



AMNESTY INTERNATIONAL AND HUMAN RIGHTS WATCH JOINT STATEMENT ON THE RIO+20 UN CONFERENCE ON SUSTAINABLE DEVELOPMENT

June 12, 2012

Realizing human rights and achieving sustainable development are inter-dependent and mutually-reinforcing goals. States must ensure that the Outcome Document of the UN Conference on Sustainable Development recognizes the centrality of human rights to sustainable development and reaffirms the international human rights framework.

Research by Human Rights Watch and Amnesty International has shown how economic development initiatives that do not incorporate human rights obligations and principles can deepen marginalization, discrimination and injustice. Amnesty International and Human Rights Watch have documented human rights abuses in the context of infrastructure projects pursued in the name of development, the operation of extractive industries that have pushed indigenous peoples off their traditional lands, and development policies that have resulted in forced evictions of some of the poorest people.

Exclusion and discrimination continue to be key factors in driving and deepening poverty. For example, development projects are frequently carried out without respecting the right of Indigenous peoples to be consulted and to give their free, prior and informed consent. The violations faced by indigenous peoples in the context of “development” are the result of entrenched discrimination. A false and dangerous dichotomy of “development vs. indigenous peoples’ rights” is widespread. The consequences are devastating – entire communities lose their traditional lands and livelihoods and are exposed to serious health risks.

Women still experience pervasive inequality and discrimination in their access to rights, opportunities and resources. It is estimated that, worldwide, 70 percent of those living in poverty are women. Gender equality and women’s empowerment are widely recognized as essential for tackling poverty and achieving sustainable development. However, despite the rhetoric, gender and women’s human rights, including sexual and reproductive rights, are too often isolated in development policies and practices.

Where development policies and frameworks are not aligned with human rights, often the poorest and most marginalized not only fail to benefit but are pushed deeper into poverty, as their environment is degraded, their livelihoods are undermined, and they are left beyond the reach of vital services, such as health care and the provision of water and sanitation.

Free, active, and meaningful participation of people in decisions that affect their lives is an integral element of sustainable development. In the wake of the Arab Spring, we cannot deny the importance of free expression, association, and assembly, equal access to information and to transparent processes, civic participation, and social accountability for sustainable development.

Sustainable development must also recognize the relationship between environmental sustainability and human rights. The pollution of water, soil and air, has, for example, resulted in violations of rights to an adequate standard of living, to adequate food, to water, to adequate housing, to protection of the family and the home, to health, to a healthy environment, and to life. Human rights monitoring bodies, and international, regional and national courts, are increasingly recognizing environmental damage as a cause in human rights violations and have firmly established state responsibility with respect to environmental protection. Human Rights Watch has documented violations of the health rights of vulnerable groups including children when they have been exposed to toxic chemicals in the context of mining, industrial production, and agriculture.

We therefore call on states to incorporate the following provisions into the outcome document:

1. Recognize human rights obligations in the outcome document

We are encouraged to see that the 2 June 2012 draft for the conference outcome document recognizes the importance of international human rights instruments and emphasizes the responsibilities of all states to respect, protect and promote human rights and fundamental freedoms for all. International human rights law, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, provides a universal set of standards to which the vast majority of countries have committed. The commitments arising from this conference should sit within this existing framework.

In particular, states should:

- (a) Reaffirm all states' legal obligations to respect, protect, and fulfil human rights, which are essential for sustainable development.
- (b) Reaffirm that development policies, projects, and practices must reflect states' human rights obligations and that technical and financial assistance must be consistent with human rights obligations.
- (c) Reaffirm states' human rights obligations when they sit as shareholders of international financial institutions (IFIs). States should ensure that IFIs only approve projects that have been subject to effective assessment of potential impacts on human rights and are designed to mitigate any human rights risks that might have been identified by such assessments.
- (d) Reaffirm the right of access to information and participation. To effectively participate in the development process people must have access to relevant information and to transparent processes. Access to information and processes for participation should be inclusive and non-discriminatory. Governments have to protect the rights to freedom of expression, association, and assembly.

- (e) Reaffirm the principle of non-discrimination on the basis of race, color, sex, age, language, religion, political or other opinion, national or social origin, property, birth, disability, or other status. States should commit with renewed vigor to ensure that sustainable development aid reaches the most marginalized members of society. This should include a commitment to actively promote women's rights and gender equality through sustainable development policies, which include policies that ensure access to reproductive health services and information.
- (f) Reaffirm the human rights of indigenous peoples, in accordance with the UN Declaration on the Rights of Indigenous Peoples, of tribal peoples, and of other local communities.
- (g) Reaffirm that businesses have a responsibility to respect human rights, wherever they operate, to exercise due diligence to assess, prevent and mitigate their impact on human rights and the environment, and to provide an accessible remedy if abuses occur. Ensure compliance by requiring companies to put in place strong due diligence procedures and to publicly report on the human rights impacts of companies' actions.

2. Commit to enhancing accountability for existing human rights obligations, as they relate to sustainable development

If governments met their existing legal commitments on human rights and the environment, we believe that sustainable development would be much more achievable, durable, and beneficial for the many people impacted by those efforts. In giving meaningful effect to their commitment to sustainable development, all states should:

- (a) Enact and enforce domestic law to give effect to international human rights and environmental legal commitments.
- (b) Ratify the Optional Protocol to the Covenant on Economic, Social and Cultural Rights, which provides an important accountability mechanism at the international level.
- (c) Ensure that any development targets and frameworks are based on international human rights law.
- (d) Create effective monitoring and accountability mechanisms for any commitments made in Rio, to measure progress and reveal and remedy negative impacts. Such processes should be inclusive, ensure the effective participation of affected communities and civil society, and be open to public scrutiny.