Vienna+25
BUILDING
TRUST
MAKING
HUMAN
RIGHTS A
REALITY
FOR ALL

International
Expert Conference,
22-23 May 2018

IMPRINT

In May 2018, on the occasion of the 25th anniversary of the World Conference on Human Rights, the Vienna+25 conference brought together experts from all world regions: high-level representatives of the UN, human rights defenders and independent human rights experts from civil society and academia, regional, sub-regional and national human rights institutions as well as representatives from the local level. The experts shared their perspectives on current human rights challenges and elaborated practical recommendations to encourage states and other stakeholders to improve the protection of human rights, both domestically and internationally. This brochure contains the documents that were prepared ahead of the conference, such as the concept note and thematic outline papers, as well as the recommendations that were developed during the Working Group discussions at the conference. The conference was organised by the Austrian Federal Ministry for Europe, Integration and Foreign Affairs in cooperation with the Ludwig Boltzmann Institute of Human Rights (BIM), the Office of the UN High Commissioner for Human Rights, the City of Vienna, and co-funded by the Austrian Development Agency.

FOREWORD

2018 is a year of particular importance for human rights worldwide. We celebrate the adoption of the Universal Declaration of Human Rights 70 years ago as well as the 25th anniversary of the World Conference on Human Rights which broke new ground in the international protection of human rights by adopting the Vienna Declaration and Programme of Action.

The human rights agenda of the next decade will be shaped by global trends: urbanisation, digitalisation, demographic developments and climate change. It is with this in mind that Austria took the initiative to organise the international expert conference "Vienna+25: Building Trust – Making Human Rights a Reality for All" on 22 and 23 May 2018 in Vienna.

Mindful of the shrinking space for civil society in the protection of human rights, the conference put human rights activists at the forefront. Their exchange with Special Procedure mandate holders of the UN Human Rights Council and regional and local representatives led to action-oriented recommendations on the two key themes of the conference: "Human Rights and Security" and "The Promotion of Equality in our Societies".

With this conference we sought to provide an incentive for a future-oriented discourse that underlines the relevance of human rights to all of us. Human rights are not a special interest issue, relevant only to those on the margins of society – "the others". On the contrary, human rights are our rights, rights that belong to each and everyone of us.

It is this conviction to which we dedicate this booklet containing all conference-related documents and the outcome of the deliberations of the two working groups. By sharing it with a broader public I am hopeful that we will get one step closer to making human rights a reality for all.

Karin Kneissl
Federal Minister for Europe,
Integration and Foreign Affairs
Republic of Austria

FOREWORD

The Ludwig Boltzmann Institute of Human Rights was founded in 1992. Soon thereafter, the Austrian Ministry for Foreign Affairs requested us to coordinate the NGO input into the World Conference of Human Rights in June 1993. Despite the extremely short time left and very limited funds, we managed, together with various Geneva-based NGOs, to organise an NGO Forum with more than 3,000 participants from roughly 1,500 NGOs from all world regions and to coordinate more than 400 parallel events of NGOs in Vienna. The NGO impact on the Vienna Declaration and Programme of Action (VDPA) considerably contributed to the success of the conference, which culminated in the universality, inter-dependence and indivisibility of all human rights ("All Human Rights for All", our slogan for the NGO Forum) and the creation of the UN High Commissioner for Human Rights. This was a time when the short window of opportunity, which was opened by the implosion of the Communist regimes in Europe, was not yet closed. Many of us believed that the end of the Cold War had opened a real chance to establish a new world order based upon democracy, the rule of law and universal human rights.

Unfortunately, we were wrong. Globalisation driven by neoliberal market forces established another world order of global capitalism which led our planet into its biggest crisis since the end of World War II. We experience an age of immense inequality and insecurity.

The Working Groups of the Vienna+25 conference are built around these two major themes: the relationship between human rights and security in an increasingly violent and insecure world on the one hand, and between human rights and equality in an increasingly unequal and unjust world on the other. Both topics are closely linked to the Agenda 2030 and its 17 Sustainable Development Goals, which, similarly to the VDPA 25 years ago, provide a glimpse of hope in a world of multiple crises. The recommendations elaborated during the conference underline the high significance of the SDGs and we encourage the readers of this publication to strive for their implementation in the years to come.

Important ideas always need individual commitment of many to be realised. In this sense, I warmly thank the organising team, especially Claudia Hüttner and Agnes Taibl, for their excellent work in making this conference a success.

Manfred Nowak
Director, Ludwig Boltzmann Institute
of Human Rights

TABLE OF CONTENTS

At the High Level Opening Session

**Vienna Declaration and
Programme of Action, 1993**

"All human rights are
universal, indivisible and
interdependent and inter-
related. The international
community must treat human
rights globally in a fair and
equal manner, on the same
footing, and with the same
emphasis."
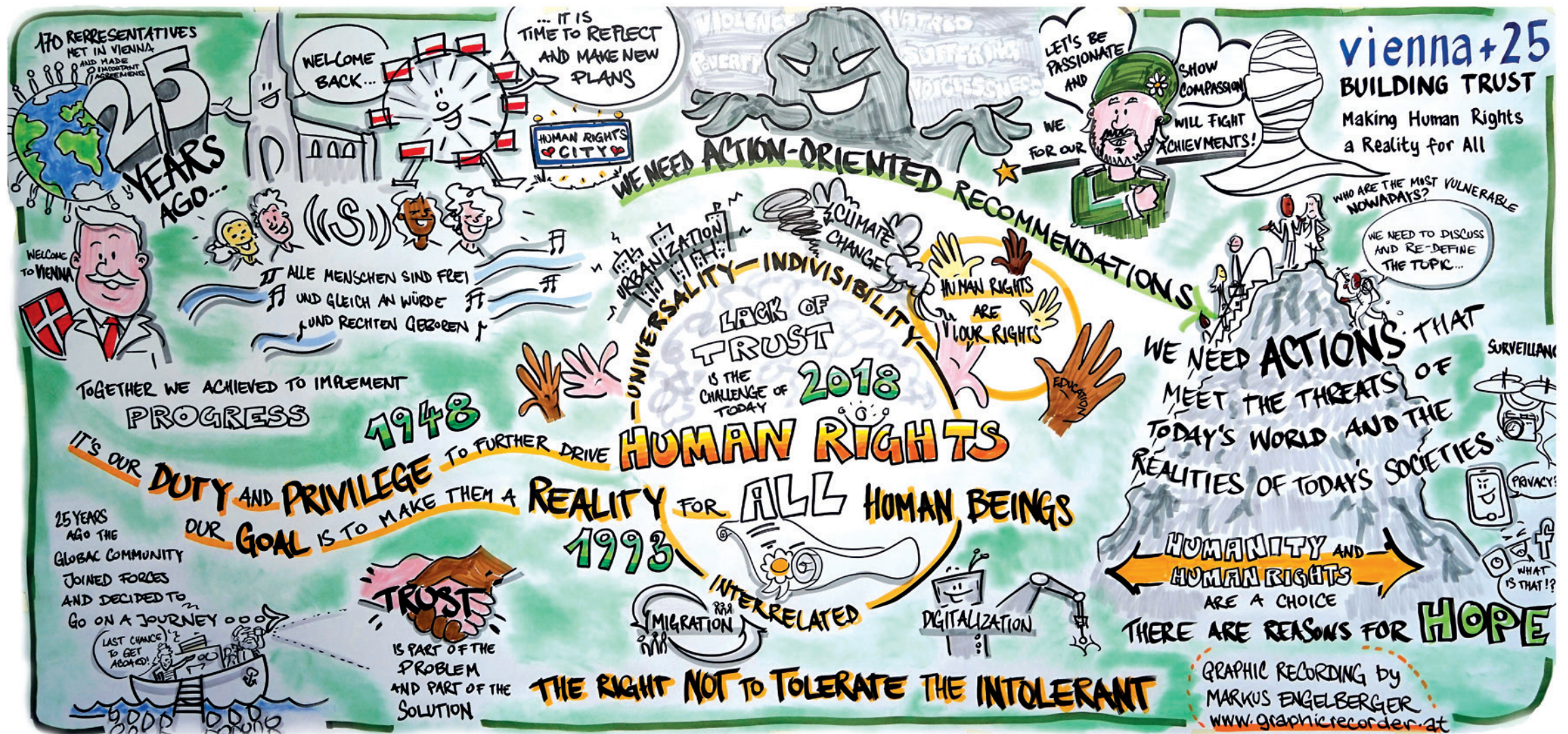
The Vienna+25 conference was accompanied by two graphic recorders who visualised the discussions.
The artists describe themselves as "pens and ears of the group": They listened closely and captured the
essence of the conversations in a visual way. This is the graphing recording of the Opening Session.

CONCEPT NOTE

The year 2018 marks the 25th anniversary of the World Conference on Human Rights which took place from 14 to 25 June 1993 in Vienna, Austria. The Vienna Declaration and Programme of Action (VDPA) adopted at the World Conference together are considered a landmark document for the promotion and protection of human rights. The World Conference affirmed, among others, the universality and indivisibility of human rights. It determined the realisation of human rights as a priority objective of the United Nations and a legitimate concern of the international community and provided a major step in the protection of the human rights of women. The creation of the UN High Commissioner for Human Rights and his office (OHCHR) provided a powerful impulse for fully establishing human rights as a third pillar in the UN system. In the wake of the conference the special responsibility of cities in realizing human rights was recognized.

On the occasion of the VDPA's 25th anniversary, the Austrian Federal Ministry for Europe, Integration and Foreign Affairs, in cooperation with the Office of the UN High Commissioner for Human Rights, the City of Vienna and the Ludwig Boltzmann Institute of Human Rights (BIM), is organising a high level expert conference in Vienna. Human rights stakeholders from diverse backgrounds are invited to give their perspective on current challenges and best practices in the promotion and protection of human rights. Based on their analysis, practical recommendations shall be developed to encourage states and other stakeholders to pursue further legal, institutional and practical improvements of human rights protection, both domestically and internationally.

25 years after the adoption of the VDPA, the enduring relevance of our commitments to address human rights challenges seems more and more confronted with indifference and even mistrust. Many people seem to consider human rights of little relevance to their own lives. Human rights are perceived as an instrument of support to marginalized groups. Populist attitudes intersect with this approach in numerous ways such as in political discourse. In order to adequately tackle this development and to make human rights more tangible for the general population, human rights actors need to understand correctly the roots of the diminishing confidence in human rights on the part of significant sections of society across many UN Member States. Effective communication of human rights as rights benefitting all parts of society is crucial in this regard.

The conference therefore intends to make a contribution to a future-oriented discourse that underpins the relevance of human rights to all of us. The human rights agenda of the next decades will be shaped by global trends which will have an impact on each and every human being: urbanisation, digitalisation, climate change, demographic changes. In these processes, human rights are more essential than ever – as a stabilizing factor for effective rule of law, as a concept against social exclusion, as an important driver for sustainable security, as a guarantor and creator of justice and equality in a spirit of solidarity. Cities as increasingly important human rights stakeholders will play an integral role in the "Vienna+25" conference with the Human Rights City Vienna as a co-host.

The expert conference will gather high level representatives of the UN, including special procedure mandate holders and treaty bodies; regional/sub-regional/national/local human rights institutions; human rights defenders; independent human rights experts from civil society and academia; youth; private sector and government representatives.

PROGRAMME OVERVIEW

Day 1 / Afternoon:
- High Level Opening "Vienna+25: Building Trust – Making Human Rights a Reality for All"
- High Level Panel Discussion
- Parallel Working Groups

Day 2 / Morning:
- Continuation of Working Groups
- Presentation of Working Group Recommendations in the Plenary
- Concluding Panel

WORKING GROUPS

Working Group 1:
Human Rights and Security
Safety and security are central elements of the functioning of any society and ensuring a life free from fear for all their citizens is one of the key functions of states. In tackling recent security threats across the world by increasing security measures and with the additional challenge of an ever growing pool of instruments of surveillance and data collection readily available, the relationship between freedom and security requires a permanent process of concretisation in our societies. The protection of human rights is often perceived as an obstacle, rather than an instrument, to effectively preventing and combating security threats, such as terrorism.

