HUMAN RIGHTS AND ACCOUNTABILITY IN THE 2030 AND 2063 AGENDAS

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LIST OF ACRONYMS

ACRWC	African Charter on the Rights and Welfare of the Child
ACHPR	African Commission on Human and Peoples' Rights
ARFSD	Africa Regional Forum on Sustainable Development
AU	African Union
CAP	Common African Position on the Post-2015 Development Agenda
CAT	Convention against Torture
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CHRAJ	Ghana Commission on Human Rights and Administrative Justice
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
DIHR	Danish Institute for Human Rights
FuR	Follow-up and Review
HLPF	High-Level Political Forum
HRBA	Human Rights-Based Approach
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
KNBS	Kenya National Bureau of Statistics
KNCHR	Kenya National Commission on Human Rights
MoI	Means of Implementation
MoU	Memorandum of Understanding
NANHRI	Network of African National Human Rights Institutions
NHRC	Nigeria Human Rights Commission
NHRI	National Human Rights Institution
OHCHR	Office of the UN High Commissioner for Human Rights
RECs	Regional Economic Communities
SDGs	Sustainable Development Goals
UHRC	Uganda Human Rights Commission
UNECA	UN Economic Commission for Africa
VNR	Voluntary National Review

EXECUTIVE SUMMARY

This briefing paper aims to provide a practical overview of the *2030 Agenda for Sustainable Development* and *Agenda 2063 (The Africa We Want)* in order to inform how the implementation and monitoring of these agendas play out in the regional African context, and how they relate to human rights. It aims to provide practitioners in both the human rights and development fields with a practically-oriented analysis of the 2030 and 2063 Agendas, providing tools and examples for the development of a human rights-based approach to their implementation.

Given the critical importance of the two Agendas for the African region, and from an efficiency perspective, it is important that their implementation and monitoring mechanisms are aligned. It is also important that the relevance of these Agendas for the realisation of human rights is analysed in a regional context, with a view to identifying the specific ways in which their content, as well as their structures and frameworks for implementation and monitoring can serve to further human rights and accountability, while identifying the critical gaps and challenges for this in the African region.

KEY MESSAGES

- The 2030 and 2063 Agendas have **many convergences** that can be used to the advantage of integrated approaches to planning, implementation and monitoring. The two frameworks also diverge in a number of areas, and where those divergences exist, they can be used to complement one another for a more holistic implementation.

- The synergies between these two Agendas provide a clear opportunity to implement both agendas in a coordinated way. However, the differences between the two agendas also implies that **a more coordinated approach will be needed in order to ensure that national development frameworks and planning can ensure integration of the areas of convergence and divergence in an holistic manner**.

- From a human rights perspective, **both Agendas can contribute to the realisation of human rights**. They **are both explicitly grounded in human rights standards**, albeit to different degrees, and based on this grounding in human rights, human rights standards and principles can also assess and guide their implementation.

- The **guiding principles of both Agendas display many of the key features of a human rights-based approach to development (HRBA)** including participation, accountability and non-discrimination. However they differ in their approaches and there are some key gaps from a human rights perspective. HRBA

principles should therefore be used to guide their implementation and monitoring and address these gaps.

- **The 2030 Agenda is explicitly grounded in the Declaration on the Right to Development. The 2063 Agenda explicitly reaffirms the right to development**. The right to development is enshrined in the African Charter on Human and Peoples' Rights and regional supervisory bodies have provided guidance on key principles for its implementation. This guidance can therefore complement and support key efforts for the implementation of both Agendas in the African region.

- At the regional level, the mechanisms for monitoring the implementation of the SDGs and Agenda 2063 are multi-tiered and in many cases, overlapping. **The need for harmonisation of the monitoring of both agendas in parallel has therefore been identified as a key priority**.

- A number of the **regional bodies charged with overseeing the implementation of the 2063 and 2030 Agendas have a specific mandate in the area of human rights. This provides a unique opportunity for these institutions to ensure that this part of their mandate is also applied to the oversight of the implementation of both Agendas**. These regional bodies include the African Union Commission, the African Peer Review Mechanism and the Regional Economic Communities.

- **The extent of the linkages between human rights standards and the 2030 and 2063 Agendas paves the way for human rights supervision and oversight mechanisms to play a much larger role in the monitoring of the 2030 and 2063 Agendas**.

- **Combining reporting on sustainable development and human rights can help to avoid duplication of efforts, and increase efficiency in reporting, as well as ensuring a closer linking of issues related to the implementation of the 2030 and 2063 Agendas with human rights.** Moreover, it has an advantage of ensuring national anchorage - a key principle of both the 2030 and 2063 Agendas. Therefore, states and other actors can make use of these synergies by integrating their SDG and Agenda 2063 reporting with their human rights reporting.

- The independent nature of **National Human Rights Institutions**, their bridging role between their country and the international human rights system, and their experience and expertise in monitoring and reporting on the implementation of human rights standards, places them in the perfect position to **support accountability for the implementation of the 2030 and 2063 Agendas**. Many African NHRIs are already undertaking relevant work in this regard.

THE 2030 AND 2063 AGENDAS:
KEY SIMILARITIES AND DIFFERENCES

1.1 THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT

Containing 17 Sustainable Development Goals (SDGs) and 169 associated targets, the 2030 Agenda for Sustainable Development encompasses the **three main pillars of sustainable development: economic, social and environmental.** These pillars are mutually interdependent. The 2030 Agenda recognises that ending poverty must go hand-in-hand with strategies that build economic growth, and addresses a range of social needs including education, health, social protection, and job opportunities, while tackling climate change and environmental protection.[1] The 2030 Agenda builds upon and captures key elements of main international agreements and frameworks developed over the last 25 years.[2]

The Agenda comprises three main elements:
• The 17 Sustainable Development Goals (SDGs), 169 targets to be achieved by all countries by 2030, and 232 indicators to measure progress against the goals and targets;
• The Means of Implementation (MoI), which specify the resources, capacity and partnerships that are necessary to reach the agreed goals and targets; and
• The Follow-Up and Review (FuR) processes and mechanisms that will monitor and guide implementation, including the global indicators framework.

The drafting of the SDGs involved significant contributions from states, intergovernmental organisations and civil society. The UN initiated 'A Million Voices' to gather inputs on the 2030 development agenda from across the globe. Lessons learned from the previous Millennium Development Goals also fed into the process.

THE COMMON AFRICAN POSITION ON THE POST-2015 DEVELOPMENT AGENDA
The CAP grouped Africa's development priorities into six pillars:
1. Structural economic transformation and inclusive growth;
2. Science, technology and innovation;
3. People-centred development;
4. Environmental sustainability, natural resource management and disaster risk management;
5. Peace and security; and
6. Finance and partnerships.

In the context of the process to develop the 2030 Agenda, the *Common African Position on the Post-2015 Development Agenda* (CAP)[3] highlighted African development priorities and was delivered as an input to the global sustainable development agenda. It was subsequently accommodated in the 2030 Agenda.

The final 2030 Agenda thus marked the end of several years of debate in a process that was unprecedented in length, complexity and inclusiveness in terms of multilateral diplomacy and multi-stakeholder participation.

1.2 AGENDA 2063: THE AFRICA WE WANT

Agenda 2063 "The Africa We Want"[4] is a 50-year strategic framework for the socio-economic transformation of the continent. It builds on, and seeks to accelerate the implementation of past and existing continental initiatives for inclusive growth and sustainable development. It is rooted in existing regional instruments and agreements such as the Constitutive Act of the African Union; the African Union Vision; the eight priority areas of the 50th Anniversary Solemn Declaration; Africa's aspirations for 2063 derived through a consultative process; regional and continental frameworks; and national plans and visions.[5]

AGENDA 2063 – ASPIRATIONS FOR THE AFRICA WE WANT

1. A prosperous Africa based on inclusive growth and sustainable development.
2. An integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa's Renaissance.
3. An Africa of good governance, democracy, respect for human rights, justice and the rule of law.
4. A peaceful and secure Africa.
5. An Africa with a strong cultural identity, common heritage, shared values and ethics.
6. An Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children.
7. Africa as a strong, united and influential global player and partner.

Agenda 2063 — The Africa We Want

The 2063 Agenda addresses African regional priorities for sustainable development through the formulation of 7 Aspirations which are the basis for the Strategy. The comprehensive framework also includes some Fast Track Projects/Initiatives that are seen to lead to progress across the 7 Aspirations.

The Agenda stretches until year 2063, and will be implemented through 5 more specific *Ten-Year Implementation Plans*, drafted gradually in line with regional priorities. The First Ten-Year Implementation Plan (2014-2023) includes the following main elements:

- 20 goals (see annex 1), 38 priority areas, 171 national targets and 85 continental targets for the first decade, organised around the 7 Aspirations of the Agenda.
- Monitoring and evaluation framework;
- Key implementation issues, including guiding principles, roles and responsibilities, capacities and communication;
- Financing centred on domestic resources; and
- Partnerships for Agenda 2063.

THE STRUCTURE OF AGENDA 2063 IS AT 4 LEVELS:

- Level 1: AU Vision for 'The Africa We Want' by 2063
- Level 2: Seven Aspirations. Each of the seven aspirations has a set of more specific goals.
- Level 3: 20 Goals – each associated with a specific Aspiration. Each goal has a set of priority areas. Each priority area has a set of targets. Unlike the SDGs where the goals are specific and serve as targets, under Agenda 2063, the goals are broader and it is the priority areas/ targets that define them.
- Level 4: Priority areas / targets that fall under the goals.

1.3 A GLOBAL COMPARISON OF THE 2030 AND 2063 AGENDAS

The 2030 and 2063 Agendas contain many areas of convergence, but also differ in content in other areas. Both Agendas are intended as universal frameworks – globally, and for the African continent, respectively. Both the 2030 and the 2063 Agendas are comprehensive, and were underpinned by an extensive consultation process. They also both share common aspirations of structural transformation and sustainable development.

The 2063 Agenda is a 50-year vision, which will be implemented through five 10-Year Implementation Plans. The First Ten-Year Implementation Plan contains initial targets and goals set for 2023 which are associated with the overall 50-year Vision. The 2030 Agenda sets the majority of its Targets at 2030, meaning that the **2030 targets have a longer timeline than targets set in the First Ten-Year Implementation Plan of the 2063 Agenda**. This represents a challenge for aligning the ambitions of targets.

1.3.1. THE THREE DIMENSIONS OF SUSTAINABLE DEVELOPMENT

The goals, targets and priority areas of Agenda 2063 and the goals and targets of the 2030 Agenda both span the three dimensions of sustainable development; economic, social and environmental. In Agenda 2063, structural transformation, underpinned by industrialisation, is at the heart of the goals and targets relating to economic development. Social development priorities focus on health, education, water and sanitation, gender and social inclusion. Environmental priorities are underpinned by measures to address climate change and preserve and harness marine and terrestrial ecosystems. In this respect, a number of its goals correspond to these three dimensions. The 2030 Agenda explicitly addresses the three dimensions of sustainable development, recognising these as **interlinked and interdependent,** requiring systematic coordination underpinned by improved access to data and capacity-building.

