

FINANCE IN COMMON SUMMIT 2022

19/20 October 2022 - Abidjan

Public Development Banks Statement on Human Rights and Human Rights Based Approach

1. In 1993, post-Cold War, at the Vienna International Conference on Human Rights, UN member States agreed on two major principles: (i) human rights are universal, indivisible, interdependent, and (ii) "*democracy, development and respect for human rights [...] are interdependent and mutually reinforcing*¹".
2. This link between development and human rights has been operationally translated into the human rights-based approach to development (HRBA). Supported by the UN² and civil society, the HRBA has been progressively integrated into the operational policies of various public development actors, first and foremost the specialized agencies of the United Nations, the European Union³ and some of its Member States and development agencies and other development actors.
3. In operational terms, it is a methodology that implies on the one hand that development programs, projects and investments are consistent with human rights and do not undermine them (do no harm principle), and on the other hand that they include the advancement and realisation of human rights in their objectives (proactive approach or do maximum good).
4. The HRBA is based on the idea that development contributes to the realization of human rights by creating the conditions for their effective enjoyment, and that at the same time, the respect and realization of these rights are essential for achieving a truly sustainable development. Thus, the respect and realization of human rights becomes both a means and a goal of sustainable development.
5. Many observers also note that the realization of human rights is combined with the reduction of multidimensional inequalities⁴. A part of the populations of emerging and developing countries, sometimes a large majority, is subject to all kinds of inequalities

¹ Vienna Declaration and Programme of Action, 25 June 1993, A/CONF.157/23

² [The Human Rights Based Approach to Development Cooperation: Towards a Common Understanding Among UN Agencies - HRBA Portal](#)

³ European Commission (2021) [Applying the Human Rights Based Approach to international partnerships](#). An updated Toolbox for placing rights-holders at the centre of EU's Neighbourhood, Development and International Cooperation

⁴ [HUMAN RIGHTS-BASED APPROACH: THE EU TOOLBOX FOR PLACING RIGHTS-HOLDERS AT THE CENTRE OF INTERNATIONAL PARTNERSHIPS | International Partnerships \(europa.eu\)](#)

– vertical⁵, in terms of income and wealth, and horizontal in terms of opportunities, of status, life expectancy, or place of living, for example – which circumscribe them in situations of vulnerability that not only violate their rights, but also obviate their ability to assert them. Gender inequalities are particularly emblematic in this regard.

6. The HRBA therefore also raises the issue of the convergence of actions by development actors in favor of the advancement of human rights and the reduction of multidimensional inequalities.

7. Adopted by the international community, the 2030 Agenda for Sustainable Development is based on the observation that *"the achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights"*⁶.

8. On this basis, human rights form the backbone of the 2030 Agenda, which is grounded in international human rights treaties. More than 90% of the SDGs targets reflect specific provisions of international human rights treaties⁷.

9. Development institutions, for whom the achievement of the SDGs is fundamental, thus have a special role and responsibility in raising the stakes of the human rights-based approach to development. The UN High Commissioner for Human Rights has indeed called on the Public Development Banks (PDBs), members of the Finance in Common initiative, "to direct their financing to support for human rights – including the right to a clean, healthy and sustainable environment"⁸.

10. The role of PDBs is indeed crucial for supporting the advancement of human rights. Their capacities in terms of financing mobilisation are essential to address the investment needs for promoting, respecting and implementing human rights worldwide. PDBs benefit from a detailed knowledge of local contexts, allowing them to support human rights. Moreover, PDBs have a privileged relationship with governments, civil society and the private sector, which makes them key players in supporting these actors in implementing their human rights commitments.

11. Historically, human rights have been developed around the International Bill of Human Rights. It is composed of the Universal Declaration of Human Rights and the two International Covenants of 1966 that give legally binding form to the rights recognized in the Declaration: economic, social and cultural rights (ICESCR)⁹ and civil and political rights (ICCPR)¹⁰. They have been ratified by more than 170 States and have since been supplemented by a series of texts and treaties, which today constitute the legal corpus of international human rights.

⁵ The national income share of the bottom 40 (one of the SDG10 indicator) is much lower than the richest 1% in many countries in Africa, Asia and South America.