This Working Group will discuss the link between freedom, human rights and security. It will address what measures can be taken to ensure a human rights-based approach while fostering safety and security in our societies, and how human rights can be used to guarantee a safe environment. Special attention will be paid to the role of cities as human rights promoters, non-state actors as developers and providers of technology products and young people as their key users.

The discussion will be guided by the following questions:

› How can we broaden the security discourse to arrive at a holistic understanding and ensure sustainable security?

› How can we guarantee that security measures are designed in a way that any restrictions of freedom are compatible with international human rights law?

› How can we provide human rights and evidence-based answers to security issues and what role do media have in promoting and disseminating those answers?

› How do we better communicate the relevance of human rights, including in the security discourse, for each and every one of us? How can we empower all citizens, in particular women, as human rights claim-holders?

› Urbanisation and security: Which measures can cities develop to strengthen a human rights-based approach to urban security policy?

› Digitalisation and security: Which groups are most at risk? What is the right policy mix to make use of the benefits of digitalisation while ensuring both security and respect for human rights? What is the role of new actors and the private sector in this regard?

Working Group 2:
Promotion of Equality in our Societies
The promotion of equality has been at the heart of efforts towards the implementation of human rights since the Vienna World Conference.

At the International Conference on the occasion of the 20th anniversary of the VDPA five years ago in Vienna – "Vienna+20" – experts discussed how to ensure a human rights-based approach for the post-2015 agenda. The single most important development on the human rights agenda since then was the adoption of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals which are strongly grounded in international human rights standards.

At the same time, over the past years social and economic changes and challenges, such as the effects of globalisation, demographic changes, migration, but also the sometimes misleading representation of these challenges through traditional and new media, have led to a changing political landscape. Political stakeholders are confronted with calls by citizens to tackle existing and emerging social demands, sometimes at the risk of overlooking effects on human rights.

This Working Group will discuss how to address evolving concerns of citizens while – in the interest of all – upholding human rights commitments. It will examine what measures are needed to ensure that human rights principles such as equality and non-discrimination are integrated in responses to emerging issues.

The discussion will be guided, inter alia, by the following questions:

› What are the main reasons and factors for (in-)equality in our societies? What role do the global financial system and phenomena such as corruption play in aggravating inequalities? In which areas did we make substantial progress and what can we learn from these examples? What is the contribution of the SDGs in this regard?

› Are the concepts of "equality/anti-discrimination" on the one hand and "vulnerability/positive discrimination" on the other hand still helpful to counter inequalities in society or should we develop new approaches? Are there specific grounds of discrimination that we will have to examine more closely, like age and inter-generational issues?

› How can we best integrate a human rights-based approach to poverty prevention and poverty reduction policies?

› What do the Sustainable Development Goals mean on a local level and how can they be integrated in city strategies for sustainable urban development?

› What is the impact of new technologies, for instance on labour rights, and how can we address potentially negative consequences for equality?

› What are the benefits of an equal society for the general population? In what ways do we have to adapt our communication strategies to better pass the message about equality to all citizens? How can we reach out to people who feel disenfranchised by globalisation?

METHODOLOGY

Each Working Group shall be composed of experts, a chair and a rapporteur. In preparation of the Conference, participants will receive a thematic outline for their Working Group as a basis for discussion. Each Working Group shall result in a number of short, practical recommendations to be addressed to states and other stakeholders for further action. In addition, a subsequent publication will document the conference outcome.

The conference language will be English.

PROGRAMME

VIENNA+25: BUILDING TRUST – MAKING HUMAN RIGHTS A REALITY FOR ALL

International Expert Conference on the occasion of the 25th anniversary of the World Conference on Human Rights

Vienna City Hall, Austria

TUESDAY, 22 MAY 2018

12:00
Registration and Welcome Lunch

13:30
High-level Opening Session
Opening Addresses
Michael Häupl
Mayor and Governor of Vienna
Karin Kneissl
Federal Minister for Europe, Integration and Foreign Affairs, Republic of Austria
Zeid Ra'ad Al Hussein
UN High Commissioner for Human Rights

Opening Panel Discussion
Emerging human rights challenges – Perspectives from the ground
Michael O'Flaherty
Director of the EU Agency for Fundamental Rights (Chair)
Nadia Murad
UNODC Goodwill Ambassador for the Dignity of Survivors of Human Trafficking, Iraq

Max Schrems
Data protection activist and founder of NOYB – European Center for Digital Rights, Austria
Hauwa Ibrahim
Human rights lawyer, Nigeria
Susana Chiarotti
Human rights lawyer and women's rights activist, Argentina

15:00
Parallel Working Groups
1. Human Rights and Security
2. Promotion of Equality in our Societies

16:00
Coffee Break

16:30
Parallel Working Groups (continued)

19:00
Reception for Panelists and Working Group participants at the Austrian Federal Ministry for Europe, Integration and Foreign Affairs

WEDNESDAY, 23 MAY 2018

09:00
Parallel Working Groups (continued)

11:00
Coffee Break

11:30
Concluding Session
Presentation of Recommendations from the Working Groups

Concluding Panel Discussion
The way forward – Views of key institutional stakeholders
Christian Strohal
Special Representative for the Vienna World Conference on Human Rights 1993 (Chair)
Fabrizio Hochschild
UN Assistant Secretary General for Strategic Coordination
Hilal Elver
UN Special Rapporteur on the Right to Food
Bandana Rana
Member of the UN Committee on the Elimination of Discrimination against Women CEDAW
Diego García-Sayán
UN Special Rapporteur on the Independence of Judges and Lawyers
Gauri Van Gulik
Amnesty International Regional Director for Europe

Concluding Remarks
Karin Kneissl
Federal Minister for Europe, Integration and Foreign Affairs, Republic of Austria

13:00
End of the Conference

13:30
Policy Lab on Human Rights Cities
organised by the European Union Agency for Fundamental Rights in cooperation with the City of Vienna

Graphic recording of Working Group 1 "Human Rights and Security"

THEMATIC OUTLINE PAPERS

**THEMATIC OUTLINE PAPER FOR
WORKING GROUP 1:
HUMAN RIGHTS AND SECURITY**

Author:
**Gerrit Zach, Senior researcher,
Ludwig Boltzmann Institute of Human
Rights, Vienna**

1. Status Quo and Emerging Trends

Twenty-five years after the adoption of the Vienna Declaration and Programme of Action (VDPA), the enduring relevance of our commitments to address human rights challenges seems more and more confronted with indifference and even mistrust. Many people seem to consider human rights of little relevance to their own lives. Human rights are perceived as an instrument of support to marginalised groups. Populist attitudes intersect with this approach in numerous ways such as in political discourse. In order to adequately tackle this development and to make human rights more tangible for the general population, human rights actors need to understand correctly the roots of the diminishing confidence in human rights on the part of significant sections of society across many UN Member States. Effective communication of human rights as rights benefitting all parts of society is crucial in this regard.

The conference therefore intends to make a contribution to a future-oriented discourse

that underpins the relevance of human rights to all of us. The human rights agenda of the next decades will be shaped by global trends which will have an impact on each and every human being: urbanisation, digitalisation, climate change, demographic changes. In these processes, human rights are more essential than ever – as a stabilising factor for effective rule of law, as a concept against social exclusion, as an important driver for sustainable security, as well as a guarantor and creator of justice and equality in a spirit of solidarity. Cities as increasingly important human rights stakeholders will play an integral role in the Vienna+25 Conference with the Human Rights City Vienna as a co-host of the conference.

The VDPA, adopted by the World Conference on Human Rights in Vienna on 25 June 1993, stipulates that human rights and fundamental freedoms for all contribute to the stability and well-being necessary not only for peaceful and friendly relations among nations, but also to improved conditions for peace and security, as well as social and economic development, in line with the UN Charter (VDPA, § 6).

The VDPA also underlines that the administration of justice, including law enforcement and prosecutorial agencies, and especially an independent judiciary and legal profession in full conformity with applicable human rights standards are essential to the full and non-discriminatory realisation of human rights,

as well as to the processes of democracy and sustainable development. According to the VDPA, such institutions should be properly funded and the international community should provide an increased level of both technical and financial assistance (VDPA, § 27). The VDPA emphasises the responsibility of states and international organisations, in cooperation with NGOs, to create favourable conditions at the national, regional and international levels in order to ensure the full and effective enjoyment of human rights.

In 2013, the Vienna+20 Conference inter alia focused on the important role of the rule of law, and related challenges, such as the significant implementation gap, as well as the lack of accountability for human rights violations, not only regarding states but also inter-governmental organisations, transnational corporations and other non-state actors.

Today, 25 years after the Vienna World Conference, these continue to be relevant challenges, also in the framework of the discussion on security and human rights. In tackling recent security threats across the world by increasing security measures, and with the additional challenge of an ever-growing pool of instruments of surveillance and data collection readily available, the relationship between freedom and security requires a permanent process of concretisation in our societies.

The relationship between security and human rights is a sensitive one, in which the state has a difficult balance to achieve: On the one hand, it has to protect individuals against interference in their human rights by others and fulfil their rights, notably to life, physical and moral integrity and the security of person. On the other hand, it must respect human rights obligations when acting, ensuring public security. The complex question how to manage this double obligation and where to find the right balance is continuously debated in relation to different areas, such as crime, violent extremism and radicalisation leading to terrorism, drugs, corruption, trafficking and the smuggling of persons, or cybercrime. State responses to these manifold challenges can severely limit and interfere with the human rights and freedoms of us all. A common denominator is that security and human rights are primarily portrayed as conflicting and hardly compatible with each other, even though the opposite should be true.

This thematic outline paper shall serve as an inspiration for discussions in the Working Group. It aims to contribute to these debates, discuss key challenges and, more importantly, measures to overcome these challenges, as well as recommendations for the way forward. The discussion will be guided, inter alia, by the following questions:

> How can we broaden the security discourse to arrive at a holistic understanding and ensure sustainable security?

› How can we guarantee that security measures are designed in a way that any restrictions of freedom are compatible with international human rights law?

› How can we provide human rights and evidence-based answers to security issues and what role do media have in promoting and disseminating those answers? How do we better communicate the relevance of human rights, including in the security discourse, for each and every one of us?

› Urbanisation and security: Which measures can cities develop to strengthen a human rights-based approach to urban security policy? How can we empower all people, in particular women, as rights holders?

› Digitalisation and security: Which groups are most at risk? What is the right policy mix to make use of the benefits of digitalisation while ensuring both security and respect for human rights? What is the role of new actors and the private sector in this regard?

2. Guiding Questions

2.1 How can we broaden the security discourse to arrive at a holistic understanding and ensure sustainable security?

Development, peace, security and human rights are considered to be indivisible, as well as interrelated (UN System Task Team 2012, 7). Deficits in one of the dimensions will impact the others and deficits in one country will impact others.

What do we mean by "security"? There is no consensus on a particular definition of security. Some definitions focus on national security

vs. global security or military vs. non-military security, others differentiate between state security, aiming to protect a country, vis-à-vis human security. One common element found throughout the different definitions is the idea of security as an absence of threats: "security is most commonly associated with the alleviation of threats to cherished values; especially those which, if left unchecked, threaten the survival of a particular referent object in the near future" (Williams 2008, 5).

The concept of inter-state security has been evolving beyond classic military issues to include, on one hand, elements of so-called hybrid warfare, especially in cyber space, and, on the other, trans-boundary threats common to several states, such as terrorism, organised crime, and even consequences of climate change.

In contrast to a definition of security that focuses on the absence of war and violence, human security constitutes a more comprehensive approach that is commonly referred to as freedom from fear, meaning freedom from violence, freedom from want, e.g. adequate food, accommodation and health care, as well as the freedom to live in dignity, through the promotion and protection of human rights – thus bringing together development, human rights and security in one concept (UNDP 1994, 3). UNDP has noted seven dimensions that are the basis for human security: economic, food, health, environmental, personal, community and political (Gomes/Des Gasper, 2). This list is not exhaustive and different approaches have been focusing on additional factors. In 2012 the UN General Assembly

underlined that all individuals, in particular persons in situations of vulnerability, are entitled to freedom from fear and freedom from want, with an equal opportunity to enjoy all their rights and fully develop their human potential (A/RES/66/290 [2012] § 3a).