1.3.2. THEMES, GOALS AND TARGETS

Among the main areas of broad convergence are **poverty eradication, social development (including education and health), inclusive economic development (including labour and social protection), gender equality, peaceful and inclusive societies, responsible and accountable institutions, climate change and a number of environmental sustainability issues**. However, within these broad areas, there are also some differences of approach and gaps between the two agendas:

- Themes addressed by the SDGs that are not addressed, or weakly addressed in Agenda 2063 include SDG Goal 10 (reduce inequality among and within countries), Goal 13 (take urgent action to combat climate change and its impacts), Goal 14 (conserve and sustainably use the oceans, seas and marine resources for sustainable development) and Goal 15 (protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss).
- Agenda 2063 addresses a number of themes that are Africa-specific and grounded in the AU's pan-African drive, including African cultural identity and common heritage, the African Renaissance and the agenda for security, among others. These do not feature in Agenda 2030.

At the broad level of goals and targets, both the First Ten-Year Implementation Plan of Agenda 2063 and the SDGs exhibit significant convergence. **A mapping exercise conducted by the UN Economic Commission for Africa's**

(UNECA) found that 69 per cent of the targets and 67 per cent of the indicators of Agenda 2030 overlap with those of Agenda 2063.[6]

However, it is important to note that whereas many overlapping goals, targets and indicators are similar, many also differ significantly in their framing, and the timeframes applied to them. To cite one example, SDG Target 1.3 aims to "Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable." Its corresponding Target in the First 10-Year Implementation Plan of the 2063 Agenda aims to ensure that "at least 30% of vulnerable populations including persons with disabilities, older persons and children are provided with social protection."[7] Whereas the similarities between these two targets are clear, they also differ in terms of identification of target groups, timeframes, and specificity of the Target. An analysis of the two Agendas paints a similar picture for many of the converging themes.

1.4 THE NEED FOR A COORDINATED APPROACH

The First Ten-Year Implementation Plan of the 2063 Agenda acknowledges the role of the SDGs as the global development agenda and affirms that the SDGs were taken into account in its drafting.[8] It contains a 'commonality profile' outlining the main points of convergence between the two agendas.[9] The document also clarifies that **states need to work towards the realisation of both Agendas**, and it includes a table highlighting both Agendas' overall linkages across the goals.

Whereas the 2063 Agenda's First Ten-Year Implementation Plan strongly recommends that **states work to integrate both agendas into their planning at national level**, the divergence in the content and timeframes

of these agendas poses some planning and operational challenges.

In light of this, significant coordination will be required to ensure that all dimensions of both Agendas are taken into account at all levels of implementation. The synergies provide a clear opportunity to implement both agendas. However, their differences imply that a more integrated and comprehensive approach will be needed in order to ensure that national development frameworks and planning integrate areas of both convergence and divergence in a holistic manner. **The integration of only areas of convergence into national planning would effectively serve to exclude a large part of the environmental sustainability agenda, as well as risking that the fundamental principles of equality and non-discrimination are not sufficiently addressed.**

HUMAN RIGHTS AND THE 2030 AND 2063 AGENDAS

Human rights are universal, indivisible, interdependent and inter-related, as expressed in the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, adopted by the 1993 World Conference on Human Rights.

African states are party to a broad range of international and regional legally-binding human rights treaties and labour standards. These commitments are echoed in the 2030 and 2063 Agendas, and thus underpin efforts to implement these intertwined Agendas.

"Both the 2030 Agenda and the Agenda 2063 reflect many aspects of economic, social and cultural, as well as civil and political rights, thus reflecting the indivisibility and inter-relatedness of all human rights. Through their implementation, both the 2030 Agenda and Agenda 2063 have the potential to significantly contribute to the realisation of all human rights for all."

Kigali Declaration on the 2030 Agenda for Sustainable Development and the African Agenda 2063 and the Role of National Human Rights Institutions

SUMMARY OF LINKAGES BETWEEN THE 2030 AND 2063 AGENDAS AND HUMAN RIGHTS

AGENDA 2030 LINKS TO HUMAN RIGHTS IN THE FOLLOWING WAYS:
- It seeks to "Realize the human rights of all" and is explicitly grounded in the Universal Declaration of Human Rights and international human rights instruments.
- The 17 SDGs and their related 169 targets directly or indirectly reflect human rights standards.
- The Agenda explicitly intends to "leave no one behind" in the pursuit of sustainable development, reflecting the fundamental human rights principle of non-discrimination.
- The human rights principles of accountability and participation are key components of the Agenda and its Follow-up and Review processes.

Agenda 2063 links to human rights in the following ways:
- A high percentage of goals, targets and indicative strategies reflect key human rights standards and principles.
- It refers to a list of human rights instruments and mechanisms in its targets and indicative strategies. In this way it recognises that adherence to human rights law and engagement with human rights mechanisms constitute a main element of achieving its aspirations.
- It has some focus on vulnerable groups and specific rights-holders, but is weak on general integration of the cross-cutting human rights principle of non-discrimination.
- Accountability and participation are key human rights principles representing the 'success factors' underpinning the achievement of the Vision.

2.1 THE HUMAN RIGHTS RELEVANCE OF THE 2030 AGENDA

The 2030 Agenda is explicitly grounded in the United Nations Charter, the Universal Declaration of Human Rights and international human rights treaties and instruments, and informed by other instruments such as the Declaration on the Right to Development. The 17 Goals and their related Targets reflect human rights directly and indirectly, and the Agenda integrates cross-cutting human rights principles of participation, non-discrimination and accountability. The Sustainable Development Goals "seek to realize the human rights of all" and to "leave no one behind", reflecting the fundamental human rights principle of non-discrimination. The Agenda also stipulates that Follow-up and Review (FUR) processes to reach the SDGs should be inclusive, transparent, respect human rights, enhance accountability and have a particular focus on those furthest behind.

The 2030 Agenda and human rights are thereby tied together in a mutually-reinforcing way. Human rights offer guidance for the implementation of the 2030 Agenda, as it is underpinned by legally-binding human rights instruments. Likewise, the 2030 Agenda and the SDGs can contribute substantially to the realisation of human rights.

92%

of the 169 SDG targets are linked to international human rights instruments. See how at: http://sdg.humanrights.dk/

THE 9 CORE INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

OF 169 SDG TARGETS:
- 156 are linked to international human rights instruments and labour standards
- 135 are linked directly to African regional human rights instruments
- 79 are linked to international environmental and climate change instruments

THE HUMAN RIGHTS GUIDE TO THE SDGS – A SEARCHABLE DATABASE

The Human Rights Guide to the SDGs identifies the linkages between the SDGs and universal human rights, labour standards and key environmental instruments, and thereby illustrates and reaffirms that human rights instruments and the 2030 Agenda are tied together in a mutually-reinforcing way. The Guide is an essential tool to:

• Understand the links between human rights and the SDGs; and

• Develop a human rights-based approach to sustainable development programming, implementation, reporting and monitoring.

The Guide is developed by the Danish Institute for Human Rights

Visit the Guide at: http://sdg.humanrights.dk/

2.2 THE HUMAN RIGHTS RELEVANCE OF THE 2063 AGENDA

Agenda 2063 is based on seven aspirations for the African continent, and aspires to entrench democratic values, culture, and practices, universal principles of human rights, gender equality and justice and the rule of law. It also recognises that good governance, democracy, social inclusion and respect for human rights, justice and the rule of law are the necessary preconditions for a peaceful continent free from conflict.

> **An Africa of good governance, democracy, respect for human rights, justice and the rule of law"**
>
> *Aspiration 3, 2063Agenda*

Aspirations Nos. 3 and 6 of the Agenda most specifically refer to human rights, with the following associated Goals:

- Goal 11: Democratic values, practices, universal principles of human rights, justice and the rule of law entrenched.
- Goal 17: Full gender equality in all spheres of life.
- Goal 18: Engaged and empowered youth and children.

However, the human rights relevance of the Agenda is not limited to these Aspirations and its associated goals. **The 2063 Agenda as a whole addresses key human rights issues such as sustainable development, inclusive growth, gender equality and the right of the child, peace and security, accountability of institutions, rule of law, access to justice, poverty eradication, health, education and basic services, as well as stewardship of resources.** Therefore, the relevance of human rights to the 2063 Agenda is cross-cutting and not simply applicable to one specific Aspiration.

2.3 REFLECTION OF A HUMAN RIGHTS-BASED APPROACH TO DEVELOPMENT IN BOTH AGENDAS

Both agendas reflect, to different extents, a number of the key principles of the **Human Rights-Based Approach to Development (HRBA)**. The principles of accountability, participation and non-discrimination are at the core of the HRBA. However, as the analysis below shows, from the perspective of a HRBA, there are some gaps in both Agendas which can be addressed and filled through reference to international and regional human rights principles and standards.

A HUMAN RIGHTS-BASED APPROACH TO DEVELOPMENT

"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. It seeks to analyse inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress."

Source: http://www.ohchr.org/Documents/Publications/FAQen.pdf

GROUNDING IN EXISTING HUMAN RIGHTS AGREEMENTS AND OBLIGATIONS

As stated above, the 2030 Agenda as a whole is explicitly grounded in the United Nations Charter, the Universal Declaration of Human Rights and international human rights treaties and instruments, and informed by other instruments such as the Declaration on the Right to Development.[10]

Agenda 2063 adopts a different approach. Rather than explicitly grounding the Agenda as a whole in human rights and international human rights instruments, references to such instruments can be found at the level of specific aspirations and goals. The First Ten-Year Implementation Plan of Agenda 2063 grounds specific goals, priority areas and targets explicitly in international and regional human rights instruments. As such, **it calls for the full implementation of key human rights instruments** including the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights (ACHPR), the UN Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child, the Protocol to the ACHPR on the Rights of Women in Africa, the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and 'other related instruments'. ILO standards also underpin a number of goals in the First Ten-Year Implementation Plan.

It also goes further to make specific references in this context to **the role of key human rights supervisory mechanisms** which are identified in the context of strategies and targets related to these aspirations. The Plan explicitly **includes state reporting under Article 62 of the African Charter on Human and Peoples' Rights as a 2023 Target** under Goal 11 (democratic values, practices, universal principles of human rights, justice and the rule of law entrenched), and **recognises subscription to the African Peer Review Mechanism as a Strategy to achieve this Goal**.

Further, **State party reporting under the African Charter on the Rights and Welfare of the Child**, and the issuance of **General Comments by human rights supervisory bodies on child marriage, children and armed conflict and responsibility of the Child**, are also recognised as key actions to achieve 2023 Targets on the rights of the child.

Aspiration 1: A prosperous Africa based on inclusive growth and sustainable development **Goal 1: A high standard of living, quality of life and wellbeing for all**	
Priority Area 3: Social security and protection Including persons with disabilities	**Indicative Strategies:** • Implement UN Social Protection Floor Initiative and ILO social protection norms. • Implement the UN Convention on the Rights of Persons with Disabilities.
Aspiration 3: An Africa of good governance, democracy, respect for human rights, justice and the rule of law **Goal 11: Democratic values, practices, universal principles of human rights, justice and the rule of law entrenched**	
Priority Area 1: Democratic values and practices are the norm	**Indicative Strategy:** • Subscribe to the African Peer Review Mechanism.
Priority Area 2: Human rights, justice and rule of law	**Indicative Strategy:** • Fully implement the AU Charter on Human and Peoples' Rights, the Universal Declaration of Human Rights and other related instruments.
Aspiration 6: An Africa whose development is people driven, relying on the potential of the African People, particularly its women and youth and caring for children. **Goal 17: Full gender equality in all spheres of life**	
Priority Area 1: Women's Empowerment	**Indicative Strategies:** • Domesticate and fully implement the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW). • Domesticate and fully implement the Protocol of the Rights of Women in Africa as contained in the African Charter on Human and Peoples Rights and the AU Solemn Declaration on Gender Equality.
Priority Area 2: Violence & discrimination against women and girls	**Indicative Strategy:** • Implement the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW).
Aspiration 6: An Africa whose development is people driven, relying on the potential of the African People, particularly its Women and Youth and caring for children. **Goal 18: Engaged and empowered youth and children**	
Priority Area 1: Youth Empowerment and Children's Rights	**Indicative Strategies:** • Implement the United Nations Convention on the Rights of the Child. • Implement the African Charter on the Rights and Welfare of the Child.

