



**- MEMORANDUM -**

**Six Rights-based Recommendations to Accelerate Action on the SDGs**



From: LEEG-net (Legal & Economic Empowerment Global Network) - A Partnership for the SDGs

To: All interested SDG actors including national policy makers and implementers

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## 1. Purpose

This Memorandum is based on the [SDG Acceleration Action](#) submitted by LEEG-net to the UN SDG Summit of 2019. It suggests six (06) recommendations on adopting a business-friendly, human rights-based holistic approach by developing countries (in particular) to help accelerate the achievement of [United Nations Sustainable Development Goals \(SDGs\)](#). This Memorandum is intended to be shared with interested SDG actors including national policy makers and implementers from any UN Member State.

## 2. Background

The 2030 Agenda for Sustainable Development spearheaded by the United Nations and adopted by all Member States in 2015 will enter its fifth year of implementation on January 1<sup>st</sup>, 2020. In terms of the estimated cost and the universal coverage of both developed and developing countries, it is the biggest ever development agenda that is being implemented to end poverty, protect the planet and ensure that all people enjoy peace and prosperity.

The 2030 Agenda's grounding on human rights and a commitment to ending poverty are two unifying threads that run through all of the 17 Goals. The Agenda recognizes that "*eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development*" (Preamble and paragraph 2). The implementation of the Agenda requires assuring "*no one will be left behind*" (Preamble and paragraphs 4, 26, 48 and 72).

Innovative approaches to accelerate the SDGs are critically important at this moment in time when the [Sustainable Development Goals Report of 2018](#) published by the United Nations states that "*the rate of global progress is not keeping pace with the ambitions of the 2030 Agenda, necessitating immediate and accelerated action by countries and stakeholders at all levels*".

### About LEEG-net

**LEEg-net (Legal and Economic Empowerment Global Network - <https://www.leeg-net.org/>)** is a *pro bono* initiative comprising a multi-disciplinary network of lawyers, economists and consultants in business and technology. It is a [partnership](#) for the UN Global Goals.

LEEg-net's mission is to play a catalytic role in implementing the 2030 Agenda for Sustainable Development including the SDGs by promoting legal innovation and empowerment of people including the poor and marginalized groups. LEEg-net is managed by [LexEcon Legal Innovation Hub](#).

After carefully studying the challenges facing most developing countries that keep them out of track to achieve the SDGs by 2030, the LEEg-net team has developed an outline of a blueprint -- the [SDG Temple of Justice](#) that seeks to help advance the 2030 Agenda by leveraging the human rights foundation of the SDGs through legal, economic and technological empowerment of people including the poor and marginalized groups.

This blueprint directly responds to the theme of the 2019 UN High Level Political Forum (HLPF) on Sustainable Development, i.e., "Empowering People and Ensuring Inclusiveness and Equality". An infographic of this blueprint visualizes the proposed process of adopting a business-friendly and human rights-based holistic approach to achieve the SDGs. Web-link: <https://www.leeg-net.org/sdg-temple-of-justice>.

### 3. Recommendations and Rationale

#### Recommendation - 1:

**Develop a rights-based National Legal Roadmap (NLR) for each country to effectively leverage the human rights foundation of the 2030 Agenda towards accelerating the SDG implementation.**

**Suggestion:** The [Human Rights Guide to the Sustainable Development Goals](#) developed by the Danish Institute for Human Rights that outlines an “SDGs - human rights” mapping can be used along with National Constitutions and related laws as the legal basis of an NLR. Take the Recommendation nos. 2, 3, 4, 5 and 6 mentioned below into consideration when developing an NLR.

**Rationale:** The SDGs are not legally binding on UN Member States. Nevertheless the 2030 Agenda including the SDGs is explicitly grounded in legally binding human rights treaties (paragraph 10 of the Agenda). According to an analysis of the [Danish Institute for Human Rights](#), 156 of the 169 SDG targets (92 %) reflect human rights and basic labour standards. In this context, the 2030 Agenda including the SDGs can be considered as a restatement of universal human rights that encompasses the three dimensions of sustainable development – social, environmental and economic. The SDGs constitute a goal-based operational plan for realizing human rights as recognized by international, regional and national human rights instruments. This “human rights foundation” of the 2030 Agenda accordingly justifies, and paves the way for the adoption of a human rights-based approach to implementing the SDGs.

*“A human rights-based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. Under a human rights-based approach, the plans, policies and processes of development are anchored in a system of rights and corresponding obligations established by international law. This helps to promote the sustainability of development work, empowering people themselves—especially the most marginalized—to participate in policy formulation and hold accountable those who have a duty to act”* ([UN Practitioners’ Portal on Human Rights Based Approaches to Programming](#)).