Rates of violence are higher in societies that are unequal (Equality Trust 2017). Research on Mexico substantiated that a more equitable income distribution contributed to decreasing violence at the municipal level (World Bank 2014). Additionally, it has been found that a decrease in inequality reduces homicides and robberies. Sociological research confirms that people also feel safer when they do not have to fear about their own future in terms of work, food, accommodation, etc.

The notion of security is thus very much inter-related with social security and the absence of inequality. This is also reflected by the fact that the actual situation of crime normally does not correlate with the feeling of security of the population (Garland 2001, 10). Consequently, while the law enforcement sector plays a crucial role, it is important to acknowledge that it cannot by itself be made responsible to (re-)establish security or a general feeling of security, but social security measures and respective policies by the state are needed. The important role of media, human rights education as well as evidence-based answers in addressing the topic of security and human rights, ensuring a constructive discourse about a sensitive issue, will be discussed further below. They all can provide valuable contributions to fostering the feeling of security among the population.

**Satvinder Juss,
King's College London**

"Human security and human rights are two sides of the same coin. We cannot have human security unless we also have human rights."

2.2 How can we guarantee that security measures are designed in a way that any restrictions of freedom are compatible with international human rights law?

While homicides have globally declined slowly in recent years and more citizens have access to justice, violent conflicts have increased (SDG 16). Armed conflicts are causing a high number of civilian casualties and progress in relation to peace and justice, including effective, accountable and inclusive institutions, differs across and within regions. The number of terrorist groups across the world has proliferated and international terrorism has been described as the "single greatest threat to the United Nations twin goals of protecting international peace and security and promoting human rights" (A/HRC/34/61 [2017] § 7).

The global fight against terrorism has had serious repercussions for the protection of human rights world-wide, notably after the terrorist attacks in September 2001 in the US and the subsequent "war on terror" (Nowak/ Charbord 2018, 36). Counter-terrorism laws, policies and practices have been criticised for eroding human rights and the use of arbitrary and secret detention, torture and extraordinary practices have violated absolute and universal human rights norms. Detainees continue to be held in Guantanamo Bay without trial until today.

The legitimate need of states to react to security threats has also been abused for repressive measures against political opponents, with a global consensus on the imperative of combating terrorism "so compelling that authoritarian governments could get away with their repressive practices simply by renaming political opponents as 'terrorists'" (Scheinin/ Vermeulen 2010, 22). These developments have also led to a shrinking space for civil society and a targeting of human rights defenders, journalists and activists (EU Parliament 2017; FIDH). In some countries, overly broad definitions to reduce financing for terrorism in reality meant restrictions for civil society and their funding (A/HRC/23/39 [2013], § 25; A/70/371 [2015], §§ 17-44). Particularly adverse effects have been highlighted regarding organisations that operate in contexts where terrorist groups are active and civil society might contribute with much needed assistance to populations.

Proclaiming a state of emergency that limits human rights can be a legitimate means to ensure security and stability. However, in recent years they have repeatedly been misused, violating the requirements of legality, proportionality and non-discrimination with devastating consequences for the rule of law, accountability and transparency, which at the same time bolster conditions conducive to terrorism (A/HRC/37/52, § 6).

Human rights violations are in general acknowledged to be among factors conducive to violent extremism and terrorism (ODIHR 2016, 3). Lack of effective oversight and accountability of counter-terrorism measures for state actions may generally increase the risk that its actions are ineffective, and might in fact further fuel terrorism. It also undermines public trust in state authorities and support for their counter-terrorism efforts (OSCE/ODIHR 2014, 33-34). By protecting human rights, states will address conditions conducive to the spread of terrorism.

"WE NEED TO BRING THE RESULTS OF OUR MEETING TO THE LOCAL REALITIES."

However, governments often argue that human rights constitute an obstacle to security, rather than an instrument to effectively prevent and combat security threats. They claim that security can be achieved only when restricting human rights, e.g. through the formulation of new and often vaguely defined crimes, suspending of safeguards and banning of organisations and freezing of assets, without upholding due process and fair trial standards.

States face a "daunting task" (A/HRC/34/61 [2017], § 8) having to combine their positive obligations to protect those within their jurisdictions. However, it has been clearly recognised that a purely security-based approach – as originally adopted by the UN Security Council in its resolution 1373 (2001) – is inadequate and often counter-productive. Security Council Resolution 1456 (2004), the UN Secretary General (A/59/2005 [2005], § 140), as well as regional instruments, such as the OSCE Charter on Preventing and Combating Terrorism and the OSCE's Bucharest Plan for Combating Terrorism, stipulate that counter-terrorism and security measures have to comply with international human rights law. The UN Global Counter-Terrorism Strategy and Plan of Action reaffirms the inextricable links between human rights and security, and places respect for the rule of law and human rights at the core of national and international counter-terrorism efforts (A/RES/60/288 [2006]). In his Plan of Action to Prevent Violent Extremism, the UN Secretary General empha-sised the need for a comprehensive approach to counter terrorism and violent extremism that goes beyond "law enforcement, military or security measures to address development,

good governance, human rights and human-itarian concerns" (A/70/674 [2015], § 41). This means that human rights and security are to be understood as complementary goals, as human rights play an important role in making sure any efforts to counter terrorism and extremism, but also to ensure security more generally, are effective and sustainable (A/HRC/33/29 [2016], § 2; OSCE Charter 2002, § 20).

There are many practical examples of this: It has been affirmed repeatedly that torture is not only a direct attack on the core of human dignity, but is not effective in order to obtain a confession or information. Instead, non-coercive, investigative interviewing based on the presumption of innocence and following an evidence-based approach to gather and test reliable information was confirmed by practitioners and scholars to constitute not only the safest, but also the most efficient approach to solve crime and counter terrorism (A/71/298 [2016]).

Safeguards during and following arrest, such as the right of access to counsel, the right to notify a family member, et al. are crucial to protect the human rights of individuals and to prevent torture (Carver/Handley 2016), while at the same time also benefitting society at large, due to fostering trust in institutions, making sure evidence is reliable and thus ensuring that judicial processes will be effective (A/71/298 [2016]), § 16).

Mass surveillance has been increasingly employed in the fight against terrorism, despite the fact that it has not proven to be effective (Butler 2017, 5, 17). Research into

the NSA mass surveillance programme has found that even where evidence connected to terrorist activities was discovered through mass surveillance, this information had already been available to the security services by means of other, traditional forms of investi-gation. Governments should therefore focus on collecting intelligence through means that are not only in accordance with human rights law, but also more effective. Security services need resources to carry out such targeted surveillance; judicial and parliamentary over-sight should be strengthened to avoid abuse. Community engagement may also foster trust in authorities, including the law enforcement agencies, that creates an environment where intelligence is offered to the police.

The same is true for ethnic profiling or stop-and-search powers: research has confirmed that this is not effective to detect or prevent crime (Butler 2017, 33). When using these powers, the police usually target more individ-uals from the specific "suspect ethnicity", and fewer from the majority population or other minorities, making it a discriminatory practice that may have extremely negative effects on community trust in the police (OSCE 2014, 59). In contrast, when clear and transparent criteria to use stop-and-search powers were applied instead of ethnicity, coupled with internal and external overview, this has led to more effective results: there were fewer stops by the security services, with an increased number of detected offences and a significantly decreased number of the disproportionate targeting of members of minorities.

These and other examples demonstrate that human rights are not an obstacle to effective security measures, but they are the basis for security measures to be effective in the short-, mid- and long-term. Generally, a professional police service, that understands human rights as basis and as objective for their work will be crucial in this regard (FRA 2013, 46, 54). Human rights contribute to effective policing by placing restrictions on police actions, which is in line with the principles of legality, necessity and proportionality. Police acting in line with these principles will foster confidence in the state, strengthen the rule of law and contribute to effective criminal proceedings, ultimately culmi-nating in a better security situation for all of us.

2.3 How can we provide human rights and evidence-based answers to security issues and what role do media have in promoting and disseminating those answers? How do we better commu-nicate the relevance of human rights, including in the security discourse, for each and every one of us?

Terrorist attacks and other security threats place states under a lot of pressure to react and not only make people safe, but also make them feel safe. Irrespective of the actual patterns, there is a general assumption that crime rates and the security situation are getting worse. Fear of crime and terror is by now regarded as a problem in itself, which is distinct from actual crime and victimisation. This sense of "a fearful, angry public" (Garland 2001, 10) has largely influenced the style and content of policymaking.

Policy makers often use "law and order" topics to gain public support. Government representatives have publicly and repeatedly argued that human rights constitute an obstacle when having to ensure security and that it is fine to restrict them (Butler 2017, 4). The public often seems to have accepted this discourse. This leads to a widely accepted repressive understanding of security that in fact does not lead to more security, but instead to more control and surveillance, which in fact is not effective in creating a better security situation.

Media play a vital role in seeking and receiving information and ideas; media also significantly influence how crime, terrorism and other security risks are perceived by the population, as well as the general attitude regarding how to deal with such challenges (Kunz/Singelnstein 2016, 350). Consequently, it is of utmost importance how the discourse about security issues is framed. In the past decades, media have been increasingly commercialised and instead of focusing on their role as a source of information and their monitoring function for state actions, they (have to) compete for views and clicks on a competitive entertainment market. Consequently, crime, including terrorism, is usually portrayed as rising and a critical reflection of root causes and sustainable solutions to improve the overall situation is missing. Research has shown that the consumption of private TV correlates with a more dramatic assessment of crime rates, a more exaggerated belief in the number of crimes committed by foreigners and the view that court sentences are too mild (Winzio et al. 2007).

The Internet facilitates access to and dissemination of information and ideas, but at the same time the search engines' algorithms dictate the content that one sees and interacts with (A/HRC/32/38 [2016]). Personalisation of information, having unquestionable advantages, may create so called 'filter bubbles' when users are shown content confirming their pre-existing beliefs (CoE 2017, 18). This phenomenon is challenging the very foundations of deliberative democracy in which diversity of ideas and free civic discourse is central for the functioning of every political community (Bozdag/van den Hoven 2015, 249 et seq.). Hate speech is also becoming a social and political issue that cannot be ignored, both by states and the media outlets themselves.

In order to positively contribute to a constructive discourse on human rights and security, an independent and pluralistic media landscape and critical journalists are essential. Unfortunately, in many countries across the globe, journalists are faced with violence and repression. States should therefore create an environment in which journalists can work safely and without undue interference, engage in awareness and capacity-building measures, monitor and report attacks against journalists, publicly condemn such acts, effectively investigate them, including a focus on sexual and gender-based violence and discrimination and taking into consideration the particularities of online threats and harassment of women journalists (A/C.3/72/L.35/Rev.1, [2017], § 11). When countering hate speech, state responses should comply with international human rights obligations, as prohibitions and censorships will be counter-productive due to failure to address root causes of prejudices that are driving hate speech (Article 19, 2015).

Experts during discussions in Working Group 1 "Human Rights and Security"

Guaranteeing freedom of the media without interference, governments have to uphold a multi-centred media diversity through laws and policies (CoE 2011, 10). In the time of "fake news", a truly independent quality public broadcasting channel providing information and education free of commercials, but also free of state and/or political influence, can play a beneficial role to this end.

The media also have responsibilities, e.g. to counter hate speech (OSCE 2014, 52) and not to incite hatred and discrimination, but to follow the principles of ethical journalism (Hammarberg et al., 2011, 53). Quality journalism should be ensured through effective self-regulation on the basis of a code of ethics and including a functioning complaints mechanism, e.g. an Ombudsman or media council.

Universities, research and human rights organisations as well as National Human Rights Institutions have a key role to play in providing evidence-based contributions to establishing a discourse that portrays the complementarity between human rights and security. These evidence-based contributions should be taken into account by policy-makers.