In addition to these specific references, human rights are of relevance in a more cross-cutting way in that the Agenda as a whole addresses key human rights issues. **In this sense, the underpinning of both the 2030 Agenda and the 2063 Agenda by international and regional human rights instruments and labour standards, and the extensive nature of their linkages with specific provisions of international and regional human rights instruments points to the possibility for human rights standards and mechanisms to inform the implementation and monitoring of both agendas**.

ACCOUNTABILITY

The overall purpose of the Follow-up and Review (FuR) architecture in Agenda 2030 is to maximise and track progress in its implementation and to ensure that no one is left behind. The 2030 Agenda stipulates that FuR mechanisms should **promote respect for human rights and accountability to citizens.[11]** Thus, accountability is a principle that cuts across the 2030 Agenda.

Further, Targets 16.6 and 16.7 of the SDG framework refer specifically to the development of effective, accountable and transparent institutions; and responsive, inclusive, participatory and representative decision-making at all levels, respectively.

Agenda 2063 prioritises accountability and links it with transparency. For instance, the Implementation Plan states: "Making sure that the outcomes / goals of Agenda 2063 are attained requires that every stakeholder be held accountable and the processes for linking the stakeholders and their constituents together are predictable and open."[12] In order to ensure accountability, the First Ten-Year Implementation Plan indicates that decision-making should be evidence-driven and results-oriented: "Decisions / conclusions reached or

made regarding the design, implementation, monitoring and evaluation of Agenda 2063 should be based on the facts on the ground."[13] Enhancing accountability is cited as the primary reason for having a detailed monitoring and evaluation framework. The role of National Advisory Groups on Agenda 2063 is to ensure that the Agenda 2063 results framework is used to hold stakeholders accountable for results.[14]

Specific goals and targets of the 2063 Agenda that relate to accountability fall primarily under Aspiration 3 (an Africa of good governance, democracy, respect for human rights, justice and the rule of law) and its two related Goals: Goal 11 (democratic values, practices, universal principles of human rights, justice and the rule of law entrenched); and Goal 12 (capable institutions and transformed leadership in place at all levels).

However, a significant gap is that the **foreseen measures to ensure accountability related to the civil and political rights in the First Ten-Year Implementation Plan are lacking.** While Aspiration 3 and its two goals are directly related to human rights, the Plan states that *"Interventions under this goal will not require increased investments. They are in the most implementation of processes and systems which can be integrated into ongoing initiatives"*.[15]

Similarly, while all the other targets outline key process actions, the space under the priority area of human rights, justice and the role of law is empty, as it states: *"No major processes are expected under this priority area."*[16] **The lack of foreseen processes in this regard appears as a clear gap in the Agenda from a human rights perspective, and suggests that further work, budget allocation and the implementation of specific actions, are necessary to ensure that this area of Agenda 2063 can achieve its aims.**

Priority Area (2)	2023 Target	Key Process Actions/ Targets Towards 2023
Human Rights, Justice and The Rule of Law	**National** 1. At least 70% of the people perceive the judiciary to be independent and deliver justice on fair and timely basis. 2. At least 70% of the people perceive they have free access to justice 3. At least 70% of the people perceive the entrenchment of the culture of respect for human rights, the rule of law and due process. **Continental** 1. All member states are implementing the APRM 2. All Member States comply with the framework provision on the reporting of Article 62 of the ACHR 3. All member states have functioning Human Rights Commissions	**No major processes are expected under this priority area.**

As stated above, it would appear that in relation to goals specifically referring to human rights, further identification of processes and additional actions to achieve them would be necessary.

This can be supported through the adoption of a HRBA. Whereas traditional development programming requires stakeholders to be accountable for specific results, a HRBA goes further by grounding those accountabilities within a framework of specific human rights entitlements and corresponding obligations established under international law.

In order to ensure such accountability, a HRBA to programming identifies the problems that rights-holders face from a human rights perspective, and identifies the relevant obligations of duty bearers. Based on this, specific obstacles that duty-bearers face in exercising their obligations can be identified. This analysis enables the establishment of a baseline for the formulation of development strategies. However, in order for accountability to be effective, it is also essential that rights-holders are able to understand and claim their rights. Therefore a HRBA also requires an analysis of the capacities needed for rights-holders, especially the poorest and most disadvantaged, to claim their rights effectively. It would appear that this approach could be of significant help in moving towards the targets of the 2063 Agenda that relate to human rights.

A further way to address these accountability gaps is through an aligned approach to the implementation of both the 2030 and 2063 Agendas.

Accountability can be enhanced through operationalising the extensive linkages between the 2030 and 2063 Agendas and key human rights instruments, including through:

- **Using the key provisions of international and regional human rights law as guidance for the implementation of relevant goals and targets of both agendas;**
- **Engaging with relevant human rights mechanisms to inform and guide the implementation of these agendas, and in particular, to address gaps from an accountability perspective;**
- **Establishment and engagement of National Human Rights Institutions (NHRIs) as a way of supporting accountability and supporting the engagement of rights-holders in monitoring; and**
- **Aligning efforts to achieve both frameworks in light of their convergences, but also to address the accountability gaps.**

PARTICIPATION

The development of both the 2030 and 2063 Agendas represented large-scale participatory processes involving national governments, but also a range of key stakeholders. Both agendas emphasise the principle of participation as key to ensuring their success.

The 2030 Agenda specifies that FuR mechanisms should respect human rights and be inclusive, participatory, transparent, gender-sensitive, and have a particular focus on those furthest behind, thus emphasising the importance of inclusiveness and participation. **Broad participation** must be ensured through the involvement of the nine Major Groups and other stakeholders recognised in the 2030 Agenda, including particular groups of rights-holders, local communities and vulnerable groups. Among the key principles are that:

- Governments should ensure inclusiveness and participation. Major groups of civil society and other stakeholders, including business, must participate in all parts of the FuR architecture – at national, regional and international levels.
- Relevant UN commissions and forums at regional and international levels should convene and engage the critical actors relevant to their contributions to the 2030 Agenda, including scientists, local governments, business, and representatives of rights-holders.
- The High-Level Political Forum (HLPF) should champion innovative practices to engage non-state actors. People should know about its work and understand and relate to its conclusions.[17]

THE 9 MAJOR GROUPS
- Women
- Children and youth
- Indigenous peoples
- Non-governmental organizations (NGOs)
- Local authorities
- Workers and trade unions
- Business and industry
- Scientific and technological community
- Farmers.

The 2063 Agenda and its First Ten-Year Implementation Plan highlight that the **participation, inclusion and the empowerment of citizens is a key strategy** and factor for the successful achievement of the goals and targets it sets out. Specifically, it is recognised that effective participation of all stakeholders in the conception/design, implementation, monitoring and evaluation of the Agenda is a critical success factor which will enhance understanding and knowledge of Agenda 2063,

ownership, mobilisation of resources, and individual and collective commitment.

Specifically, the Ten-Year Plan states that "*Stakeholders, especially at the national level should be part of a process in setting targets, developing key activities and outputs of the implementation process. They should also be part of the monitoring and evaluation process. Since all stakeholders are part of the process, the outcome will tend to be fair to all.*"[18]

The proposed implementation framework in the Ten-Year Plan also makes specific provisions for member states "setting up and galvanising non-state actors in the domestication, implementation and monitoring and evaluation of Agenda 2063. In addition, there is to be an annual Continental Stakeholder Platform where stakeholders from all formations of the African Continent including the diaspora will participate in discussions on progress on Agenda 2063 implementation".[19]

Although it contains specific goals and targets aimed at the improvement of the situation of women and youth, the definition of 'stakeholders' in the 2063 Agenda is open-ended and makes reference to 'civil society' as a relatively homogeneous entity. **This lack of definition creates some risks from a human rights perspective that specific groups of rights-holders may not be considered in implementation efforts.**

Alignment of participatory implementation efforts to achieve both Agendas with a human rights-based approach, can help to address gaps in this regard.
• On the one hand, the 2030 Agenda recognises distinct 'Major Groups and other stakeholders' that are a formalised part of the global discussion on sustainable development. Its focus on 'leaving no one behind' and reaching the most vulnerable first also points to **broader participation beyond the Major Groups to specific groups of rights-holders**.
• On the other hand, from a human rights perspective, the **engagement of both rights-holders and duty-bearers is critical for ensuring effective participation that can contribute to accountability**. A human rights-based approach identifies *rights-holders* and their entitlements and corresponding *duty-bearers* and their obligations. In order for development planning to be effective, and contribute to accountability, effective participation of both is essential.

In order to ensure respect for the principle of participation, and inclusive processes involving rights-holders, it will be necessary to establish coordination mechanisms as well as awareness-raising and information-sharing with relevant stakeholders, highlighting opportunities for their contribution and participation.

EQUALITY AND NON-DISCRIMINATION
Equality and non-discrimination are reflected in both the 2030 and 2063 Agendas to different extents.

❝ **As we embark on this great collective journey, we pledge that no one will be left behind. Recognizing that the dignity of the human person is fundamental, we wish to see the goals and targets met for all nations and peoples and for all segments of society. And we will endeavour to reach the furthest behind first"**
Transforming our world: the 2030 Agenda for Sustainable Development

The pledge of the 2030 Agenda to *leave no one behind* reflects the fundamental human rights principles of non-discrimination and

equality. Further, the intention of the Agenda as a whole to 'realize the human rights of all' reflects the need to ensure all parts of society are reached by efforts to achieve the SDGs. This is in recognition of the role that discrimination and inequality play in influencing uneven development outcomes for different sectors of society. With a view to enabling the measurement of progress towards the SDGs for specific groups or sector of society, the 2030 Agenda specifies that its follow-up and review will be informed by data, which is **"disaggregated by income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts".[20]**

In addition to the general reflection of non-discrimination as a cross-cutting principle throughout the 2030 Agenda, *Goals 5 and 10 are specifically dedicated to gender equality, and equality within and between countries generally*, addressing a wide range of associated issues including discrimination, equal opportunity in various spheres, participation and representation. The need for non-discriminatory laws and policies is also specifically addressed under SDG 16.

The 2063 Agenda also recognises the importance of non-discrimination in the achievement of its aspirations, but despite addressing gender equality in a comprehensive manner, is **weaker in its statement of non-discrimination as a cross-cutting principle, as well as in addressing specific groups of rights-holders beyond women and children**. Language in this regard is also comparatively weaker, referring to **inclusion and empowerment** as a 'success factor' for the achievement of the Agenda's aspirations and goals and democratic rule where **equity,** justice and rule of law prevails.