Human rights are legal rights enshrined in the Universal Declaration of Human Rights; the two International Covenants respectively on Civil and Political Rights, and Economic, Social and Cultural Rights; other international human rights Conventions, Treaties and Declarations; Regional Charters; National Constitutions and laws.

A human rights-based approach seeks to achieve development objectives by following a legal roadmap. A National Legal Roadmap (NLR) for implementing the SDGs should essentially be guided by the National Constitution and laws, the Universal Declaration of Human Rights; various human rights Covenants, Conventions, Treaties, Declarations and Regional Charters to which a country is a party. An NLR may be a stand-alone document or an integral part of a national policy document relating to the SDGs.

The proposed NLR for the SDGs would be a human rights guide and a resource of legal information that helps national policy makers and implementers remain on track to achieve the SDGs while complying with legal obligations at both national and international levels. It would help accelerate the SDG implementation, enhances legal certainty and the human rights standing of the country concerned.

#### Recommendation – 2:

**Mainstream the promotion and protection of the following eightfold rights into national policies and action plans for implementing the SDGs: [Gender Equality](#), [Property Rights](#), [Contract Rights](#), [Business Rights](#), [Labour Rights](#), [Right to an Effective Remedy](#), [Right to Information](#), and the [Right to Development](#).**

### Recommendation - 3:

**Prioritize programs and processes that promote legal, economic and technological empowerment of people (including the poor and marginalized groups) in national action plans for implementing the SDGs.**

**Rationale for Recommendations 2 and 3:** The rights-based blueprint [SDG Temple of Justice](#) developed by LEEG-net seeks to advance the 2030 Agenda by leveraging the human rights foundation of the SDGs through legal, economic and technological empowerment of people including the poor and marginalized groups.

The pillars of the infographic of *SDG Temple of Justice* symbolize the eightfold rights referred to in Recommendation - 2, the promotion of which leads to legal empowerment of people including the poor and marginalized groups -- a *sine qua non* for realizing the Goals.

Empowerment of people including the poor and marginalized groups is a human rights-based multi-disciplinary (i.e. legal, economic, technological, etc) approach to development. *“Empowerment is the process of enhancing the capacity of individuals or groups to make choices and then transform those choices into desired actions and outcomes”* (World Bank, 2001. World Development Report 2000-2001 Attacking Poverty. Washington, DC).

Empowerment of people including the poor, women, girls and other vulnerable persons is central to the 2030 Agenda for Sustainable Development. Goals 5 and 10.2 clearly address empowerment.

What is Legal Empowerment? *“Legal empowerment is rooted in a human rights based approach to development, which recognizes that poverty results from disempowerment, exclusion and discrimination. Thus legal empowerment fosters development through empowering and strengthening the voices of individuals and communities, starting at the grassroots and from within”* [Report of the Secretary General of United Nations (2009) prepared pursuant to General Assembly resolution 63/142 on the legal empowerment of the poor and eradication of poverty].

As the above-mentioned definition suggests, legal empowerment can be considered as a necessary condition for fulfilling the other forms of empowerment (economic, technological, etc).

What is Economic Empowerment? *“Economic empowerment is the capacity of poor women and men to participate in, contribute to and benefit from growth processes on terms which recognize the value of their contributions, respect their dignity and make it possible for them to negotiate a fairer distribution of the benefits of growth. Economic empowerment means people thinking beyond immediate survival needs and thus able to recognize and exercise agency and choice”* (R. Eyben et al, Conceptualizing empowerment and the implications for pro poor growth. A paper for the DAC Poverty Network Sep, 2008).

What is Technological Empowerment? LEEG-net adopts the working definition for technological empowerment as the actions or process of strengthening the capacity of all people either individually or collectively to use technology, including information and communication technologies, to advance their rights and interests, to improve their lives and livelihoods, and to alleviate or escape poverty.

In this context, the multidimensional role of empowerment can be considered as a universal means of implementing the SDGs, especially Goals 4, 8, 10, 13, 16 and 17. According to the 2030 Agenda, the Agenda itself, and the Sustainable Development Goals and targets including the means of implementation, are universal, indivisible and interlinked (paragraph 71).

## Recommendation - 4:

**Implement social protection floors for the extension of social security guided by the ILO's Social Protection Floors Recommendation No.202 of 2012 that progressively ensures higher levels of social security to as many people as possible.**

**Rationale:** The role of social protection can be considered as a springboard for achieving economic empowerment. According to [de la O Campos \(2015\)](#), social protection creates an enabling environment for promoting the economic empowerment of the poor. “*Social protection, or social security, is a set of policies and programs designed to reduce and prevent poverty and vulnerability across the life cycle*” (ILO, [World Social Protection Report 2017–19](#), p.2).