Human rights education can contribute to addressing root causes of hate speech through supporting critical thinking, establishing awareness about one's own human rights and an understanding of what they mean in every-day life, as well as reflecting on what each and every one can do in making human rights a reality at the community level (OHCHR). Human rights education, e.g. through integration in the school curriculum, for public officials working in the judiciary, law enforcement,

prosecutors' offices, as well as for the general public, can ultimately constitute an instrument in conflict prevention and a relevant factor in achieving security (Strohal 2004).

The human rights-based approach provides a very useful framework, not only for development, to promote participation, transparency and accountability, as well as empowerment.

2.4 Urbanisation and security: Which measures can cities develop to strengthen a human rights-based approach to urban security policy? How can we empower all people, in particular women, as rights holders?

The twenty-first century is characterised by urbanisation: today, more than half of the world's population lives in urban areas and by 2030 this number is expected to reach up to 60% (OHCHR). Often, rapid urbanisation is accompanied with more slums, precarious living conditions for many and increased inequality among the population. In Goal 11 of the Sustainable Development Goals (SDGs) governments therefore committed to "make cities and human settlements inclusive, safe, resilient and sustainable." For this endeavour, integrating human rights in local government actions is essential. Human rights cities have an important role to play in this respect. The concept is based on the idea that all inhabitants of a city should be familiar with human rights and what it means for a sustainable development of their local communities (Human Rights City Center 2016). While it is not easy to imagine a situation of human rights realisation if local authorities do not provide the necessary services, the topic of human

rights at the local level often remains a distant reference frame (CoE 2014, §§ 8, 14). The UN HRC Advisory Council in a 2015 report underlined that there is a clear and strong connection between local government and human rights (A/HRC/30/49 [2015], § 26). Local authorities are key regarding education, housing, health, environment, as well as law and order – all of which are closely intertwined with the enjoyment of one's human rights.

Consequently, the local level and community-oriented approaches also have a key role in the security situation and how security is actually perceived by the population. Community-oriented approaches to counter-terrorism for example emphasise involvement of the community-level, civil society, victims, women, as well as youth organisations in order to prevent terrorism (ODIHR 2016). To this end, community outreach has been identified as a relevant instrument when fighting exclusion and marginalisation that ultimately can constitute a root cause for violence (A/HRC/33/29 [2016], § 37). As part of this, access to basic services should be ensured in a non-discriminatory manner, equal participation in political processes and public life, Economic, social and cultural rights should be fostered, in line with the principle of equality and non-discrimination. The Human Rights City of Vienna has also underlined civil society participation, human rights learning in the city, as well as human rights monitoring as relevant pillars (City of Vienna, §§ 2, 3, 5).

Trust building between communities and authorities, including security forces, social and educational services can constitute a good basis for preventing extremism (A/HRC/33/29

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"Awareness raising is one of the top priorities in the next years. Human rights experts need to be more proactive and very clear in their messages to reach people."

[2016], § 29). Such engagement, if not happening on the basis of an existing relationship or if largely conducted through security forces, may however also give rise to tensions. Consistent community engagement helps to alleviate such risks and can be beneficial also beyond countering terrorism. Factors external to the community will however also need to be addressed by authorities.

While security forces, normally the police, are mostly leading prevention and counter-terrorism programmes and may have a constructive role, "the nature and extent of their involvement needs to be carefully devised, as it may be detrimental to relations with the community if the counter-terrorism agenda is mixed with the community cohesion agenda" (Ibid, §§ 32-33). Human rights concerns might arise when civil servants on community level need to share information about their clients. Similarly, terrorism prevention programmes should not constitute a cover for the police or intelligence agencies collecting information, which can lead to short term results, but ultimately not only risk to undermine trust in the authorities, but have more operational difficulties for law enforcement as a consequence, in turn leading to more intrusive measures employed by law enforcement, thus cumulating in vicious cycle of violence.

When engaging with communities, grass roots organisations and civil society, including religious and community leaders, it needs to be ensured that programmes do not result in any form of discrimination, stigmatisation, racial or religious profiling (A/HRC/33/29, § 31). This may result in further marginalisation.

Thus, community engagement already at the programme design stage seems the best guarantee for programmes to address issues of concern and avoid negative consequences. Such needs-based approaches, including in relation to allocation of resources and funding, should equally make sure they are not only focused on the male community, leaving out women, but have a gender sensitive approach (Ibid, §§ 33, 35). Consultations with local women's groups when setting up programmes will support addressing these considerations.

The role of women in the security agenda is also emphasised by the Security Council's landmark resolution 1325 on women, peace and security, which in the year 2000 for the first time recognised the impact of armed conflict on women, as well as their important role as agents of change to promote and maintain peace and security. Since then, numerous policies, national action plans, programmes and guidelines have been developed to ensure women's participation and gender main-streaming in the peace and security agenda. The 2015 Global Study on UNSCR 1325 recommends Member States to "support localization initiatives to link global, national and local efforts and ensure the voices of the most affected and marginalized populations inform and shape relevant responses and monitoring of progress" (Coomaraswamy 2015, 250). Such localisation strategies promote local ownership and participation, which are both critical for effective implementation of the stipulated goals. At the same time it was emphasised that any efforts to "securitise" and take advantage of women as instruments in military strategy should be avoided (Ibid, 15).

Experts during discussions in Working Group 1 "Human Rights and Security"

2.5 Digitalisation and security: Which groups are most at risk? What is the right policy mix to make use of the benefits of digitalisation while ensuring both security and respect for human rights? What is the role of new actors and the private sector in this regard?

According to the International Telecommunication Union, in 2017 almost half of the world's population had access to the Internet (ITU/UNESCO Broadband Commission 2017). This technology is currently transforming our everyday life on a scale and with a rapidity unparalleled in human history. Data-driven inquiry and decision-making are believed to be (more) insightful, objective and profitable. Taking into consideration the fact that the amount of data is doubling every two years, our future will arguably become more and more data-driven. An increasing reliance on digital technologies and data analytics by both state and non-state actors provokes questions over the implications of these phenomena for human rights as well as security.

Digitalisation and Big Data go hand in hand and bring both benefits and challenges. The digital economy absorbs all kinds of data – those related to our behaviour online and offline, the content of communication with accompanying metadata, data from smart grids, geolocalisation and numerous others. All of these data may potentially feed into profiling algorithms that are used for targeting groups and individuals both by state and none-state actors. Profiling is a technique

used as much for marketing purposes as for credit scoring, predictive policing, or predicting political preferences. The latter has been exploited by Cambridge Analytica on the occasion of the recent presidential elections in the United States and, most likely, the Brexit referendum (The Guardian 2018). Big Data may also be applied to entire populations. In his recent report, the UN Special Rapporteur on the right to privacy pointed out that the Social Credit Project developed in China aims to score inter alia social and possibly political behaviour of citizens, which may potentially become an instrument of exercising political control (A/72/43103 (2017), § 104).

A group that merits special attention in relation to the digital developments are children and youth: On the one hand, they constitute a new generation of key users with digital knowledge to better understand and tackle arising human rights challenges. On the other hand, they often spend extensive time online and do not hesitate to post a lot of personal information about themselves, but also come into contact with harmful content such as pornography and violence at an early age (CoE 2014). Responses to these developments and risks should consider the best interests of the child and consist of different measures by state authorities, the education system, private companies as well as parents. Children's awareness has to be strengthened through education, including on digital literacy. They should learn to identify, understand and deal with harmful content. Human rights education could focus on the right to freedom of expression, the right to privacy and the understanding that other children also have rights that are to be respected.

There are many more examples of how Big Data interplays with human rights and security. For instance, algorithms are used by law enforcement for crime prevention while courts use algorithms in sentencing (State v. Loomis 2017). Digitalisation and advances in data analytics for these purposes enhance the risk of ethnic, racial, religious and social profiling for the members of the most disadvantaged and marginalised groups. The practice of unlawful profiling has frequently been debated by various UN treaty bodies during the monitoring procedure (CERD 2017, § 16; HRC 2016, § 12). A coalition of civil society organisations has called predictive policing tools "systemically biased against communities of color" (ACLU et al. 2016), leading to a reinforcement of bias. Before such products are employed on a large scale, a well-informed public debate,
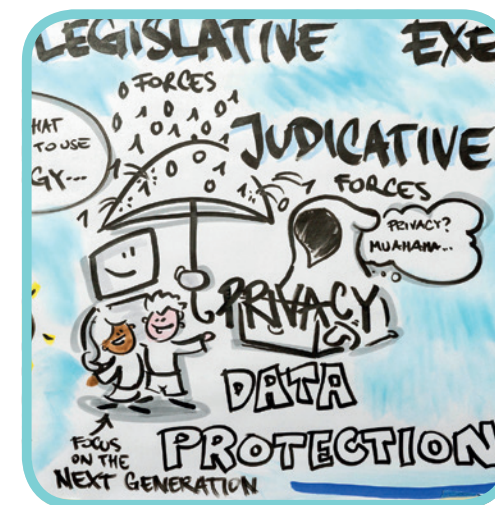
including relevant expert assessments, e.g. on statistical validity of new systems, should be conducted. Thorough assessment should continue while such systems are used. If employed, there must thus be transparency on the use vis-à-vis public officials, civil society and the general public and vendors must be subject to scrutiny about their products. At the same time, law enforcement should continue to build up community trust and reduce excessive use of force.

Data analytics may at the same time provide opportunities, e.g. through being able to better document human rights violations through social media (University of Essex 2018). It may potentially also contribute to achieving better food and water security and rely on processing climate, weather or environmental data for the purposes of disaster management (UN Global Pulse 2018). Promotion of the opportunities of Big Data for sustainable development and humanitarian action is the mission of "Global Pulse", a flagship initiative of the United Nations Secretary General. One of the success stories is the analysis of Twitter data for tackling food insecurity in Indonesia. In this project, through analysis of food price related tweets, it was concluded that it may be possible in future to use social media as a "real time proxy for food-related economic indicators" (UN Global Pulse 2014).

Challenges arising from digitalisation and Big Data have triggered an important debate over data protection and Internet governance with a need to better regulate the use of personal data. The European Union has recently adopt-

ed a revised regulation on the protection of personal data (General Data Protection Regulation which will come into effect in Member States on 25 May 2018) and proposed a new framework for the flow of non-personal data (document tabled in September 2017, COM (2017) 495 final). At the same time, the Council of Europe is modernising the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108) and only recently adopted the Guidelines for the protection of individuals with regard to the processing of personal data in a world of Big Data. The African Union is aiming at consolidating data protection regimes across the continent and in 2014 adopted the Convention on Cyber Security and Personal Data Protection (AU 2014).

Nevertheless, as data protection regulations remain fragmented, there is a need for the development of common principles and legal standards. One of the standard setting instruments is the UNESCO Recommendation on Science and Scientific Researchers that was revised in 2017 (UNESCO 2017).

Effective implementation of the newly existing legal standards may constitute another challenge that will need to be tackled, including through the court system. Lawmakers will need to make sure that legislative proposals are in line with the newly introduced standards, instead of undermining them by possibly creating a back door for the use of personal data (Noyb 2017). Finally, while according to the law in several countries, an individual in principle has the legal possibility to find out which data an organisation holds about him/her and what it is doing with it, in practice

there are manifold challenges to exercise this right, notably due to bureaucratic and complicated procedures (The Economist 2018). As regulations to ensure privacy and to protect one's data will hopefully become stronger and more effective in future, it remains to be seen whether these obstacles will disappear in the near future.

Experts during discussions in Working Group 2 "Promotion of Equality in our Societies"

3. Selected bibliography

ACLU et al., "Statement of concern about predictive policing by ACLU and 16 civil rights privacy, racial justic, and technology organizations", 31 August 2016. https://www.aclu.org/other/statement-con-cern-about-predictive-policing-aclu-and-16-ci-vil-rights-privacy-racial-justice

Article 19, "'Hate Speech' Explained: A Toolkit", 23 December 2015. https://www.article19.org/resources/hate-speech-explained-a-toolkit/

Bozdag, Engin; van den Hoven, Jeroen, "Breaking the Filter Bubble: Democracy and Design," Ethics and Information Technology 17, no. 4 (2015): 249–265.