In its First Ten-Year Implementation Plan, the Agenda does make reference to specific groups of rights-holders. These include persons with disabilities, men and women, children, migrant workers, persons living with HIV/AIDS, vulnerable and marginalised groups, among others. However, these references are limited to specific goals and targets rather than applying in a cross-cutting manner. Specific areas of focus include:

- Inclusive growth, and in this context, for children, women, persons with disabilities, and vulnerable groups, under Aspiration 1.
- Ending gender, racial and other forms of discrimination, under Aspiration 2.[21]
- Putting in place systems respecting diversity, promoting tolerance and sanctions on ethnic and other discrimination under Aspiration 3.
- Gender equality and the rights of the child,

SDG targets on promotion and enforcement of non-discriminatory legislation

16.b Promote and enforce non-discriminatory laws and policies for sustainable development

10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard
5.c. Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

under Aspiration 6. Goals and targets under Aspiration 6 contain the most specific references to equality.

Further, in some cases, the references to discrimination and equality are not complemented by specific strategies or targets. Of particular note is the vision of ending gender, racial and other forms of discrimination expressed under Aspiration 2, which is not backed up by any targets or goals in the First Ten-Year Implementation Plan.

Therefore, Agenda 2063 differs from Agenda 2030 in that groups of rights-holders are only referred to in relation to specific goals, targets and indicative strategies; not in broad terms to be taken into consideration in the implementation of the Agenda as a whole. Therefore, the general approach to equality, beyond gender equality, in the 2063 Agenda is weaker. There are few overarching principles for the implementation and monitoring of the Agenda in accordance with the principle of non-discrimination.

The limited references to non-discrimination and specific groups of rights-holders in Agenda 2063 can be addressed through alignment of efforts to achieve its goals with those of the 2030 Agenda. However there are also some gaps in both frameworks that can be addressed by using international human rights standards as guidance.

In international and African human rights law, discrimination is generally defined as any distinction, exclusion or preference based on one or more specific grounds of discrimination that has the purpose or effect of nullifying or impairing an individual's ability to enjoy their human rights. From a human rights perspective, non-discrimination is a cross-cutting principle that is of relevance for **all** human rights. International and regional African human rights instruments outline different **prohibited grounds of discrimination** that can provide the framework for developing specific measures that can ensure no one is left behind in the sustainable development process. For example, the categories for disaggregation outlined in the 2030 Agenda, and the identification of specific groups of rights-holders in both the 2030 and 2063 Agendas reflect some of the prohibited grounds of discrimination under international law, namely *race, ethnic origin, sex, age and disability*. However, a number of international human and labour rights instruments contain grounds of discrimination that are broader than those enunciated in the 2030 and 2063 Agendas. A summary of these grounds is provided in Annex 2.

The prohibited grounds of discrimination enshrined in international and regional human rights instruments can provide useful guidance for the identification of rights-holders that may face barriers to development due to discrimination, and the development of strategies to ensure that no one is left behind in their implementation.

SUMMARY: REFLECTION OF HRBA PRINCIPLES IN 2030 AND 2063 AGENDAS		
AGENDA 2030 PROCESS PRINCIPLES	AGENDA 2063 PROCESS PRINCIPLES	PRINCIPLES OF A HRBA TO DEVELOPMENT
Operating at the national, regional and global levels, FuR will promote accountability to citizens.	Making sure that the outcomes / goals of Agenda 2063 are attained requires that every stakeholder be held accountable and the processes for linking the stakeholders and their constituents together are predictable and open.	**Accountability:** • States and other duty-bearers are responsible for the observance of human rights. • Compliance with legal norms and standards enshrined in human rights instruments. • Rights-holders must be able to seek appropriate redress. • Accountability is closely linked to the right to access information and the capacities needed for rights-holders to claim their rights effectively.
FuR processes will be open, inclusive, participatory and transparent for all people and will support reporting by all relevant stakeholders. Member States are encouraged to conduct regular and inclusive reviews of progress at the national and subnational levels. This should draw on contributions from indigenous peoples, civil society, the private sector and other stakeholders.	The African Citizenry should own both the process and the outcomes of Agenda 2063. Effective participation of all stakeholders in the conception/ design, implementation monitoring and evaluation of Agenda is a critical success factor which will enhance understanding and knowledge of Agenda 2063, ownership, mobilisation of resources, individual and collective commitment.	**Participation:** • Every person and all peoples are entitled to active, free and meaningful participation in development in which human rights and fundamental freedoms can be realised. • People are recognised as key actors in their own development. • Participation is both a means and a goal, and monitoring and evaluation should address both development processes and outcomes.
FuR processes will be people-centred, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind. They will be informed by and based on data, which is high-quality, accessible, timely, reliable and disaggregated by income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts.	Among the critical success factors for the realisation of Agenda 2063 are: (ii) effective citizens participation, inclusion and empowerment in the formulation, implementation and monitoring and evaluation of Agenda 2063 and the exercise full ownership; (iv) [...]... democratic rule where equity, justice and rule of law prevails. However, aside from gender equality and the rights of the child, limited references to equality and non-discrimination.	**Equality and non-discrimination:** • All individuals are equal as human beings and are entitled to their human rights without discrimination of any kind, such as race, colour, sex, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status. • Analysis should include all stakeholders • Give priority to those who are marginalised and excluded and most strongly affected by inequality.

2.4 THE RIGHT TO DEVELOPMENT

The 2030 Agenda is explicitly grounded in, among other things, the **Declaration on the Right to Development**.[22] It recognises the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights, including the right to development.[23]

Agenda 2063 calls upon the international community to respect Africa's vision, explicitly reaffirming the right to development in this context.[24] The importance of the right to development in the African context was also reaffirmed in the CAP, which is firmly grounded in human rights principles[25], and which was also taken account of in the First Ten-Year Implementation Plan of Agenda 2063.

States sponsoring the CAP explicitly commit to: "***Promote the right to development***, as adopted in 1986 by the United Nations General Assembly (GA) in its Resolution 41/128 and recognized in the African Charter on Human and Peoples' Rights. ***This is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development***."[26]

The right to development takes on a particular importance in the African context as it is also enshrined in 2 articles as well as the Preamble of the African Charter on Human and Peoples' Rights. Therefore, it must be respected by all signatories to the African Charter on Human and Peoples' Rights, whose application is supervised by the African Commission on Human and Peoples' Rights (ACHPR).

The ACHPR has expanded on the meaning and application of the right to development, including notably in the *Endorois* case. The Commission found that the right to

development requires fulfilling five main criteria: **equity; non-discrimination; participation; accountability and transparency**.[27] These criteria echo key human rights principles that also form the basis of the 2030 and 2063 Agendas.

THE RIGHT TO DEVELOPMENT IN THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS

Preamble: Convinced that it is henceforth essential to pay particular attention to the right to development...

ARTICLE 22
1. All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind.
2. States shall have the duty, individually or collectively, to ensure the exercise of the right to development.

ARTICLE 24
All peoples shall have the right to a general satisfactory environment favourable to their development.

The right to development is thus a central part of the African region's outlook on the relationship between sustainable development and human rights, and reflected in regional, legally-binding human rights instruments, as well as the 2030 and 2063 Agendas.

IMPLEMENTATION AND MONITORING MECHANISMS OF THE 2030 AND 2063 AGENDAS AND THE ROLE OF HUMAN RIGHTS

This section provides an overview of the architecture of the global monitoring framework, which underlies the Follow-up and Review process of Agenda 2030 and the institutional framework for monitoring and evaluation of Agenda 2063, with specific emphasis on the potential for human rights actors, mechanisms and principles to contribute to these monitoring processes.

At the regional level, the mechanisms for monitoring the implementation of the SDGs and Agenda 2063 are multi-tiered and in many cases, overlapping, thereby reflecting the significant overlap in content between the two Agendas.

A number of the regional bodies charged with overseeing the implementation of the 2063 and 2030 Agendas have a specific mandate in the area of human rights. This provides a unique opportunity for these institutions to ensure that this part of their mandate is also applied to the oversight of the implementation of both agendas. These institutions include the African Union Commission, the African Peer review Mechanism and the Regional Economic Communities.

3.1   MULTI-LEVELLED MONITORING OF THE 2030 AND 2063 AGENDAS

The 2030 and 2063 Agendas both outline a three-levelled implementation and monitoring architecture at national, regional and international/continental levels.

This implementation and monitoring architecture is outlined in the table on the page opposite.

3.2   GLOBAL LEVEL: THE HIGH-LEVEL POLITICAL FORUM

At the global level, the main hub for FuR is the High-Level Political Forum (HLPF). The HLPF has a central role in overseeing a network of follow-up and review processes of the 2030 Agenda, and is supposed to be the converging point for the range of national, regional, international and thematic processes, mechanisms and institutions that have the potential to contribute to the FuR.[28] An important element of the HLPF is the **Voluntary National Review (VNR)[29]**, where countries present their progress and challenges. The VNRs provide a platform for partnerships, including through the participation of Major Groups and other relevant stakeholders.[30] The HLPF also comprises a **thematic review** of a cluster of SDGs at each session.

The HLPF facilitates the sharing of experiences, including successes, challenges and lessons learned and provides political leadership, guidance and recommendations for follow-up. It promotes system-wide coherence and coordination of sustainable development policies. The HLPF is fed-into by **regional sustainable development fora**, which reflect on the same themes as the HLPF each year and feed in recommendations to be considered at the HLPF.

Follow-up and Review of Agenda 2030	Monitoring of Agenda 2063
At the national level, States are encouraged to develop "ambitious national responses" to the implementation of the Agenda, building on existing sustainable development frameworks, where appropriate. The Agenda calls for regular and inclusive reviews of progress at national and sub-national levels that draw on contributions from stakeholder groups.	**National Level:** National priorities are a fundamental source of ideas for Agenda 2063 and States should use the 10-Year Implementation Plans as basis for developing national development plans. Emphasises importance of alignment of national development planning with the Agenda. National focus on multi-stakeholder monitoring and evaluation of processes and outcomes of implementation.
At the regional level, States are encouraged to undertake voluntary reviews based on national FuR processes and identify the most suitable forum for such peer learning and exchange of best practices. Regional Forums on Sustainable Development (RFSD) have been established in many regions, under the auspices of the UN Regional Economic Commissions (UNECA for the African region). The African Regional Forum for Sustainable Development (ARFSD), gathers perspectives from the African region to feed into the HLPF. This involves a number of key regional institutions as well as many other stakeholders.	**Regional Level:** Entry point for all Agenda 2063 initiatives that have to be adopted by Member States. The Regional Economic Communities (RECs) will serve as the fulcrum for implementation at the regional level. They will adapt the Agenda 2063 results framework to regional realities and facilitate / coordinate implementation by member states and develop/implement monitoring and evaluation framework at the regional level. The RECs also feed information to the UNECA in order to contribute to a regional overview of priorities.
At the global level, the High-Level Political Forum (HLPF) meets annually and is the central hub for FUR processes. The purpose of the HLPF is to keep track of global progress on implementation, provide political leadership and guidance, and address new and emerging issues. The HLPF comprises both thematic debates and Voluntary National Reviews (VNRs). For VNRs, states can report on progress in domestic implementation as a basis for exchanging best practices and building partnerships.	**Continental Level:** AU Organs, especially the African Union Commission (AUC), will be responsible for setting the broad results framework, and monitoring and evaluation based on inputs from the RECs and the UNECA, among others. This includes: • Responsibility for the Ten-Year Implementation Plans. • Providing the broad policy guidelines on the implementation, monitoring and evaluation of Agenda 2063; • Facilitating the integration of regional monitoring and evaluation reports into a continental report; and • Overseeing the execution of continental programmes and projects. The African Peer Review Mechanism, in collaboration with other AU organs, also plays a role in monitoring and supporting attainment of Agenda 2063.