⁶ Resolution 70/1 adopted by the General Assembly of the United Nations, « Transforming our world: the 2030 Agenda for Sustainable Development », §20

⁷ SDGs Human Rights Data Explorer. Danish Institute for Human Rights. [Making the link between human rights and the 2030 Agenda | SDG - Human Rights Data Explorer](#)

⁸ <https://www.afd.fr/en/ressources/conference-human-rights-and-development>

⁹ [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

¹⁰ [International Covenant on Civil and Political Rights | OHCHR](#)

12. Despite the current international awareness on environmental and climate warming issues, International Human Rights treaties do not explicitly include a right to a healthy environment as a legally binding human right. However, environmental and climate warming related degradation directly interferes with specific human rights, such as the right to life, to health, to food, to water, to housing, to culture, to development, to property, etc. Consequently, the obligations of States to respect, protect and fulfil human rights may also apply in the environmental and climate change context.

13. The right to a healthy environment has gradually been recognized in regional human rights treaties and in environmental treaties that bind more than 130 States¹¹. The right to a healthy environment also enjoys constitutional protection in more than 100 States and is incorporated into numerous national environmental legislations. In total, 155 States have already established legal recognition of the right to a healthy and sustainable environment.

14. The United Nations Human Rights Council adopted a resolution on 26 July 2022 that recognizes the right to a clean, healthy and sustainable environment as a human right. While this resolution is not legally binding, such recognition will serve as a catalyst for the development and implementation of stronger and more effective measures to respect, protect and promote this right.

15. The consequences of global warming affect much more the developing countries and the poorest in these countries¹². According to the GIEC report on Impacts, Adaptation and vulnerability (WGII, February 2022), Justice and HRBA are part of the responses the international community should support.

16. There is no longer any doubt about the anthropogenic causes of global warming. The IPCC reports of August 2021 and February 2022 demonstrate this unequivocally and warn of the potentially cataclysmic consequences, in the short term, on all living beings.

17. Thus, the challenges of climate change, the degradation of natural environments, ecocide, and the collapse of biodiversity cannot be addressed and resolved without including an approach towards social, climate and environmental justice, which implies making the link between development and human rights. To participate in the resolution of these issues, a human rights-based approach is a must.

¹¹ E.g. : The African Charter on Human and Peoples' Rights (1981), which states that "*All peoples shall have the right to a general satisfactory environment favourable to their development*"; The Additional Protocol to the American Convention on Human Rights (1998), which recognizes the right for all to "*live in a healthy environment*", or the Escazu Agreement, also in Latin America (2018), which introduces the notions of the right of "*every person of present and future generations to live in a healthy environment*". The list is not exhaustive.

¹² IPCC_AR6_WGII_Chapter08.pdf

18. On the basis of the above elements, and considering that many observers have noted the erosion of democracies and the decline of human rights worldwide, and considering that the consequences of global warming and environmental destruction are also growing threats to the enjoyment of human rights, the Public Development Banks in accordance with their own rules and procedures will endeavour to::

- a.** recognise the inextricable link between the SDGs and human rights;
- b.** commit to progressively integrate the human right based approach in their activities, cognisant of the two objectives of doing no harm and maximising positive impact
- c.** commit to foster the reduction of inequalities in their activities in coherence with the objective of leaving no one behind;
- d.** strengthen the collection of reliable data on vulnerable people to design projects and programs in a non-discriminatory and inclusive approach;
- e.** commit to i) adopt environmental and social safeguards which help to prevent human rights violations and support clients with their human rights due diligence in the projects the PDB finances and ii) to address the challenge of following human rights aspects throughout the project cycle because these issues are dynamic;
- f.** encourage and support clients to engage with stakeholders on the ground, and promote the participation of civil society organisations, local rights-holders and human rights-defenders throughout the project cycle,;
- i.** commit to enhance clients' dialogue with human rights civil society organisations which integrate the HRBA and promote the advancement and realisation of human rights, including in the framing of their strategies, and implementation of their activities;
- j.** support initiatives for a rights-based and just transition that combine human development, environmental and ecological issues – including climate warming and biodiversity collapse – for example by supporting activities which benefit vulnerable groups and preserve local communities and indigenous peoples' rights;
- k.** support awareness raising activities and capacity building to enhance the mobilisation of States and populations (rights holders) in favour of the advancement of human rights.

STATEMENT ENDORSERS

as of 20 October 2022