Butler, Israel, Civil Liberties Union, Security through Human Rights, 18 October 2017. https://www.liberties.eu/en/news/security-through-human-rights-liberties-report/13238

CoE, Congress of Local and Regional Authorities, Stras-bourg, 25–27 March 2014, 26th session, CG(26)5FINAL, "Best practices of implementation of human rights at local and regional level in member states of the Council of Europe and other countries, Resolution 365 (2014), Explanatory Memorandum. http://www.coe.int/t/con-gress/texts/RESOLUTIONS_en.asp?mytabsmenu=6.

CoE, Medial Pluralism and Human Rights, CommDH (2011)43, 6 December 2011. https://rm.coe.int/16806da515

CoE, Study on the Human Rights Dimensions of Algo-rithms. MSI-NET(2016)06 rev, 20 February 2017. https://rm.coe.int/16806fe644

Committee on the Elimination of Racial Discrimination, CERD/C/RUS/CO/23-24, 20 Sept. 2017.

Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data [ETS No. 108], 28.1.1981. https://rm.coe.int/1680078b37

EU Parliament, "Shrinking space for civil society: the EU response", 2017. http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)578039_EN.pdf

FIDH, "Shrinking space for civil society." https://www.fidh.org/en/issues/human-rights-defenders/shrinking-space-for-civil-society/

Garland, David, The Culture of Control. Oxford: Oxford University Press 2001.

Gomes, Oscar A.; Gasper, Des, Human Security Guidance Note, UNDP. http://hdr.undp.org/sites/default/files/human_security_guidance_note_r-nhdrs.pdf

Hammarberg, Thomas et al, Human rights and a chang-ing media landscape, Council of Europe Publications 2011. https://www.coe.int/t/commissioner/source/prems/medialandscape2011.pdf

ITU/UNESCO Broadband Commission for Sustainable Development, The State of Broadband: Broadband catalyzing sustainable development, 2017. https://www.itu.int/dms_pub/itu-s/opb/pol/S-POL-BROADBAND.18-2017-PDF-E.pdf

Kunz, Karl-Ludwig; Singelnstein Tobias, Kriminologie. UTB 2016.

Nowak, Manfred; Charbord, Anne (Ed.), Using Human Rights to Counter Terrorism. Glos, Massachusetts: Edward Elgar Publishing 2018.

NOYB, 2017. https://noyb.eu/concept

ODIHR, ODIHR Contribution to OHCHR Compilation Report on "Best Practises and Lessons Learned on how Protecting and Promoting Human Rights Contribute to Preventing and Countering Violent Extremism. (A/HRC/RES/30/15)" March 2016. http://www.ohchr.org/Documents/Issues/RuleOfLaw/PCVE/OSCE_ODIHR.pdf

OSCE/ODIHR, Preventing Terrorism and Countering Violent Extremism and Radicalization that Lead to Terrorism: A Community Policing Approach, 2014. http://www.ohchr.org/Documents/Issues/RuleOfLaw/PCVE/OSCE_ODIHR.pdf

Radhika Coomaraswamy, Preventing Conflict, Trans-forming Justice, Securing Peace. A Global Study on the Implementation of United Nations Security Council Resolution 1325, 2015. http://www.peacewomen.org/sites/default/files/UNW-GLOBAL-STUDY-1325-2015%20(1).pdf

Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, A/HRC/34/61, 21 February 2017.

Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Emmerson, A/70/371, 18 September 2015.

Report of the Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment, A/71/298, 5 August 2016.

Scheinin, Martin; Vermeulen, Mathias, "Unilateral exceptions to international law: Systematic analysis and critique of doctrines that seek to deny or reduce the applicability of human rights norms in the fight against terrorism." European University Institute Working Papers, Law 2010/08.

State v. Loomis, Harvard Law Review, 2017, Vol. 130, no. 5, 1530-1537. http://harvardlawreview.org/wp-content/uploads/2017/03/1530-1537_online.pdf

Strohal, Christian, Ambassador, "Speech on Human Rights Education and Training". Supplementary Human Dimension Meeting, 25 March 2004. https://www.osce.org/odihr/27053?download=true

UNDP, Human Development Report, 1994. Oxford/New York: Oxford University Press.

UN Global Pulse, "Mining Indonesian Tweets to Understand Food Price Crises", 2014. http://www.unglobalpulse.org/sites/default/files/Global-Pulse-Mining-Indonesian-Tweets-Food-Price-Crises%20copy.pdf

UN High Commissioner for Human Rights, Report on best practices and lessons learned on how protecting and promoting human rights contribute to preventing and countering violent extremism. A/HRC/33/29, 21 July 2016.

Vienna Declaration and Programme of Action, Adopted by the World Conference on Human Rights in Vienna on 25 June 1993 http://www.ohchr.org/EN/ProfessionalIn-terest/Pages/Vienna.aspx

Williams, Paul, Security studies: An Introduction. London – New York: Routledge 2008.

Windzio, Michael; Simonson, Julia; Pfeiffer, Christian; Kleimann, Matthias; Kriminalitätswahrnehmung und Punitivität in der Bevölkerung – Welche Rolle spielen die Massenmedien? Ergebnisse der Befragungen zu Krimi-nalitätswahrnehmung und Strafeinstellungen 2004 und 2006. KFN-Forschungsbericht Nr. 84, Hannover 2007.

The complete bibliography for this paper can be accessed on: http://bim.lbg.ac.at
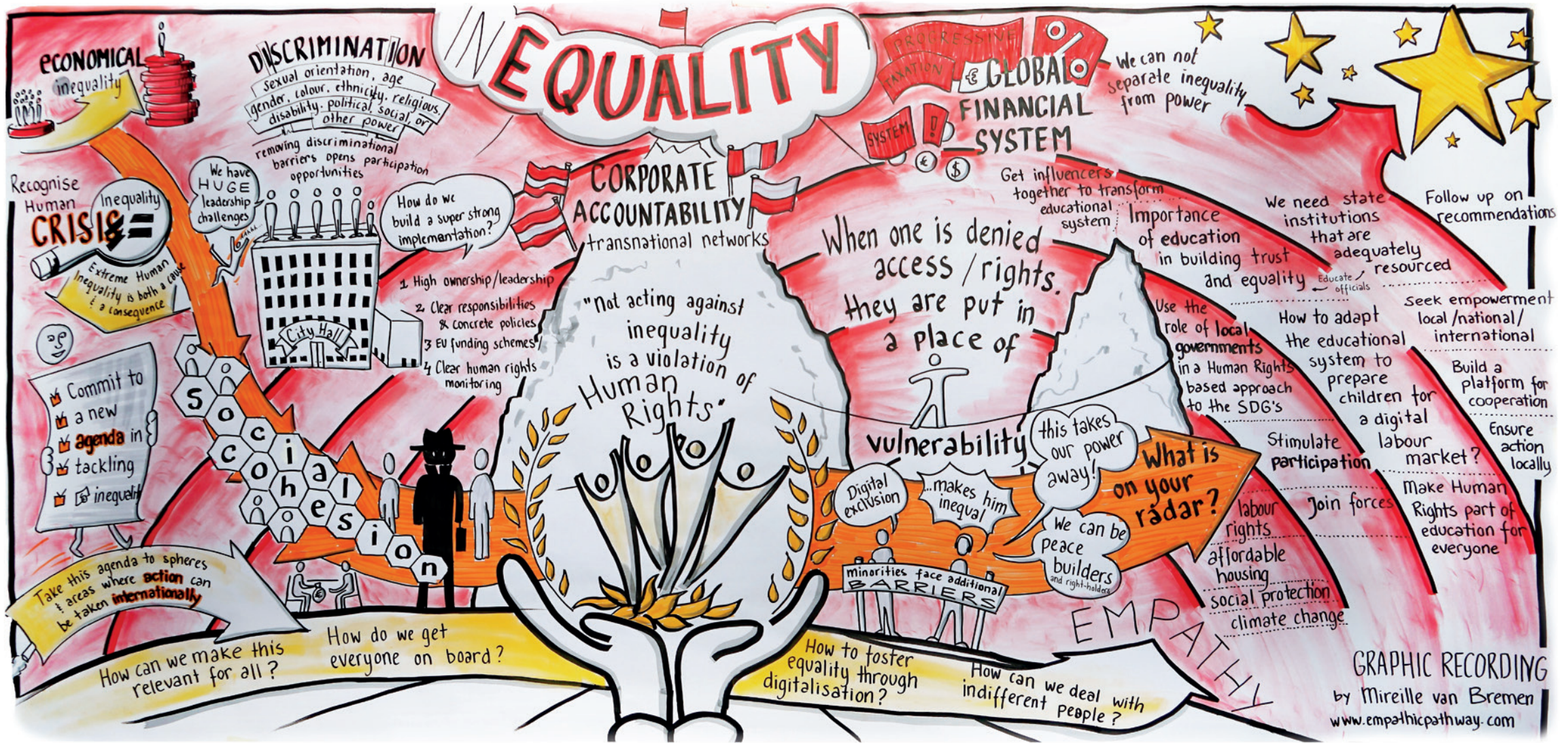
Graphic recording of Working Group 2 "Promotion of Equality in our Societies"

THEMATIC OUTLINE PAPER FOR WORKING GROUP 2: PROMOTION OF EQUALITY IN OUR SOCIETIES

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1. Status Quo and Emerging Trends

The promotion of equality has been at the heart of efforts towards the implementation of human rights since the entry into force of the major human rights conventions and the Vienna World Conference. Five years ago, at the International Conference on the occasion of the twentieth anniversary of the Vienna Declaration and Programme of Action (VDPA) in Vienna, experts discussed how to ensure a human rights-based approach for the post-2015 agenda. One of the most important developments on the human rights agenda since then was the adoption of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs), which are strongly grounded in international human rights standards. Goal 10 of the SDGs focuses on the reduction of global inequality.

The VDPA itself makes some direct and indirect references to equality. It stresses the promotion of equality at large, and more specifically for certain groups (for example equality between women and men and the non-discrimination of indigenous peoples). Equitable economic relations, the reduction of extreme poverty and social exclusion, and social progress are identified as means to reduce global inequality.

Inequality can be defined as the state of not being equal, especially in status, rights, and opportunities. A number of authors distinguish "economic inequality", mostly meaning "income inequality" or, more broadly, inequality in "living conditions". Others further distinguish a rights-based, more legalistic approach to inequality — inequality of rights and associated obligations (DESA 2015).

This thematic outline paper will mainly focus on economic inequality in close relation to Goal 10 of the Sustainable Development Goals and as a major denominator for poverty reduction. Rising economic inequality has also been identified as a major reason for undermining the social cohesion of contemporary societies, which contributes to corruption, organised crime, radicalisation, populism and, thereby, to the current crisis of democracy and human rights, as outlined in the concept note to the Vienna+25 conference.

Growing inequality and the persistence of multiple dimensions of poverty are affecting both developed and developing countries. Some even speak of an "inequality crisis" (Gallas 2014). Economic inequality is seen as detrimental to democracy and social cohesion (IMF 2017), and a violation of human rights (Nowak 2015 and 2017). However, this shift in perception and analysis has so far largely failed to translate into material change on the ground. Worldwide, the levels of economic inequality consolidate at a high level or continue to rise.

At the same time, while the international community has made significant headway towards lifting people out of poverty, and the most vulnerable nations – the least developed countries, the landlocked developing countries and the small island developing states – continue to make inroads into poverty, inequality still persists. However, large disparities remain in access to health and education services and other relevant rights. While income inequality between countries has been reduced to some extent, inequality within countries has risen. There is growing consensus that economic growth is not sufficient to reduce poverty if it is not inclusive and if it does not involve the three dimensions of sustainable development – economic, social and environmental (UN 2017).

Studies on income inequality show that increases in national incomes are most pronounced in the advanced economies. The emerging economies also exhibit an upward trend in national income although it is less substantial. The least developed economies, however, have been detached from this trend and remain isolated. Moreover, there has been an enormous redistribution of income. During the last three decades, the labour share of income has declined in nearly all countries going hand in hand with increased personal income inequality. Wage dispersion also rose substantially, contributing to greater income inequality and leading to a growing gap between the top and the bottom income earners (Atkinson 2015, Obst 2015, Piketty 2014).