3.3 AFRICAN INSTITUTIONAL FRAMEWORK FOR IMPLEMENTING AND MONITORING THE 2030 AND 2063 AGENDAS

At the regional level, the mechanisms for monitoring the implementation of the SDGs and Agenda 2063 are multi-tiered and in many cases, overlapping, thus reflecting the significant overlap in content between the two Agendas. The need for harmonisation of the monitoring of both agendas in parallel has therefore been identified as a key priority. Agenda 2063 calls for states to integrate the results framework and the monitoring and evaluation systems of Agenda 2063 and the SDGs.**[31]** Likewise, the main regional arm for FuR - the African Regional Forum for Sustainable Development (ARFSD) - already encompasses reflection on Agenda 2063. Further, the ARFSD has already addressed how best to harmonise these two Agendas, building on the accountability framework of the SDGs.

The linkages between the SDGs and the goals of the 2063 Agenda prompted an AU Specialised Technical Committee (STC) of Ministers of Finance, Monetary Affairs, of Economy and Development Planning and those in charge of Integration, to direct that there be:

- An integrated and coherent approach to implementation, monitoring and evaluation of Agenda 2063 and SDGs;
- Joint domestication;
- One accountability instrument catering for both at the same time; and
- A single periodic performance report.[32]

UN ECONOMIC COMMISSION FOR AFRICA

The UN Economic Commission for Africa (UNECA) has a defined role in the definition, implementation and monitoring of **both the 2030 and 2063 Agendas** at regional level. It is thus one of the key actors at regional level that can support efforts to align and harmonise efforts to achieve these two agendas. It is the key regional actor in the FuR architecture of the 2030 Agenda at the regional level, since it coordinates activities across the regional landscape. It also plays a defined role in monitoring Agenda 2063, as outlined in its First 10-Year Implementation Plan. Its 2017 report on sustainable development provides an overview of regional progress of both agendas.

The UNECA therefore has a vast range of responsibilities and competencies in the area of sustainable development. These include, *inter alia*:

- Reporting: mid-term and end-of-decade Africa Reports on Agenda 2063 and a Regional Report on Sustainable Development (see below), combining the two Agendas.
- Standardised planning, monitoring and evaluation manuals including creation of a toolkit for use by national planning commissions, which integrates Agendas 2030 and 2063. [33]
- Responsibility for delivering the African regional perspective on Agenda 2030, having collected regional priorities from the RECs.
- Collating data on SDG indicators in Africa. Its online portal provides access to data on SDG indicators on African Countries.[34]

THE AFRICA REGIONAL FORUM ON SUSTAINABLE DEVELOPMENT

The Africa Regional Forum on Sustainable Development (ARFSD) is an intergovernmental forum convened by the UN Economic Commission for Africa (UNECA) in collaboration with the African Union Commission, the African Development Bank and the United Nations System. The Forum was established following UN General Assembly Resolutions 67/290, 70/1 and 70/299 which, *inter alia*, acknowledged the importance of the **regional dimensions of sustainable development** and invited the United Nations

THE REGIONAL REPORT ON SUSTAINABLE DEVELOPMENT

UNECA produces a Regional Report on Sustainable Development, together with the African Union (AU); African Development Bank and United Nations Development Programme (UNDP).

The report is the first to **simultaneously track progress on the 2030 Agenda for Sustainable Development and Agenda 2063** (and its first ten-year implementation plan), given the substantial convergence at the level of goals, targets and indicators.

The report also notes that the ARFSD needs to take better account of other regional review processes. **This could be an entry point for the inclusion of other regional reviews, such as those undertaken by human rights mechanisms and institutions**, as discussed in Parts IV and V of this publication.

Regional Commissions to contribute to the work of the HLPF including through annual regional meetings.

The Forum adopts as its outcome, **Africa's collective inputs to the annual sessions of HLPF**. It also serves as an important mechanism for monitoring and tracking progress in implementation at the regional level, as well as for mobilising and ensuring the participation of stakeholders. As such, the annual agenda of the ARFSD reflects that of the HLPF and the Forum makes direct recommendations to the HLPF from African the region.

AFRICAN UNION COMMISSION
As one of the core mechanisms of the AU - the African Union Commission (AUC) - is an important player for continent-wide strategies and monitoring, as well as for ensuring effective partnerships across competencies. Its mandate on human rights can help ensure that the 2063 Agenda is implemented in synergy with human rights.

The African Union Commission is the overarching body responsible for follow-up of the formulation and adoption of decisions on Agenda 2063. The AUC's overall coordination role includes, a Technical Unit for Agenda 2063 which will focus on, *inter alia*:

- Coordination and facilitation of technical issues related to the development / review of the Agenda 2063 results framework, in particular the 10-year implementation plans;
- Development of continental frameworks to support Agenda 2063 implementation;
- Review of monitoring and evaluation reports from the RECs; and
- Preparation of progress / annual reports.[35]

The AUC explicitly included the promotion and protection of human rights in its last Strategic Plan.[36] Further, its *Action Plan of the Human and Peoples' Rights Decade in Africa (2017 - 2026)* aims to reinforce deeper understanding of and commitment to human and peoples' rights. The AUC has also played a key role in ensuring the human rights related to labour.[37]

The AUC has signed a Memorandum of Understanding with the Network of African Human Rights Institutions (NANHRI), which could also serve to support the integration of a HRBA in its work to fulfil its overarching coordination mandate in relation to Agenda 2063. See Part V for more information.

REGIONAL ECONOMIC COMMUNITIES
The Regional Economic Communities (RECs) are eight subregional bodies which are the building blocks of the African Economic Community.[38] **The RECs play a role in relation to both Agendas, and have human rights oversight as part of their mandate. This points to the potential of the RECs also playing a role in overseeing the implementation of both the 2030 and 2063 Agendas from a human rights perspective.**

The responsibilities of the RECs in relation to Agenda 2063 are extensive and include, among others:
- Participation in continental level operational oversight in Agenda 2063 implementation;

- Adaption / alignment of continental long / medium term Agenda 2063 10 Year Plans;
- Issuing plan guidelines to Member States;
- Coordination of preparation / implementation of regional programs;
- Integration of regional monitoring and evaluation reports and provision of leadership in resource mobilisation for Agenda 2063.[39]

THE REGIONAL ECONOMIC COMMUNITIES
- The Arab Maghreb Union (AMU)
- The Common Market for Eastern and Southern Africa (COMESA)
- The Community of Sahel-Saharan States (CEN-SAD)
- The East African Community (EAC)
- The Economic Community of Central African States (ECCAS)
- The Economic Community of West African States (ECOWAS)
- The Intergovernmental Authority on Development (IGAD)
- The Southern African Development Community (SADC)

The RECs also have a direct role in the establishment of regional priorities in relation to the SDGs, given that the UNECA has responsibility for gathering the REC priorities in order to deliver the regional perspective on the SDGs.

A number of the RECs have undertaken "to achieve their objectives against the backdrop of the promotion and protection of human rights in accordance with the African Charter on Human and Peoples' Rights, such that the African Charter has been viewed as a basis for common regional human rights standards and a normative framework for the RECs."[40]

THE AFRICAN PEER REVIEW MECHANISM
Given its explicit grounding in international and regional human rights instruments, and its clear role in monitoring the aspects of the 2030 and 2063 Agendas that fall within its mandate, the African Peer Review Mechanism (APRM) is uniquely placed to put human rights at the centre of the sustainable development debate in the African region.

The African Peer Review Mechanism (APRM) is a mutually-agreed self-monitoring mechanism voluntarily acceded to by AU member States.[41] It conducts periodic reviews of the policies and practices of participating states to ascertain progress being made towards achieving mutually agreed goals and compliance with agreed political, economic and corporate governance values, codes and standards as outlined in the Declaration on Democracy, Political, Economic and Corporate Governance.

Among its objectives in the thematic area of democratic and political governance are to:
- Promote and protect economic, social, cultural, civil and political rights as enshrined in all African and international human rights instruments;
- Promote and protect the rights of women, the child and of young persons;
- Promote and protect the rights of vulnerable groups, including displaced persons and refugees; and
- Uphold the separation of powers, including the protection of the independence of the judiciary and of an effective Parliament.[42]

In addition, the APRM has specific aims in relation to the 2030 and 2063 Agendas. Its Strategic Plan (2016-2020) focusses specifically, among other things on *"the need to reposition the APRM so that it plays a central role in the implementation of Agenda 2063 and the 2030 Sustainable Development Goals*

(SDGs),"[43] and in doing so, in collaboration with other institutions, acts as one of the mechanisms for monitoring and supporting attainment of the AU

Agenda 2063 and the global 2030 Agenda. It is specifically identified as a key stakeholder in the First 10-Year Implementation Plan of the **2063 Agenda, which foresees that all member states are implementing the APRM by 2023**.[44]

3.4 NATIONAL LEVEL IMPLEMENTATION, MONITORING AND ALIGNMENT OF FRAMEWORKS

Both the 2030 and 2063 Agendas require national implementation plans to ensure their operationalisation at the national level. Thus, national implementation is critical for both agendas, and UNECA recommends that *"countries in the process of implementing existing plans should review such plans in the light of the new global and continental frameworks"*.[45]

In order to fulfil the potential that these frameworks have for realising human rights, a HRBA is particularly pertinent at national level. From a human rights-perspective, it is also at national level that the connection between **rights-holders and duty-bearers** is most direct, and where states are directly accountable to their citizens.

The 2030 Agenda specifies that national FuR processes should be **country-led and tailored to the national context**. Also, they should depart from what is already there, in terms of policies, dialogue processes, data, monitoring mechanisms and reporting cycles. In a similar manner, the First 10-Year Implementation Plan of Agenda 2063 specifies that states should **use their national planning systems**, structures for implementation monitoring and evaluation, methodologies, systems and

processes, rules and regulations, forms and formats, in the execution of Agenda 2063. Therefore, it must be expected that these national processes will present a diverse range of models and modalities as well as different degrees of efficiency and inclusiveness.

A potentially significant challenge lies in the fact that the adoption of national development strategies and plans in many African countries pre-dates the adoption of the global 2030 and/or the continental 2063 Agenda. There is also considerable variation in timeframe between national planning cycles throughout the African region, and in their alignment with regional and global cycles. In general, countries whose medium-term development plans coincide with the commencement of the SDGs are better placed to commence implementation of the new Agendas since they can more easily align their new plans to the SDGs and Agenda 2063. Therefore, close coordination at national level will be essential to ensure that these Agendas can be incorporated into national development planning. In this regard, the First 10-Year Implementation Plan of Agenda 2063 specifies that each AU member state needs to **designate a focal point institution at the national level to facilitate the integration of Agenda 2063 into its national vision and plans, and that to the extent possible this focal point should also be the entry point for the SDGs.**[46]

THE ROLE OF HUMAN RIGHTS MECHANISMS IN ENHANCING ACCOUNTABILITY IN THE 2030 AND 2063 AGENDAS

The SDGs are anchored in human rights, and many aspects of SDG targets are already monitored by the national, regional and international human rights monitoring mechanisms. A significant part of Agenda 2063 is also linked to human rights standards, and specific parts of it are explicitly grounded in specific human rights treaties, and thereby linked to human rights mechanisms that supervise the implementation of those treaties. This opens the way for human rights mechanisms to play a key role in the monitoring of the 2030 and 2063 Agendas.

