustainable development have a mutually reinforcing relationship.

7. At both national and international levels, the rule of law supports good governance and accountability. Internationally, the rule of law applies to all States equally, and to
international organizations, including the United Nations and its principal organs. In this regard, respect for and promotion of the rule of law accords predictability and legitimacy to State actions, and reinforces the principle of the equality of States. Nationally, it guarantees that all persons, institutions and entities, public and private, including the State itself, are accountable to just, fair and equitable laws, and that all are entitled without any discrimination to equal protection of the law as well as to timely, just, fair and equitable remedies. Such accountability supports good governance, serves as an antidote to corruption and builds trust and confidence in institutions, whether in the public or private sectors. The rule of law is especially important to ensure that natural resources are managed sustainably and for shared prosperity in this area.

8. The rule of law also provides pathways for poverty reduction. Fair, stable, predictable and gender-sensitive legal frameworks generate inclusive, sustainable and equitable development, economic growth and employment, foster investment and incentivize entrepreneurship. They also assure transparency, predictability and accountability in business transactions. Similarly, the protection of land, property and other resource use rights; enforcement of contracts; regulation of labour and protection of labour rights; enhancing opportunities for decent employment; providing protection for small and medium-sized enterprises; and enforcing fair trade rules and equal access to markets and extension of social protection floors, can support inclusive economic growth.

9. Like human rights, the rule of law is an important tool to address inequalities and empower people and in so doing promote and deepen inclusive growth. An estimated four billion people live outside the protection of the law and those that live at or below the poverty line face institutional, legal and administrative barriers that limit their participation in society on equal terms. Women and girls, for example, often face particular challenges in accessing legal and judicial protection. Access to justice is thus critical as is an independent judiciary and conferral of legal identity. Access will allow women and girls, as well as marginalised communities, to fully participate in a nation’s development. Ensuring that all people can access expeditious, transparent, effective, fair, responsive, participatory and accountable justice systems (including informal or customary systems of justice) allows for the peaceful resolution of disputes and provides effective remedies for grievances and claims in a fair and independent manner. This provides the social stability conducive to sustainable development. At the same time, the independence of the judicial system, together with its impartiality and integrity, is an essential prerequisite for upholding the rule of law. Moreover, legal identity is required for legal protection and in many cases, access to basic services and participation in public life.

10. Finally, with the acknowledgement that there can be no development without peace, and no peace without development, the rule of law is an essential condition for peaceful and stable societies. It is critical to reducing violence, particularly against women and girls, ensuring accountability, and addressing challenges, such as transnational organized crime, trafficking in persons and illicit drugs, and illicit financial flows that flourish in the absence of effective justice systems and law enforcement. It is also critical to ensure that impunity is not tolerated for serious abuses of human rights. These can directly impact or otherwise undermine sustainable development. Providing strengthened international cooperation based on the principles of shared responsibility and in accordance with international law,

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together with effective and accountable law enforcement and justice institutions, can break cycles of violence and conflict and therefore underpin peace and sustainable development.

Objectives of the high-level event

11. The main objective of the high-level event is to provide a platform for Member States, UN agencies, civil society, major groups and other stakeholders to examine how human rights and rule of law have been applied at national and international levels to improve development outcomes and how the lessons learned can assist in framing and formulating goals and targets towards a transformational post 2015 development agenda.

Format and outcome of the high-level event

12. The high-level event will consist of a one-day plenary session, inclusive of an opening session on 9 June and two interactive, multi-stakeholder panel discussions followed by a closing session on 10 June. A President’s summary of the key messages will be made available following the event.

Plenary

13. Based on the foregoing considerations, the plenary will be guided by the following preliminary questions for discussion:

   ➢ What are the good practices and lessons learned in integrating rule of law and human rights, including civil, political, social, economic and cultural rights, as well as the right to development, in development processes, including for the achievement of the Millennium Development Goals?
   ➢ How do we translate these lessons into a post 2015 development agenda?
   ➢ What support is needed to foster a universal approach promoting freedom from want and freedom from fear, based on non-discrimination?

Panel 1

*Topic:* “Exploring the contributions of human rights and the rule of law in supporting national and international efforts towards poverty eradication and sustainable development”

14. This panel will examine the relevance of human rights (including the right to development) and rule of law (at the national and international level) for poverty eradication and sustainable development. It will also identify challenges that have been encountered in setting policy and the normative framework for development at the national and international level. The following questions will guide the panel discussion:
1. How has the rule of law and civil, political, social, economic and cultural rights and the right to development been integrated into development policies and programmes to address ‘freedom from want’? How has this impacted on poverty eradication and sustainable development outcomes?
2. How have rule of law and human rights related to administration of justice, public participation and personal security been integrated into national development strategies to address ‘freedom from fear’? How has this impacted on poverty eradication and sustainable development outcomes?
3. How have human rights, including the right to development, and rule of law helped address inequalities and discrimination? How have structural impediments impacted development outcomes?

Panel 2

**Topic:** “Towards a transformational development agenda: integrating human rights and rule of law in the post 2015 development agenda with a view to improving development outcomes”

15. This panel will build on country experiences and lessons learned in setting development policy and programs to identify good practices and propose options for integrating human rights and the rule of law into the post-2015 development agenda. The following questions will guide the panel discussion:

1. How can human rights, including civil, political, social, economic and cultural rights and the right to development be effectively integrated into the post-2015 development agenda, inclusive of the sustainable development agenda and an effective accountability framework?
2. How can the rule of law most effectively be integrated into the post 2015 development agenda? What are the key targets related to rule of law that support the sustainable development agenda and an effective accountability framework?
3. How can the post-2015 development agenda address the diverse and intersecting inequalities that jeopardize sustainable development prospects – inequalities related to income, gender, age, race/ethnicity, and disabilities, among others?
4. How can human rights, including the right to development, and the rule of law at the national and international levels contribute to a renewed global partnership for sustainable development and promote coherence of trade, financial and investment agreements, and public-private sector partnerships as well as other forms of partnerships with international norms and standards?
5. What resource and capacities should the post-2015 development agenda address in order to enable the integration of human rights and the rule of law? What further support can be provided?