Resource inequalities are another major issue in the international debate. By 2030, according to estimations, the demand for water and energy will augment by 40%, the demand for food even by 50%. The UN Food and Agriculture Organization (FAO) notes that the need for increased food production – given the prognosis of a world population of 9.6 billion by 2050 – will require more agricultural land. However, in several regions, due to climate change and the political framework, food production will decrease. For example, the growing production of bio-fuels has direct negative impacts on the loss of agricultural land and has strongly contributed to the drastic augmentation of global food prices (SEI 2011).

Recent trends of underfunding of social welfare systems through Europe and North America, and the implementation of austerity measures through much of the world, has become a major threat to economic, social and cultural rights. For example, the 2008 global financial crisis and the ensuing great recession threw millions out of jobs and increased poverty levels substantially. Spikes in world food prices led to price increases threatening food security (Fukuda-Parr 2015).

Inequality of opportunity is one aspect which drives the current migration policy crisis. Millions of people have migrated from their homes to other countries in recent years. Some migrants have moved voluntarily, seeking economic opportunities. Others have been forced from their homes by persecution or war and have left their countries to seek asylum elsewhere. The absolute number of international migrants has grown considerably over the past 50 years, from about 79 million in 1960 to nearly 250 million in 2015, a 200% increase – although in relative terms in view

of the growing world population, the rate has remained relatively stable (Connor 2016).

Climate change through volatile weather patterns, severe drought, storms and major flooding already has devastating effects on human rights, and the severity of such disasters are said to increase. Even if current climate commitments are fulfilled, global temperatures could rise by 4°C from pre-industrial levels by the end of the century (Sherwood et al. 2014). Such climate change would have severe consequences for a variety of human rights, in particular the human rights to life, food, water, health and housing, and would increase global inequalities.

Inequalities along the trajectories of gender, colour, ethnicity, age, disability, sexual orientation, religious, political, social or other status continue to occur across the globe. For example, the global gender gap will take 100 years to close at the current rate of progress. In 2017, it was noted that years of global gains made by women are beginning to erode and "equality is in retreat" for the first time since 2006 (WEF 2017).

Financial instability, growing economic inequality, the current migration policy crisis and climate change are collective problems which stem from complex transnational systems and groups of actors in those systems. The proliferation of responsible agents complicates the conventional approach of establishing a violation, a duty-bearer and then seeking redress. Taken together, these factors suggest that forward-looking preventative approaches which target systemic root causes rather than

symptoms are necessary. Such an approach would be based on the precautionary principle and would need to integrate human rights into policy planning and practice (Lukas 2015).

This Working Group will discuss how to address evolving concerns of people regarding inequalities while – in the interest of all – upholding human rights commitments. It will examine which measures are needed to ensure that human rights principles such as equality and non-discrimination are integrated in responses to emerging issues and make specific recommendations to policy-makers and other relevant stakeholders.

This thematic outline paper shall serve as an inspiration for discussions in the Working Group. While it specifically looks at economic inequality in close relation to Goal 10 of the SDGs, the discussion may well go beyond this focus. It will be guided, inter alia, by the following questions:

› What are the main reasons and factors for (in-)equality in our societies? What role do the global financial system and phenomena such as corruption play in aggravating inequalities? In which areas did we make substantial progress and what can we learn from these examples? What is the contribution of the SDGs in this regard?
› What is the impact of new technologies, for instance on labour rights, and how can we address potentially negative consequences for equality?
› Are there specific grounds of discrimination that will have to be examined more closely, like age and inter-generational issues? Are

the concepts of "equality/anti-discrimination" on the one hand and "vulnerability" on the other hand still helpful to counter inequalities in society or should we develop new approaches?
› How can we best integrate a human rights-based approach to poverty prevention and poverty reduction policies on national and local levels?
› What do the Sustainable Development Goals mean on a local level and how can they be integrated in city strategies for sustainable urban development?
› What are the benefits of an equal society for the general population? In what ways do we have to adapt our communication strategies to better pass on the message about equality to all people? How can we reach out to people who feel disenfranchised by globalisation?

2. Guiding Questions

2.1 What are the main reasons and factors for (in-)equality in our societies? What role do the global financial system and phenomena such as corruption play in aggravating inequalities? In which areas did we make substantial progress and what can we learn from these examples? What is the contribution of the SDGs in this regard?

Studies show that the drivers of income inequality vary widely amongst countries, with some common drivers being societal changes associated with technology and globalisation, and weakening protection for labour. Increasing the income share of the poor and the middle class actually increases growth while a rising income share of the top 20 percent results in lower growth – meaning that benefits do not "trickle down" (IMF 2015). This suggests that policies need to be country-specific but should focus on raising the income share of the poor, and ensuring there is no hollowing out of the middle class. To tackle inequalities, policies should focus on making tax systems more progressive and increase public spending on health, education and social protection (IMF 2017, Atkinson 2015).

In particular, two key drivers of inequalities emerge from global configurations: transnational production networks coordinated by transnational corporations impacting on the expansion of low paid employment; and the global financial system, leading inter alia to an escalation of top income shares (Gallas et al. 2016, Nowak 2017 and 2015, Obst 2015, Lukas 2013).

Recent efforts to curb tax evasion of transnational corporations are highly relevant to increase states' maximum available resources to realise human rights and decrease income inequality (Henn 2013).

Some studies suggest that income inequality increases the level of corruption through material and normative mechanisms. Inequality also adversely affects social norms about corruption and people's trust in the legitimacy of rules and institutions, thereby making it easier to tolerate corruption as acceptable behaviour; as corruption also contributes to income inequality, societies tend to fall into vicious circles of inequality and corruption (Jong-sung and Khagram 2005, Badinger and Nindl 2012).

The SDGs take account of the need to reduce inequalities within and among countries (SDG 10) and set critical targets to achieve this goal, such as progressively achieve and sustain income growth of the bottom 40% of the population at a rate higher than the national average; adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality; improve the regulation and monitoring of global financial markets and institutions and strengthen the implementation of such regulations. In particular, the SDGs focus on the progressive realisation of gender equality and the empowerment of women and girls (SDG 5). This includes the elimination of discriminatory legal frameworks, the elimination of all forms of violence and harmful practices, and the effective participation and equal opportunities at all levels of decision-making in political, economic and public life. Finally, the SDGs acknowledge the

importance of promoting decent work (SDG 8) in order to reduce income inequality and realise critical labour rights.

The implementation of these targets remains a major challenge – recommendations by the Working Group in this regard would be of high relevance and should flow into SDG implementation reviews. SDGs 8 and 10 will be reviewed in 2019 (SDG 5 has been reviewed in 2017).

2.2 What is the impact of new technologies, for instance on labour rights, and how can we address potentially negative consequences for equality?

New technologies have the potential to facilitate human workload but may threaten certain job categories. 5% of current occupations stand to be completely automated if today's advances in technology are widely adopted, while in 60% of jobs one-third of activities will be automated. The effects of automation on work will differ from country to country, with developed economies like the US and Germany likely to be hit hardest by the coming changes, as higher average wages "incentivise" automation. Automation is also likely to increase income inequality. However, the worst effects of this transition can be mitigated if governments take an active role, with more spending on labour force training and support (McKinsey Global Institute 2017). Negative effects of globalisation have also triggered an increase of low income employment and a growing precariousness of jobs in certain regions. Various forms of the "sharing economy" as inter alia represented by Uber or Airbnb

have led to better prices for consumers but have increased pressure for certain categories of employment and the number of "independent workers" in precarious situations inter alia in terms of working hours, annual leave and social security (Schor 2014).

2.3 Are there specific grounds of discrimination that will have to be examined more closely, like age and inter-generational issues? Are the concepts of "equality/anti-discrimination" on the one hand and "vulnerability" on the other hand still helpful to counter inequalities in society or should we develop new approaches?

Demographic change and ageing profoundly impact on the social fabric of societies in some regions of the world. Consequently, new grounds of (non-) discrimination have emerged in the international discussion, in particular relating to age and inter-generational aspects of discrimination. While struggling to prevent age discrimination, abuse and neglect of older persons in care, and to ensure equal access to health services, a comprehensive conceptual framework for policy responses to address implications for ageing societies is currently missing. However, plans to develop an international treaty on the elimination of age discrimination are ongoing. In October 2010, the United Nations General Assembly adopted Resolution 65/182 which established the Open Ended Working group on Ageing (OEWGA) for the purpose of strengthening the Human Rights of Older Persons. The debate regarding the necessity of an international convention on the rights of older persons faces criticism of states that have argued that

drafting a new convention would be resource intensive, noting that the international human rights framework is already under-resourced. These states called for a strengthening of existing human rights mechanisms. On the regional level, the Inter-American Convention on Protecting the Human Rights of Older Persons entered into force in 2017.
The concept of vulnerability has been introduced in a number of human rights policy documents, reports and judicial or quasi-judicial decisions. Through the usage of the concept, it is implicitly or explicitly assumed that the protection of human rights would improve. The recognition of vulnerability is perceived as a "condition for the respect of human dignity", and it is assumed to avoid group and identity categories. However, the concept has also been criticised by some scholars as being counterproductive to the aim of human rights protection because it puts emphasis on the "deficit-orientated nature" of the concept and links it with "stigma" (Brown 2011). For some, the reduction of the concept to specific "vulnerable groups" in a stereotypical representation may have negative consequences for groups or individuals excluded from the concept. Authors who have done empirical research on the application of vulnerability are more critical of the concept and demonstrate the problems of applying it in practice (FitzGerald 2012).

2.4 How can we best integrate a human rights-based approach to poverty prevention and poverty reduction policies on national and local levels?

Eradicating poverty in all its forms and dimensions, including extreme poverty, is one of the greatest global challenges and an indispensable requirement for sustainable development.

Much work has been done on a human rights-based approach to poverty reduction with some milestone documents such as the OHCHR Guidelines regarding a human rights-based approach on poverty reduction strategies and the UN Common Understanding (see OHCHR 2012 and UN 2003).

There are a number of examples of good (and bad) practice, and a successful application of a human rights-based approach to poverty prevention and reduction is largely context-specific. However, research on the impact of the economic crisis suggests two critical levels of intervention: human rights compliant cuts to state spending, keeping social programmes largely intact and shielding socially disadvantaged groups from the effects of the crisis; and introducing progressive taxation which does not target these groups and increases the state's maximum available resources. This approach was, for example, implemented by Iceland in the wake of the crisis (Eydal and Ólafsson 2016, Independent Expert on the effects of foreign debt on human rights 2014).

A further avenue is a human rights-based approach to social protection. Considerable work has been done by M. Sepúlveda and

Sarah Kasande, International Center for Transitional Justice, Uganda

"We need to tackle inequality and tackle these global systems that perpetuate inequality, particularly neoliberal economic policies as we have seen. Deregulated markets which get to decide about too many things generate a number of problems. We as human rights activists should be aware of these dynamics and rethink creatively on how to push forward the human rights agenda."

others to show the added value of such an approach. Social protection systems are an instrumental tool towards state compliance with the human rights of people living in poverty. There is strong evidence that social protection initiatives significantly contribute to reducing the prevalence of poverty and ensure that those living in poverty enjoy at least minimum essential levels of economic, social and cultural rights (Sepúlveda and Nyst 2012).

Key contributions of a human rights-based approach to social protection and poverty reduction are: clear obligations on states to guarantee social protection; a range of international human rights standards to justify social protection; core obligations and minimum standards that can be expected, as well as the specific requirements of disadvantaged groups; a range of human rights principles (equality and non-discrimination, participation and accountability) to justify social protection and influence the design of schemes; a focus on accountability mechanisms, and institutional capacity, to guarantee the appropriate design and delivery of social protection. In this way, a human rights-based approach links demand-side with supply-side considerations, when social protection can often appear more technical and supply-side focused (Piron 2004). This approach is closely aligned with the ILO initiative on social protection floors, a global initiative to realise basic social protection for all. According to the ILO, a number of developing countries have already successfully taken measures to realise social protection floors, among these Mexico, Brazil and Chile. Argentina, China, India, Thailand, Ghana, Mozambique and South Africa have introduced

important elements such as family benefits, access to education and health services (ILO 2012).