African states are party to a broad range of international and regional legally-binding human rights treaties and labour standards. States are already subject to reporting obligations in many areas related to the SDGs, including to the Human Rights Council, international and regional treaty monitoring bodies and specialised agencies such as the ILO (see sections 4.1 – 4.4).

The supervision of the application these standards by international and regional human rights mechanisms provides guidance to states on the implementation of human rights that they have undertaken to respect, protect and fulfil. These mechanisms can make a major contribution to SDG and Agenda 2063 monitoring and implementation by providing qualitative information and context-specific analysis and advice as well as information about vulnerable groups and sensitive issues. At the same time, SDG follow-up and review

and the monitoring of Agenda 2063 can also strengthen human rights implementation.

The human rights monitoring system can support the implementation of sustainable development frameworks through identifying and making recommendations on:
- Systematic forms of discrimination or exclusion that prevent specific groups or categories of persons from fully enjoying their human rights;
- Gaps in policy and legal frameworks necessary for human rights fulfilment and key challenges in their implementation;
- Specific cases of human rights violations that should be addressed;
- The need for specific measures, including special measures, that need to be taken to contribute to the fulfilment of human rights; and
- The generation, allocation and use of the resources necessary for the fulfilment of human rights – in particular of economic, social and cultural rights.

These mechanisms can also provide **valuable data that can contribute to measurement of** targets and **indicators** of Agendas 2030 and 2063, as well as information on **cross-cutting issues** of relevance to both agendas.

Combining reporting on sustainable development and human rights can increase efficiency in reporting; help to avoid duplication of efforts; enhance accountability by ensuring a closer linking of human rights with the

implementation of the 2030 and 2063 Agendas. Moreover, it has an advantage of ensuring national anchorage, which is a key principle of both the 2030 and 2063 Agendas. **Therefore, a way for states and other actors to make use of the synergies between human rights and the 2030 and 2063 Agenda is by integrating their development reporting with their human rights reporting.**

" Draw on existing reports. Use existing national platforms and processes that could contribute to the VNR writing and analysis process. Examples include: [...] reports submitted to international bodies, including those under international human rights treaties" Handbook for preparation of Voluntary National Reviews, January 2018

NATIONAL REVIEW

HUMAN RIGHTS MECHANISMS

REGIONAL AND GLOBAL SDG REVIEW

Integrated reporting and review on human rights and SDGs
➡ **enhanced efficiency and accountability**

4.1 HUMAN RIGHTS TREATY MONITORING BODIES

UN TREATY MONITORING BODIES

There are **9 core international human rights treaties** with committees assigned to monitor their implementation. States that have ratified human rights treaties have a legal obligation to ensure implementation and must submit **periodic reports** to the relevant treaty bodies. Based on the information received, the treaty bodies issue **concluding observations** to the States concerned. The Committees also publish **general comments or general recommendations** on their interpretation of the thematic content of specific human rights provisions.

UN Treaty Bodies have engaged directly – both individually and collectively – with the Follow-up and Review mechanisms of the 2030 Agenda, as well as with individual states, linking their obligations under international human rights treaties to the 2030 Agenda.

THE UN HUMAN RIGHTS TREATY MONITORING BODIES
- The Human Rights Committee (ICCPR)
- The Committee on Economic, Social and Cultural Rights (ICESCR)
- The Committee on the Elimination of Racial Discrimination (ICERD)
- The Committee on the Elimination of Discrimination against Women (CEDAW)
- The Committee against Torture (CAT)
- The Committee on the Rights of the Child (CRC)
- The Committee on Migrant Workers (CMW)
- The Committee on the Rights of Persons with Disabilities (CRPD)
- The Committee on Enforced Disappearances (CED)

For example, Treaty Bodies have underlined their strong mandates to promote **equality and non-discrimination**, and that several of them monitor treaties protecting the rights of persons who are often left behind. In a joint statement in 2016, the UN Treaty Bodies encouraged the HLPF to:

- Place the **elimination of discrimination and reduction of inequalities** at the forefront of efforts to implement the 2030 Agenda, with a particular focus on reaching the furthest behind first;
- Reaffirm the importance of comprehensive and adequately resourced **non-discrimination legislation and policies based on international standards** as a basis for action to ensure that no one is left behind;
- Encourage the introduction of **appropriate monitoring mechanisms and institutions at the national level – such as national human rights institutions**, labour inspectorates, national machinery for the advancement of women, children's ombudspersons, ombudspersons for persons with disabilities, and national preventive mechanisms for the prevention of torture.
- Support the development of appropriate methodologies, such as human rights impact assessments, prior to the introduction of laws, policies and development programmes to ensure that such instruments leave no one behind.
- Support the development and use of appropriate data collection and monitoring methodologies that provide guidance on collecting data which allows for disaggregation and monitoring the trends and progress of the most disadvantaged individuals and groups to examine whether inequalities are reducing over time. [47]

Treaty Bodies have also engaged directly with states in the context of their regular dialogue on the implementation of ratified treaties.[48]

Several UN Treaty Bodies have already explored specific synergies between human rights and the SDGs and provided comments on how their respective treaties relate to the SDGs in a number of African countries. The **Committee on the Rights of the Child** (CRC), the **Committee on the Elimination of Discrimination Against Women** (CEDAW), and the **Committee on Migrant Workers** (CMW) are the most advanced in that regard. Given the significant convergence of themes and targets in the 2030 and 2063 Agendas, these recommendations can also be used to inform the implementation of both Agendas.

Treaty Bodies can encourage States to take the link to specific human rights instruments and obligations into account in their national development planning and implementation processes. Consequently, States can use the dialogue with Treaty Bodies and their expertise to bridge national gaps in implementation.

THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

The African Commission on Human and Peoples' Rights (ACHPR) is charged with three major functions:

- The protection of human and peoples' rights;
- The promotion of human and peoples' rights; and
- The interpretation of the African Charter on Human and Peoples' Rights.

It considers periodic reports submitted by States Parties, as well as reports from members of the Commission and its Special Mechanisms (rapporteurs, committees, and working groups). The Commission also considers reports concerning country visits ("Special Missions"), which are typically dispatched to countries

experiencing political or social unrest. The African Court on Human and Peoples' Rights (African Court) was established through a Protocol to the African Charter which came into force in 2004. The Court complements the mandate of the Commission in the promotion and protection of human rights.

The African Charter on Human and Peoples' Rights treats both civil and political, and economic, soaial and cultural rights in the same treaty, thus emphasising the **indivisibility and inderdependence of these rights**. In doing so, it provides an important message for SDG and Agenda 2063 implementation, as these Agendas also address categories of rights that should be treated in a **holistic and interlinked manner**.

The ACHPR has not yet used its mandate in a systematic manner to guide the implementation of the 2030 and 2063 Agendas, but it has highlighted their relevance for human rights. However, the **potential for this human rights treaty body to inform and guide the implementation and monitoring of both agendas in the African region cannot be underestimated**. The ACHPR has also examined and provided guidance on the implementation of the right to development (see Section 2.4), including espousing key cross-cutting human rights principles that are intrinsic to the realisation of this right, which is of fundamental importance for both Agendas.

4.2 THE UNIVERSAL PERIODIC REVIEW

The Universal Periodic Review (UPR) is a peer mechanism under the Human Rights Council, reviewing the human rights performance of all UN member states at regular intervals. The UPR assesses states' human rights records and aims to address human rights violations wherever they occur, including by providing technical assistance to States, enhancing their capacity to deal effectively with human rights

challenges, and share best practices. The reviews are conducted by the UPR Working Group, consisting of the 47 members of the Human Rights Council.

While the SDGs provide an overarching policy framework, UPR recommendations can point to key human rights gaps and challenges related to sustainable development, and to marginalised groups in danger of falling behind, and suggest concrete measures to overcome discrimination. A number of African countries have **systems to track the implementation of UPR recommendations**. These can serve the dual purpose of tracking the implementation of UPR recommendations, and tracking how they have been integrated into SDG implementation.

The Danish Institute for Human Rights has developed a searchable database of UPR recommendations, linking UPR recommendations for all countries to specific SDG Targets. The database shows that **more than half of all UPR recommendations can be linked directly to specific targets of the 2030 Agenda**, illustrating the significant potential of an integrated rights-based approach. This tool can be used by practitioners to identify which UPR recommendations are of relevance for SDG implementation in a specific area.

Connecting the Universal Periodic Review to the SDGs

Human rights and the 2030 Agenda are mutually-reinforcing. This implies that information and recommendations from international human rights monitoring bodies can serve to inform and guide sustainable development policies.

Through an experimental data mining project, DIHR has identified concrete links to the 169 targets of the SDGs for more than half of the 50,000 UPR recommendations issued so far, underlining the potential for realising human rights obligations and sustainable development outcomes through integrated approaches.[49]

LINKS BETWEEN UPR AND SDGS IN THE AFRICAN REGION
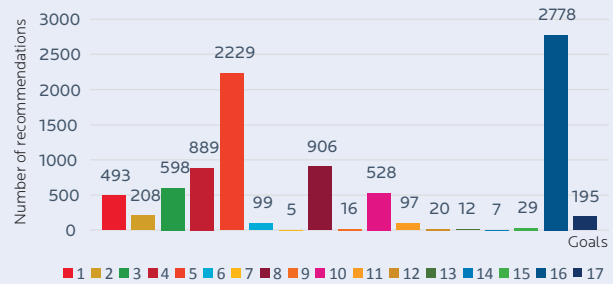
Data basis: 14,118 recommendations from sessions 1-24, 52,4% linked to the SDGs. Recommendations may be linked to more than one Goal.

USING UPR RECOMMENDATIONS IN NATIONAL SDG FOLLOW-UP

• Identify priority issues to achieve sustainable development for all:

TARGET 8.7 CHILD AND FORCED LABOUR
Double its efforts in addressing the vulnerable conditions of children who live on the streets, including by implementing existing legislation against child labour and its plan of action to combat child labour. (to Mauritania)

• Identify groups that need special consideration in the strategies and actions to achieve particular SDG targets and related human rights obligations:

TARGET 2.3 SECURE AND EQUAL ACCESS TO LAND
Pay particular attention to indigenous Pygmy peoples, in order to guarantee their access to land and natural resources. (to DR Congo)

• Suggest concrete measures to achieve SDG targets and related human rights obligations:

TARGET 5.5 WOMEN'S FULL AND EFFECTIVE PARTICIPATION
Protect women against all forms of sexual violence and ensure full respect of the Security Council resolutions on "Women, Peace and Security" in the management of the conflict, particularly by ensuring effective participation of women in the political dialogue. (to Mali)

Visit the UPR-SDG Data Explorer here: upr.humanrights.dk

4.3 SPECIAL PROCEDURES AND MECHANISMS

The **special procedures** of the Human Rights Council are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. The African human rights system also has a system of **Special Mechanisms** comprising special rapporteurs and working groups on specific themes.

Currently, there are **44 thematic and 12 country-specific UN Special Procedures mandates**[50] and **16 Special Mechanisms in the African human rights system**[51] – almost all of which are related to certain aspects of the 2030 and 2063 Agendas. Consequently, the Special Procedures and Special Mechanisms have a huge potential for contributing to both country-specific and thematic implementation, monitoring and data-gathering processes.

UN Special Procedures have already reflected on the SDGs, and their link with human rights implementation. For example, the Special Rapporteur on Health has recently published a report on the linkage between the right to health, and the SDGs.

Mandate-holders engage directly with States, including through country visits, and have a clearly defined function to identify best practices as well as challenges, where capacity-building and technical assistance from the UN human rights pillar could be beneficial.