Social protection is a universal human right which is recognized in the Universal Declaration of Human Rights (Article 22) and several other international human rights treaties including the International Covenant on Economic, Social and Cultural Rights - ICESCR (Article 9 and 10.2), Convention on the Elimination of All Forms of Racial Discrimination – ICERD (Article 5), Convention on the Elimination of All Forms of Discrimination Against Women -CEDAW (Article 11), and the Convention on the Rights of the Child – CRC (Articles 26, 18.2, and 20).

The International Labour Organization (ILO)'s Social Protection Floors Recommendation No. 202 of 2012 calls for reducing the gaps in social protection practices at national, regional and global levels through nationally defined floors (to suit national circumstances and levels of development) that are based on a set of human rights standards ([ILO, 2012](#)). Nationally defined social protection floors constitute sets of basic social security guarantees that secure protection aimed at preventing or alleviating poverty, vulnerability and social exclusion. As stated in the preamble to above-mentioned Social Protection Floors Recommendation, “... *social security is an investment in people that empowers them to adjust to changes in the economy and in the labour market, ...*”.

## Recommendation - 5:

**Promote business rights (i.e. the rights of businesses) as a means of eradicating poverty.**

**Suggestions:** Adopt business-friendly policy, legal and regulatory frameworks capable of promoting innovation, employment and inclusive growth. Develop national action plans to enhance efficiency of business regulations so as to reach and maintain higher scores (preferably over 80) of the *Ease of Doing Business* (EODB) index developed by [Doing Business \(World Bank\)](#).

**Rationale:** “*Private business activity, investment and innovation are major drivers of productivity, inclusive economic growth and job creation*” (Paragraph 67, 2030 Agenda). “*International trade is an engine for inclusive economic growth and poverty reduction, and contributes to the promotion of sustainable development*” (paragraph 68, 2030 Agenda). Trade is part of business activity and business is a term used for all the activities performed by a business enterprise.

Economies with better business regulation have lower levels of poverty on average (*Doing Business -2018*, World Bank). “*Governments have the enormous task of fostering an enabling environment for entrepreneurs and small and medium-size enterprises. Sound and efficient business regulation is critical for entrepreneurship and a thriving private sector. Without them, we have no chance to end extreme poverty and boost shared prosperity around the world*” (*Doing Business - 2019*, World Bank).

LEEG-net considers the *Ease of Doing Business* (EODB) score as an effective indicator for measuring the “SDG-readiness” of national business regulatory frameworks. The EODB score has been developed by the [World Bank's Doing Business](#) annual report team to indicate an economy's position to the best regulatory practice in relation to 10 indicator sets – the best score is set at 100, and the worst performance is set at 0. Based on empirical evidence, LEEG-net believes that if countries can reach an EODB score of over 80, it will immensely help achieve the SDGs related to poverty eradication including Goals 1, 2, 5, 8 and 10 in particular.



## Recommendation - 6:

**Prepare Voluntary National Reviews (VNRs) and other reports on SDG implementation in close coordination with existing national human rights reporting procedures.**

**Rationale:** Preparing reports on sustainable development, e.g. Voluntary National Reviews (VNRs), based on existing national human rights reporting procedures provides a constructive and resource-efficient advantage for States. A close coordination between these two report making procedures would help leverage the human rights foundation of the 2030 Agenda towards accelerating the SDG implementation.

The existing national human rights reports include those submitted to the Universal Periodic Review (UPR) under the Human Rights Council; the Human Rights Committee; the Committee on Economic, Social and Cultural Rights; the Committee on the Elimination of All Forms of Discrimination against Women; the Committee on the Rights of Persons with Disabilities; and the International Labour Organization's supervisory mechanisms on the application of International Labour Standards.

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## Engage

LEEG-net welcomes national SDG actors and organizations interested in engaging our SDG Volunteer Support Team. Please send a message to [info@lexecongroup.com](mailto:info@lexecongroup.com)

## Get involved

Lawyers, economists, business / ICT consultants, professionals in other disciplines, and organizations from anywhere in the world who are interested in learning more about LEEG-net's *pro bono* work and / or interested in joining LEEG-net as *pro bono* consultants, are kindly requested to fill-out and send [this form](#).

In the alternative, you can contact us via [info@lexecongroup.com](mailto:info@lexecongroup.com) or [leegnetwork@gmail.com](mailto:leegnetwork@gmail.com)



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