2.5 What do the Sustainable Development Goals mean on a local level and how can they be integrated in city strategies for sustainable urban development?

In 2008, for the first time in history, the global urban population outnumbered the rural population. This milestone marked the rise of a new "urban millennium" and, by 2050, it is expected that two-thirds of the world population will be living in urban areas. With more than half of humankind living in cities and the number of urban residents growing by nearly 73 million every year, it is estimated that urban areas account for 70 per cent of the world's gross domestic product, making urbanisation one of the twenty-first century's most transformative trends (UN 2016).

Given the importance of this topic to global development efforts, recent movements seeking to address sustainable development from an urban perspective have taken place throughout the world. At the 2016 United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in Quito, a "New Urban Agenda" was adopted, with a vision of cities for all, referring to the equal use and enjoyment of cities and human settlements, seeking to promote inclusivity and non-discrimination. This encompasses social basic services for all, resilient urban services during armed conflicts, integrated and age- and gender-responsive housing policies, and cities that are accessible to persons with

disabilities. The realisation of the concept of "Cities for All" also includes the definition and reinforcement of inclusive and transparent monitoring systems for reducing the proportion of people living in slums and informal settlements, and requires the implementation of sustainable urban development programmes with housing and people's needs at the centre of the strategy.

The realisation of the New Urban Agenda requires an enabling environment and a wide range of means of implementation, including access to science, technology and innovation and enhanced knowledge sharing, as well as capacity development and mobilisation of financial resources, taking into account the commitment of developed and developing countries, especially for those who are the poorest and most disadvantaged. Efforts are made by some national and local governments to enshrine this vision, referred to as "right to the city", in their legislation, political declarations and charters. The New Urban Agenda will be reviewed periodically, and will have effective linkages with the follow-up and review of the 2030 Agenda for Sustainable Development to ensure coordination and coherence in their implementation.

2.6 What are the benefits of an equal society for the general population? In what ways do we have to adapt our communication strategies to better pass on the message about equality to all people? How can we reach out to people who feel disenfranchised by globalisation?

According to the UN, inequality threatens long-term social and economic development,

harms poverty reduction and destroys people's sense of fulfilment and self-worth. As already noted, it endangers social cohesion and is a violation of human rights. It is therefore imperative to make greater efforts to reduce inequality and combat discrimination, inter alia by investing more in health, education, social protection and decent jobs especially for disadvantaged groups. Some of the possible means of implementation have been outlined in brief in this background document.

How the message of "leaving no one behind" could be most effectively communicated should be the subject of further discussion in this Working Group. The role of schools as important implementation institutions of human rights education and the training of critical journalists on this topic could be possible ways forward.

Experts during discussions in Working Group 2 "Promotion of Equality in our Societies"

3. Bibliography

Atkinson, A. B., Inequality – What can be done?, Harvard University Press 2015

Badinger, H., and Nindl, E. (2012), Globalization, Inequality, and Corruption, Department of Economics Working Paper Series, 139.

Balakrishnan, R., Heintz, J. and Elson, D., Rethinking Economic Policy for Social Justice, Routledge 2016.

Brown, K. (2011), ''Vulnerability': Handle with Care', in Ethics and Social Welfare, Vol. 5, No. 3, 313-320.

Development Strategy and Policy Analysis Unit (DESA) (2015), Concepts of inequality, http://www.un.org/en/development/desa/policy/wess/wess_dev_issues/dsp_policy_01.pdf

Eydal, B. G. and Ólafsson, S., 'Iceland: Welfare in a Deep Economic Crisis' in K .Schubert, P. de Villota and J. Kuhlmann (eds), Challenges to European Welfare Systems, Springer, 2016.

FitzGerald, S. A. (2012), 'Vulnerable Bodies, Vulnerable Borders: Extraterritoriality and Human Trafficking', in Feminist Legal Studies, Vol. 20, 227-244.

Fukuda-Parr, S. (2015), Economic Policies for Human Rights in the Market Economy, http://archive.cesr.org/downloads/cesr20_sakiko_fuku-daparr.pdf

Gallas, A., Herr, H., Hoffer, F., Scherrer, C. (eds), Combating Inequality: The Global North and South, Routledge 2016.

Henn, M. (2013), Tax Havens and the Taxation of Trans-national Corporations, http://library.fes.de/pdf-files/iez/global/10082.pdf

Independent Expert on the effects of foreign debt and other related international financial obligations of states on the full enjoyment of all human rights, particular-ly economic, social and cultural rights, Juan Pablo Bohoslavsky, Report on his mission to Iceland (8-15 December 2014), UN Doc. A/HRC/28/59/Add.1.

International Monetary Fund (2017), Tackling Inequality, http://www.imf.org/en/publications/fm/issues/2017/10/05/fiscal-monitor-october-2017

International Monetary Fund (2015), Causes and Conse-quences of Income Inequality: A Global Perspective, https://www.imf.org/en/Publications/Staff-Discussion-Notes/Issues/2016/12/31/Causes-and-Consequences-of-Income-Inequality-A-Global-Perspective-42986

Jong-sung, Y., Khagram, S., A Comparative Study of Inequality and Corruption, American Sociological Review, vol. 70, 3: pp. 539, 2005.

Lukas, K. (2013), Labour Rights and Global Production, NWV.

Lukas, K. (2015), Current Challenges to Global Justice, http://bim.lbg.ac.at/sites/files/bim/attachments/lukas_bim_current_challenges_to_global_justice-1_1.pdf

McKinsey Global Institute, Jobs lost, jobs gained: Work-force transitions in a time of automation, January 2017

Nowak, M., Human Rights or Global Capitalism, University of Pennsylvania Press 2017.

Nowak, M., Menschenrechte. Eine Antwort auf die wachsende ökonomische Ungleichheit, Edition Konturen 2015.

Obst, T., Long-term trends in income distribution - a global perspective, GLU Working Paper No. 29, February 2015.

OHCHR (2012), Principles and guidelines for a human rights approach to poverty reduction strategies, http://www.ohchr.org/Documents/Publications/PovertyStrategiesen.pdf

Peters, A. (2010), Corruption and Human Rights, https://www.baselgovernance.org/sites/collective.local-host/files/publications/corruption_and_human_rights.pdf

Piketty, T., Capital in the Twenty-First Century, Harvard University Press 2014.

Piron, L.-H., Rights-Based Approaches to Social Protection, September 2004. https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/1700.pdf

Schor, J., Debating the Sharing Economy, October 2014. http://www.geo.coop/sites/default/files/schor_debating_the_sharing_economy.pdf

Sepúlveda, M. and Nys, C. (2012), The Human Rights Approach to Social Protection, http://www.ohchr.org/Documents/Issues/EPoverty/HumanRightsApproachToSocialProtection.pdf

Sherwood, S. C., Bony S. and Dufresne, J.-L., Spread in model climate sensitivity traced to atmos-pheric convective mixing, Nature volume 505, pp. 37–42 (02 January 2014).

Stockholm Environment Institute (2011), Understanding the Nexus between Water, Energy and Food Security, Background Paper for the Bonn 2011 Conference on Water, Energy and Food Security.

United Nations/Sustainable Development Goals (2017), Equality: Why It Matters, https://www.un.org/sustainabledevelopment/wp-content/uploads/2018/01/16-00055j_Why-it-Matters_Goal10_Equality_new-icon.pdf

United Nations (2016), New Urban Agenda, A/RES/71/256, adopted at the United Nations Conference on Housing and Sustainable Urban Development (Habi-tat III) in Quito, Ecuador, on 20 October 2016.

United Nations (2003), The Human Rights Based Approach to Development Cooperation: Towards a Common Understanding Among UN Agencies, http://hrbaportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies

UNRISD (2010), Combating Poverty and Inequality, http://www.unrisd.org/80256B3C005BCCF9/(httpAux-Pages)/92B1D5057F43149CC125779600434441/$file/PovRep%20(small).pdf

World Economic Forum (2017), Global Gender Report 2017, http://www3.weforum.org/docs/WEF_GGGR_2017.pdf

World Economic Forum (2017), Global Risk Report 2017, http://www3.weforum.org/docs/GRR17_Report_web.pdf
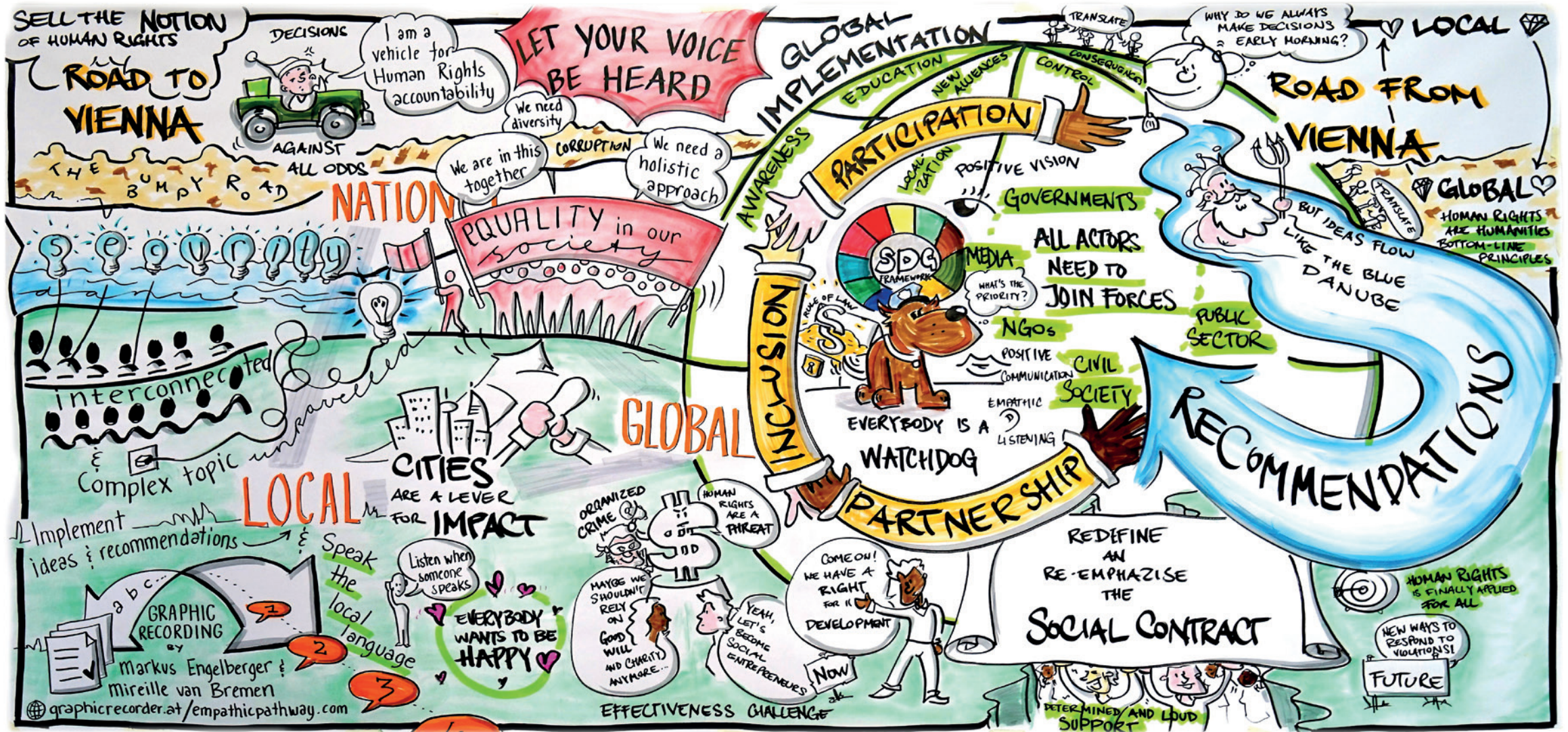
Graphic recording of the Closing Session

OUTCOME DOCUMENT

On the occasion of the 25th anniversary of the Vienna Declaration and Programme of Action (VDPA) adopted at the World Conference on Human Rights (14 to 25 June 1993), the Austrian Federal Ministry for Europe, Integration and Foreign Affairs, in cooperation with the Office of the UN High Commissioner for Human Rights, the City of Vienna and the Ludwig Boltzmann Institute of Human Rights (BIM), organised a high level expert conference in Vienna. The event was co-funded by the Austrian Development Agency.