In the African human rights system, a number of Special Mechanisms have highlighted the linkages between human rights, the SDGs and Agenda 2063. For example, the Working Group on the Rights of Older Persons and **Persons with Disabilities** of the African Commission on

Human and Peoples' Rights highlighted the cross-cutting relevance of non-discrimination for the 2030 and 2063 Agendas in specific relation to disability:

> **...core challenges hindering the full enjoyment of all their rights by Persons with Disabilities on an equal basis with others, are covered in the 17 Sustainable Development Goals. [...] The goals also underscore the necessity for States to gather reliable and accurate disaggregated data to be utilised in achieving all targets envisioned in the Sustainable Development Goals, including disaggregated data relative to Persons with Disabilities which is critical in mainstreaming rights of Persons with Disabilities."**[52]

4.4 THE ILO SUPERVISORY BODIES

The ILO's 8 Fundamental Conventions address themes such as discrimination in employment and occupation[53], equal remuneration for men and women for work of equal value[54], freedom of association and the right to collective bargaining[55], and child labour and forced labour[56] that are firmly embedded in the 2030 Agenda. Further, a range of ILO **technical conventions** address more specific issues such as occupational safety and health, social security, indigenous peoples and migrant workers. States that have ratified ILO Conventions are required to report at intervals of 2 or 5 years on their implementation (depending on the Convention). The ILO **Committee of Experts on the Application of Conventions and Recommendations** (CEACR) analyses these reports and presents Observations and Direct Requests to states, including recommendations on the implementation of the Convention in question.

The CEACR thus systematically monitors these rights and the associated challenges in specific countries on a regular basis, and at relatively short intervals. The fact that ILO supervisory bodies frequently refer to issues raised in previous years' examination of states' reporting also provides measurement for whether or not compliance with these Conventions has improved over a given period of time.[57]

ILO Conventions are directly relevant to a wide range of SDG and Agenda 2063 targets. In particular, ILO supervisory bodies can provide a wealth of data in relation to **SDG 8** (economic growth, employment and decent work) and **Agenda 2063 Goals 1** (A High Standard of Living, Quality of Life and Well Being for All), **4** (Transformed Economies and Job Creation) and **5** (Modern Agriculture for increased productivity and production). However, they are also of direct relevance to **SDG 5** and **Agenda 2063 Goal 17** on gender equality, **SDG 10** (inequality), **Agenda 2063 Goal 18** (Engaged and Empowered Youth and Children), **SDG 16** (peace, justice and strong institutions) and **Agenda 2063 Goal 11** (Democratic values, practices, universal principles of human rights, justice and the rule of law entrenched). **Agenda 2063 Goal 8** (United Africa) makes specific reference to ILO Conventions concerning labour migration. ILO supervisory bodies can also reveal information about **specific population groups** such as indigenous peoples, migrant workers and other categories of workers which are the subject of specific ILO Conventions.

THE ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS IN ENSURING ACCOUNTABILITY IN SUSTAINABLE DEVELOPMENT PROCESSES

5.1 NATIONAL HUMAN RIGHTS INSTITUTIONS AS AN INDICATOR OF SUSTAINABLE DEVELOPMENT

National Human Rights Institutions (NHRIs) are independent state bodies established by governments and charged with promoting and protecting human rights in their respective countries. The establishment and operations of NHRIs must conform to the *UN Principles relating to the Status and Functioning of National Institution for the Protection and Promotion of Human Rights* (the *Paris Principles*).

A key role of NHRIs is to monitor and measure the national human rights situation against international and regional human rights standards. NHRIs often prepare annual status reports on the general human rights situation as well as analysis and research on specific human rights topics. Many NHRIs have a strong focus on discrimination and inequalities, and monitor the situation of vulnerable and marginalised groups and particular rights-holders. Internationally, **NHRIs play a significant role in reporting to UN and regional human rights supervisory bodies through, among other things, producing parallel reports.**

The independent nature of NHRIs, their bridging role between their country and the international human rights system, and their experience and expertise in monitoring and reporting on the implementation of human rights standards places them in the perfect position to be **at the heart of what has been**

called the SDG *"web of accountability"*.[58] As independent State institutions mandated to support national compliance with international human rights commitments, NHRIs are crucial elements of the institutional accountability architecture necessary for ensuring peaceful and inclusive societies with access to justice for all. **Given their mandate and roles, NHRIs can play a significant role in international, regional and national monitoring of the SDGs**.

The existence of **National Human Rights Institutions compliant with the Paris Principles** is included as an indicator of effective, accountable and inclusive institutions under Goal 16 of the 2030 Agenda. Likewise, in its first 10-Year Implementation Plan, Agenda 2063 foresees that by 2023, **all member states will have functioning Human Rights Commissions.**

NHRIs are crucial elements of the good governance and institutional accountability architecture that is necessary for ensuring peaceful and inclusive societies and access to justice for all. NHRIs can play a significant role in both international, regional and national SDG and Agenda 2063 monitoring processes by using their existing mandate.

THE GLOBAL ALLIANCE OF NHRIS AND THE MÉRIDA DECLARATION

The Global Alliance of National Human Rights Institutions (GANHRI) is the international association of NHRIs and has members from all over the world. GANHRI promotes and strengthens NHRIs to be in accordance with the Paris Principles, and provides leadership in the promotion and protection of human rights.

In 2015, the global network GANHRI gathered its members to discuss the role of NHRIs in implementing the 2030 Agenda. This resulted in the *Mérida Declaration on the Role of National Human Rights Institutions in implementing the 2030 Agenda for Sustainable Development*,[59] a landmark document, which outlines functions and activities that NHRIs can undertake in order to contribute to a HRBA to the 2030 Agenda, emphasising that NHRIs are *"uniquely placed to play a bridging role between stakeholders and promote transparent, participatory and inclusive national processes of implementation and monitoring"* of the SDGs.

For the purpose of capacity-building and knowledge-sharing, a **GANHRI Working Group on Sustainable Development** was established as a vehicle for collaboration among NHRIs and a vehicle for the promotion of accountability for, and HRBA to, sustainable development.

THE NETWORK OF AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS AND THE KIGALI DECLARATION

The Network of African National Human Rights Institutions (NANHRI) is a regional umbrella that brings together 44 NHRIs. Founded in 2007, NANHRI works towards the establishment and strengthening of NHRIs in Africa. It provides capacity-building and facilitates coordination and cooperation among NHRIs by linking them with other key human rights actors at the regional and international levels.

The 11th Biennial Conference of the Network of African National Human Rights Institutions, held in Kigali in November 2017, adopted the *Kigali Declaration and Plan of Action on the 2030 Agenda for Sustainable Development and the African Agenda 2063 and the role of National Human Rights Institutions* (*The Kigali Declaration*).

THE KIGALI DECLARATION highlights the critical role that NHRIs can play in the implementation and monitoring of the 2030 and 2063 Agendas through:

- Providing advice to national and local governments, rights-holders and other actors on a human rights-based approach to the SDGs;
- Development and strengthening of partnerships for national implementation;
- Engagement with duty-bearers, rights-holders and other key actors to raise awareness, build trust and promote dialogue;
- Assisting in the shaping of national indicators and sound rights-based data collection systems;
- Monitoring progress in the implementation of the Agendas at the local, national, regional and international levels, to disclose inequality and discrimination;
- Promoting and protecting a safe and enabling environment for civil society and human rights defenders; as well as democratic space;
- Responding to, conducting inquiries into, and investigating allegations of rights violations in relation to SDG implementation; and
- Facilitating access to justice, redress and remedy for those who experience abuse and violation of their rights in the process of development.

The Conference also endorsed the establishment of a **NANHRI Working Group on the 2030 Agenda and Agenda 2063**. The overall objective of the Working Group is to strengthen a systematic and sustainable approach among African NHRIs through:

- Development of analysis and tools to support a HRBA to SDG implementation and monitoring;
- Sharing of experiences, good practices and knowledge management with and among NHRIs, civil society, governments and other stakeholders as regards achieving the SDGs with respect to human rights standards;
- Advocating for human rights, and for human rights institutions to play a central role in the realisation of the 2030 and 2063 Agendas; and
- Building and strengthening strategic networks and alliances related to human rights and sustainable development.

The adoption of the *Kigali Declaration* and formation of the NANHRI Working Group on the 2030 Agenda and Agenda 2063 represent a critical step in the African region towards the further integration of the mutually reinforcing 2030 and 2063 Agendas, and human rights.

In March 2016, a Memorandum of Understanding (MoU) was signed between the African Union Commission (AUC) and NANHRI. This MoU aims to promote the strategic priorities of the Commission including human rights, justice and rule of law ensuring a peaceful and secure continent, good governance, transparency, inclusive growth and promotion of free and fair elections and to act together towards the common objectives of NANHRI and the AUC. The AUC's Action Plan of the Human and Peoples' Rights Decade in Africa (2017 - 2026) aims to entrench and reinforce deeper understanding of and commitment to the culture of human and peoples' rights. It recognises the role of NHRIs and the complementarity between NHRIs and other national-level bodies involved in the promotion and protection of human and peoples' rights, including the security sector and judiciary.

Given the overarching role of the AUC in overseeing the implementation of Agenda 2063, and NANHRI's specific focus on sustainable development and human rights, this MoU could constitute an important framework for the integration of a HRBA into efforts to achieve this agenda.

5.2 NATIONAL LEVEL ENGAGEMENT OF NHRIS IN SDG AND AGENDA 2063 IMPLEMENTATION IN AFRICAN COUNTRIES

GANHRI has undertaken a study on how NHRIs support the implementation of the SDGs. The findings reaffirm the key role of NHRIs with regards to sustainable development, and contributes to the sharing of experiences, good practices and knowledge management with and among NHRIs, civil society, governments and other stakeholders.[60]

The 11th Biennial Conference of NANHRI also stressed the role that NHRIs in Africa are *already playing* in ensuring a human rights-based approach to development, thereby working to ensure that all civil and political rights and economic, social and cultural rights are promoted and realised in an integrated manner through the 2030 and 2063 Agendas.

NATIONAL ACTION PLANS FOR HUMAN RIGHTS (NAPS)

One specific area where NHRIs can contribute to country-specific indicators and monitoring of progress towards the SDGs is through National Action Plans (NAPs) for Human Rights. The United Nations and international human rights bodies recommend that countries adopt such NAPs. Given the focus of NAPs, many of their goals will bear a direct relation to the SDGs. Making those connections explicit could help national governments to better understand the role of human rights in the SDGs as well as support their monitoring of progress towards the SDGs.

In short, NHRIs can act as accountability mechanisms for many aspects of SDG and Agenda 2063 implementation. They can also play a key role in existing mechanisms set up at national level to oversee SDG and Agenda 2063 implementation. Such mechanisms may take many forms due to differences in national governance structures and planning frameworks. However, NHRIs can play a critical role in advising such oversight structures on key human rights issues related to SDG and Agenda 2063 implementation, and key human rights principles that should guide it.

THE UGANDAN HUMAN RIGHTS COMMISSION AND NATIONAL SDG OVERSIGHT MECHANISMS

Uganda is now in the late stages of developing a national SDG implementation roadmap that will guide the country in implementing and monitoring the SDGs. The process is being led by the Office of the Prime Minister, which is the lead government agency when it comes to implementation of the SDGs in Uganda. The Ugandan Human Rights Commission (UHRC) is part of the National SDG Coordination Taskforce which is responsible for oversight of the coordination of SDG implementation across governmental institutions.

The UHRC has also been included as one of the key organisations that will be reviewing and validating the draft national roadmap on the implementation of the SDGs.

Such accountability can also include **ensuring that data is available that can measure progress towards defined goals and targets, but also contribute to an evidence base for ensuring accountability, in line with human rights principles and standards**. This is something that the Kenya National Commission on Human Rights has engaged in.

THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS, DATA AND MONITORING

Following a workshop convened by the Office of the UN High Commissioner for Human Rights on building a human rights-based approach to the measurement of the 2030 Agenda, held in April 2017, the Kenyan National Commission on Human Rights (KNCHR) has signed a Memorandum of Understanding with the Kenya National Bureau of Statistics (KNBS) with a view to:

- Establishing cooperation to promote greater understanding of the importance of developing and using statistical information to inform, implement and assess national policies and programmes which may impact the respect, protection and fulfilment of human rights; and
- Collaborating to strengthen cooperation on data collection, disaggregation, dissemination and analysis to help measure progress and ensure that no one is left behind in the 2030 Sustainable Development Agenda, and to seek consistency with international human rights standards.

This collaboration includes:

- Identification and compilation of contextually-relevant indicators, and development of associated metadata, drawing on the guidance on human rights indicators and a HRBA to data;
- Collection, analysis, sharing and publication of data relevant to identified indicators, disaggregated by prohibited grounds of discrimination; and
- Publication of joint reports or analysis presenting data on human rights.

NHRIs can also play a significant role in **capacity-building** for key sustainable development actors and stakeholders, in order to enhance understanding of how to operationalise a human rights-based approach. **Building effective partnerships** is also a key aspect of effective SDG-human rights implementation.

THE NIGERIAN HUMAN RIGHTS COMMISSION'S STRATEGY OF ENGAGEMENT

The Nigerian Human Rights Commission (NHRC) has developed a strategy for engagement in respect of the 2030 and 2063 Agendas. Elements of this strategy include:

- Carrying out a survey on the level of awareness of Agenda 2063 and SDGs among ministries, departments and agencies of governments, academia and civil society organisations in the country;
- Development of strong partnerships on the implementation of both Agenda 2063 and SDGs;
- Capacity development of NHRC staff on how NHRC could implement its programme on the 2030 and 2063 Agendas;
- Capacity development of relevant departments of government on UN human rights indicators and sustainable development;
- Capacity development of relevant departments of government on the adoption of an HRBA to the implementation of the 2030 and 2063 Agendas; and
- Partnering with civil society organisations to monitor public spending on key social areas such as health, education, housing, job creation and social security.

Other African NHRIs are also playing an extensive role in a number of aspects of SDG and Agenda 2063 implementation at national level.

THE GHANA COMMISSION ON HUMAN RIGHTS AND ADMINISTRATIVE JUSTICE (CHRAJ) AND AGENDAS 2030 AND 2063

At the time of adoption of Agendas 2030 and 2063, Ghana was implementing the Ghana Shared Growth and Development Agenda (2014-2017) and finalising the successor national development policy framework, The Medium-Term Development Policy Framework (2018-2021). The National Development Planning Commission (NDPC) has the responsibility to coordinate efforts to incorporate, monitor and report on the 2030 and 2063 Agendas in the context of the national development plan.

A National Implementation Coordination Committee (NICC) has been established to coordinate and support the processes of incorporation, implementation and monitoring of the SDGs. CHRAJ sits on this committee together with The Ghana Statistical Service (GSS).

As a member of the NICC, CHRAJ has been involved together with the NDPC and the GSS in reviewing indicators identified by Ministries, Departments and District Assemblies; reviewing data and data templates for alignment with SDG requirements; identifying strategies for strengthening administrative data production for purposes of monitoring and the preparation of Ghana's SDGs Indicator Baseline Report which is yet to be validated and finalized.

CHRAJ has also begun to develop a National Human Rights Action Plan (NAP). This plan will be central to monitoring the human rights goals and targets of Agendas 2030 and 2063.

NHRIs also have a specific role to play in the drafting of the SDG-related **Voluntary National Reviews (VNRs),** as well as integrating SDG and Agenda 2063 considerations into **reporting that they undertake to human rights treaty bodies** (see Section 3.2 and Part IV).

The VNRs present a challenge of drafting reports generic enough to allow easy comparison between states without overlooking the unique problems facing individual countries. To balance these competing demands, the UN has proposed a flexible template to help states frame their submissions. Among other things, the template suggests that states include information on the process for preparation of the review, including contributions of national evaluation/oversight institutions and involvement of a broad range of stakeholders including civil society and the private sector.[61] With the **focus on contributions from evaluation/oversight institutions**, it would be obvious to expect countries to include contributions from NHRIs in their reports.

THE GOALS OF THE FIRST TEN-YEAR IMPLEMENTATION PLAN OF AGENDA 2063

Goal 1:   A high standard of living, quality of life and wellbeing for all

Goal 2:   Well educated citizens and skills revolution underpinned by science, technology and innovation

Goal 3:   Healthy and well-nourished citizens

Goal 4:   Transformed economies and job creation

Goal 5:   Modern agriculture for increased productivity and production

Goal 6:   Blue/ocean economy for accelerated economic growth

Goal 7:   Environmentally sustainable climate resilient economies and communities

Goal 8:   United Africa (federal or confederate)

Goal 9:   Key continental financial and monetary institutions established and functional

Goal 10:   World class infrastructure crisscrosses Africa

Goal 11:   Democratic values, practices, universal principles of human rights, justice and the rule of law entrenched

Goal 12:   Capable institutions and transformed leadership in place at all levels

Goal 13:   Peace, security and stability are preserved

Goal 14:   A stable and peaceful Africa

Goal 15:   A fully functional and operational African peace and security architecture

Goal 16:   African cultural renaissance is pre-eminent

Goal 17:   Full gender equality in all spheres of life

Goal 18:   Engaged and empowered youth and children

Goal 19:   Africa as a major partner in global affairs and peaceful co-existence

Goal 20:   Africa takes full responsibility for financing her development

ANNEX 2

PROHIBITED GROUNDS OF DISCRIMINATION

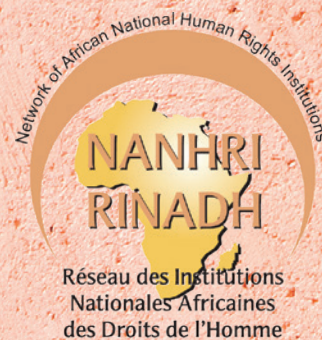| INSTRUMENT(S)	GROUNDS OF DISCRIMINATION
INTERNATIONAL INSTRUMENTS	
Universal Declaration of Human Rights (UDHR) International Covenant on Civil and Political Rights (ICCPR) International Covenant on Economic, Social and Cultural Rights (ICESCR). International Convention on the Elimination of	Race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
All Forms of Racial Discrimination (CERD). Convention on the Rights of the Child (CRC).	Race, colour, descent, national or ethnic origin.
International Convention on the Elimination of	Race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
All Forms of Discrimination Against Women. International Convention on the Protection of	Sex.
the Rights of All Migrant Workers and Members of their Families.	Migrant status, sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.
Convention Relating to the Status of Refugees.	Race, religion or country of origin.
ILO Convention on Discrimination in Employment and Occupation (Convention No. 111).	Race, colour, sex, religion, political opinion, national extraction or social origin.
UN Declaration on the Right to Development.	Race, sex, language or religion.
AFRICAN INSTRUMENTS	
African Charter on Human and Peoples' Rights (ACHPR).	Race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.
African Charter on the Rights and Welfare of the Child	The child's or his/her parents' or legal guardians' race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.
Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	Sex.

NOTES

1   UN, **http://www.un.org/sustainable development/development-agenda/**

2   Including the outcomes of major UN conferences that have laid the foundation for sustainable development, such as, the Rio Declaration on Environment and Development, the World Summit on Sustainable Development, the World Summit for Social Development, the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the United Nations Conference on Sustainable Development**.**

3   African Union, Common African Position on the Post-2015 Development Agenda, March 2014, **https://sustainabledevelopment.un.org/content/documents/1329africaposition.pdf.**

4   For further information, see, **https://au.int/agenda2063.**

5   Agenda 2063, *first Ten-Year Implementation Plan (2014 – 2023)*, p. 30. All references to the Plan in this document are based on the version of the Plan downloaded on 19th July 2018.

6   UNECA, AU, African Development Bank and UNDP, 2016, MDGs to Agenda 2063/SDGs, Transition Report: Towards an integrated and coherent approach to sustainable development in Africa, **http://www.regionalcommissions.org/ECAtransition.pdf**, p. 97.

7   2023 Target under Aspiration 1, Goal 1, Priority Area 3. Agenda 2063, first Ten-Year Implementation Plan (2014 – 2023), p. 49.

8   Agenda 2063, first Ten-Year Implementation Plan (2014 – 2023), p. 30.

9   Agenda 2063, first Ten-Year Implementation Plan (2014 – 2023), Annex 3, pp. 133 – 136.

10 Transforming Our World: the 2030 Agenda for Sustainable Development, A/Res/70/1, 21 October 2015, para. 10.

11 Ibid., paras. 73 and 74(e).

12 Agenda 2063, First Ten-Year Implementation Plan (2014 – 2023), p. 98.

13 Ibid., p. 99.

14 Ibid., p. 139, 141.

15 Ibid., p. 152.

16 Ibid., p. 75.

17 Danish Institute for Human Rights, Human Rights in the Follow-Up and Review of the 2030 Agenda for Sustainable Development, 2016, p.34. Available at: **https://www.humanrights.dk/sites/humanrights.dk/files/may_17_follow-up_and_review_sdg_docx.pdf**.

18 Agenda 2063, first Ten-Year Implementation Plan (2014 – 2023), p. 99

19 Ibid., p. 141.

20 Transforming Our World: the 2030 Agenda for Sustainable Development, A/Res/70/1, 21 October 2015, para 74(g).

21 Agenda 2063, The Africa We Want (Popular Version), April 2015, p.5.

22 Transforming Our World: the 2030 Agenda for Sustainable Development, A/Res/70/1, 21 October 2015, para. 10.

23 Ibid., para. 35.

24 Agenda 2063, The Africa We Want (Popular Version), April 2015, para. 76.

25 African Union, Common African Position on the Post-2015 Development Agenda, March 2014, p. 22, **https://sustainabledevelopment.un.org/content/documents/1329africaposition.pdf.**

26 Ibid., p. 22, para 94.

27 ACHPR, 276/03, Centre for Minority Rights Development (Kenya) and Minority Rights Group (on behalf of Endorois Welfare Council) / Kenya, 25th November 2009, para. 277.

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**THE DANISH
INSTITUTE FOR
HUMAN RIGHTS**

NANHRI
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Network of African National Human Rights Institutions

Réseau des Institutions
Nationales Africaines
des Droits de l'Homme

This briefing paper is a joint publication of the Network of African National Human Rights Institutions (NANHRI) and the Danish Institute for Human Rights (DIHR).

The paper aims to provide practitioners in both the human rights and development fields an overview of the 2030 Agenda for Sustainable Development and Agenda 2063 (The Africa We Want) in order to inform how the implementation and monitoring of these agendas play out in the regional African context, and how they relate to human rights.

It presents a practically-oriented analysis of the 2030 and 2063 Agendas, providing tools and examples for the development of a human rights-based approach to their implementation.