This document reflects the main messages of the discussions. It has been compiled by the Austrian hosts and includes the recommendations elaborated by the Chairs and Rapporteurs of the Working Groups. The conference programme is annexed. A publication with all conference documents is in preparation and will be published later this year.

INTRODUCTION

The expert conference gathered human rights stakeholders from all world regions, high level representatives of the UN, including special procedures mandate holders and members of treaty bodies, human rights defenders and independent human rights experts from civil society and academia, regional, sub-regional and national human rights institutions as well as representatives from the local level.

The purpose of the conference was to collect experts' perspectives on global trends, such as digitalisation, demographic changes, urbanisation and climate change, and their impact on the human rights agenda of the next decades. The experts developed practical recommendations to encourage states and other stakeholders to pursue further legal, institutional and practical improvements to human rights protection, both domestically and internationally. The conference aimed at making a contribution to a future-oriented discourse on the relevance of human rights, and in doing so, strengthening the voice of human rights activists and defenders who identified the most pressing challenges that human rights are facing right now and highlighted good practices to tackle them.

The conference was opened by Austrian Federal Minister for Europe, Integration and Foreign Affairs Karin Kneissl, UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein and the Mayor of Vienna Michael Häupl as the conference host. The High Level Opening on "Emerging human rights challenges – perspectives from the ground" was chaired by the Director of the EU Fundamental Rights Agency Michael O'Flaherty, and included UNODC Goodwill Ambassador for the Dignity of Survivors of Human Trafficking Nadia Murad, as well as Nigerian human rights lawyer Hauwa Ibrahim, Argentinian lawyer and women's rights activist Susana Chiarotti, and the Austrian data protection activist Max Schrems. In their addresses, they discussed burning human rights challenges such as armed conflict and internal displacement, violent extremism, women's rights and gender equality, data protection and privacy as well as the work on the local level including the role of cities and urban development. They noted that in spite of progress in some areas of human rights, there had been retrogression in other areas in recent years and challenges persisted. The human rights activists called upon the international community to stand by their achievements and defend human rights in the face of mistrust, indifference, persisting conflict and increasing isolationism.

The ensuing discussions at expert level were conducted in two Working Groups focusing on the topics "Human Rights and Security" and "Promotion of Equality in our Societies". Each Working Group was composed of approximately 45 experts. Working Group 1 on "Human Rights and Security" was chaired by Agnes Callamard, UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions. Working Group 2 on "Promotion of Equality in our Societies" was chaired by Manfred Nowak, Director of the Ludwig Boltzmann Institute of Human Rights. In preparation of the conference, participants had received thematic outline papers for the two Working Groups as a basis for discussion. The thematic outline papers were authored by Gerrit Zach (Working Group 1) and Karin Lukas (Working Group 2), both Senior Researchers at the Ludwig Boltzmann Institute of Human Rights. During the Working Group sessions, the experts shared experiences from their respective fields of expertise and jointly formulated a set of recommendations addressed to relevant stakeholders. Vitit Muntarbhorn, Professor of Law at Chulalongkorn University Bangkok, and Heike Alefsen, Senior Human Rights Adviser at the Office of the UN Resident Coordinator in Bangladesh, served as Rapporteurs and presented the recommendations of their respective Working Groups to the plenary during the closing session of the conference.

FOLLOW-UP

The conference was closed by Austrian Foreign Minister Karin Kneissl, after a High Level Concluding Panel on "The way forward – views of key institutional stakeholders". Chaired by Christian Strohal, Special Representative for the Vienna World Conference on Human Rights 1993, the panel gathered institutional stakeholders such as Fabrizio Hochschild, UN Assistant Secretary General for Strategic Coordination, Hilal Elver, UN Special Rapporteur on the Right to Food, Bandana Rana, member of the UN Committee on the Elimination of Discrimination against Women, Diego García-Sayán, UN Special Rapporteur on the Independence of Judges and Lawyers, and Gauri van Gulik, Amnesty International Regional Director for Europe. In their discussion, they recognised the progress made since the adoption of the Vienna Declaration and Programme of Action, including in institutional advances, accountability, global awareness for human rights and the strength of the global human rights movement today. In response to emerging challenges they highlighted the need to build new alliances, to show contextual flexibility and to create participatory and diverse movements. They encouraged spreading the message that human rights serve as a

source of trust and a means to bring humanity together by transferring global action to the local level and ensuring better and more positive communication about human rights.

Participating experts agreed that the conference had generated renewed momentum to defend human rights worldwide. There was broad support for joining efforts to translate this momentum into appropriate follow-up and concrete activities by all participants. In her concluding remarks, Austrian Foreign Minister Karin Kneissl underlined Austria's commitment to bringing the recommendations from the conference to the attention of the Human Rights Council and the General Assembly of the UN and encouraged participants to pursue them in their respective fields of activity. The conference organisers will publish a compilation of all conference documents to facilitate the dissemination of the results.

RECOMMENDATIONS

The following recommendations emerged from the discussions among participating experts regarding the two major themes of the conference:

Working Group 1: Human Rights and Security

Overarching recommendations:

Security, human rights, dignity, equality, democracy, peace and sustainable development are interdependent and mutually reinforcing.

This linkage calls for a holistic and systemic understanding of the notion of security and its multifaceted nature, including the interrelationship between different actors, taking into account the Sustainable Development Goals (SDGs). While state security and national security are often invoked at the interface with human rights, there are other dimensions of security to be borne in mind, including international security, human security, social security, cybersecurity, food security and security from the state. Security is thus interlinked with the whole range of civil, political, economic, social and cultural rights. Human rights must inform the notion of security, particularly to set the parameters of what is permissible internationally.

While some human rights can be subject to limitations based on national security, public safety and public order, the latter need to fulfil the principles of legality, necessity, proportionality, non-discrimination and human rights universality. Moreover, while insecurity is generally perceived as based on threats, great care is needed since these threats might be actual, potential, or merely fictitious and used as a pretext to erode human rights. Thus, more effort should be made to prevent threat(s) and inform society about fictitious stereotypes.

This requires a discussion based on facts and evidence-based research, which needs to be inclusive, participatory and grounded at the local level, particularly to reflect the realities of those affected by the claims of security policies. This demands a proactive approach to reframe the security narrative which is sensitive to the needs of vulnerable and marginalised groups, particularly promoting and involving a strong and vibrant civil society.

Specific recommendations:

I. RECOMMENDATIONS TO STATES

Laws and policies

1. In their law and policy making, states should base themselves on a broad understanding of security, including social factors, inequality and marginalisation.

2. Ensure space for civil society to operate freely and to contribute expertise to the policy process. This includes an adequate legal framework to operate, freedom of expression for all, participatory procedures, and access to potential victims of human rights violations, while ensuring that government representatives, policy makers and relevant stakeholders engage in dialogue with citizens and those who have expertise to contribute.

3. Review counter-terrorism laws and national security related policies, including those related to cybersecurity, so as to ensure their compliance with international human rights standards.

4. Promulgate laws to implement international human rights standards, including those regarding action to counter public incitement to hatred, discrimination and violence, in full respect of freedom of expression standards online and offline.

5. Adopt a systematic approach to the relationship between security and human rights, bearing in mind that while some human rights are non-derogable, others are of a derogable nature but the limitations must be in accordance with the principles of legality, necessity, proportionality and non-discrimination.

6. Carry out an upstream assessment of all security-related legislative proposals that engage with data interoperability regarding their impact on fundamental rights, which has to be underpinned by the principles of legality, necessity, proportionality and non-discrimination.

Programmes and practices

7. Underline the need to protect the rights of vulnerable groups and the rights of women effectively against the impact of security related measures.

8. Elaborate concrete measures for the meaningful participation of women at all levels and ensure greater empowerment of women in the security, peace and human rights discourse, bearing in mind United Nations Security Council Resolution (UNSCR) 1325 and subsequent resolutions.

9. Ensure adequate frameworks, mechanisms and tools for systemic and meaningful engagement of youth in security related policy and decision-making and in conflict prevention and resolution complementary to and in conformity with UNSCR 2250.

10. Support intercultural programmes for children and youth from a young age so as to nurture tolerance, cross-cultural

understanding and mutual respect, bearing in mind that prevention of racism, xenophobia, intolerance (including religious intolerance) and violent extremism depends upon incentives for children and youth to follow the path to peace with a mindset and skills to shun violence and discrimination.

11. Build trust with civil society actors by respecting the space for human rights defenders, while protecting the rights of human rights defenders and civil society actors to advocate more effective promotion and protection of human rights at the interface with security concerns.

Mechanisms and personnel

12. Establish efficient and independent human rights oversight mechanisms, such as National Human Rights Institutions (NHRIs), National Prevention Mechanisms (NPMs), data protection authorities, parliamentarian oversight bodies, etc., while at the same time making sure that this does not negatively impact the important work of independent civil society actors (e.g. access to places of detention, information, etc.), and promote a culture based on human rights.

13. Build a culture of human rights in law enforcement and security related organisations and integrate human rights personnel/units in law enforcement and security related bodies so as to ensure sustained commitment to the complementarity between national security concerns and respect for human rights.

Joy Ngozi Ezeilo, University of Nigeria, Former UN Special Rapporteur on Trafficking in Persons, especially Women and Children

"The violations of human rights are systemic, so we need to address them through institutional mechanisms. We need to strengthen the institutions empowering individuals to assert and claim and demand accountability."

Resources

14. Ensure sustainable funding, make resources available and utilise these transparently, particularly by shifting from the military sector to the social sector so as to address the environment behind marginalisation, poverty, inequality and discrimination.

15. Promote national and international funding for civil society and research without restrictions, and provide funding for independent work in a transparent manner, without undue interference.

Information and monitoring

16. Undertake periodic human rights impact assessments in regard to the consequences of security measures, including on gender-based violence and other forms of violence and discrimination (interlinked with the right to digital privacy), with effective follow-up action in the pursuit of justice.

17. Collect and analyse evidence to understand how communities, vulnerable groups, in particular national minorities, experience insecurity and the impact of security measures, and to tailor human rights related communications accordingly.

18. Guarantee the right to information when personal data are collected, including on all aspects of the data processing, as well as on procedures for accessing own personal data stored, and to have inaccurate data corrected or deleted as laid down by law.

19. Adopt effective medium(s) for information dissemination, particularly ensuring a secure and enabling environment where women and vulnerable groups can exercise the right to information and access thereto.

Education and capacity building

20. Strengthen human rights education, training and capacity building, including curriculum development based on international standards bearing in mind local realities, targeted to a variety of groups, including law enforcers/security personnel and related actors as well as judiciary.

21. Support training and education on data protection and cybersecurity, particularly for children and youth from a young age, differentiating between age groups and their particular needs.

22. Build a bottom-up and top-down system of law enforcers and security personnel with effective screening, adequate training and education, performance monitoring, incentives for human rights sensitive implementation, and measures for accountability in the case of violations.

23. Establish human rights sensitive police "services" (rather than police forces) with human rights units and focal points so as to promote professionalisation and sustained commitment to comply with human rights standards.

24. Ensure and support initiatives to improve media literacy.

"SO LET'S BE MORE INCLUSIVE"

Accountability and remedies

25. Ensure procedural safeguards for suspects and persons accused in criminal proceedings.

26. Eliminate impunity for state agents who violate human rights, including by abolishing laws and/or eradicating policies that justify torture and other forms of ill-treatment, and ensure individual accountability.

27. Set up independent oversight bodies to investigate allegations against law enforcement and security personnel, with adequate resources and skills and without the requirement of prior authorisation before a state official can be prosecuted, operating transparently and publicising their proceedings and results.

28. Encourage the development of simplified procedures to access stored personal data and to have inaccurate data corrected or deleted as laid down by law.

Participation and inclusion

29. Broaden the space for civil society participation, ensuring space for gender responsiveness and the interests of minorities in the spirit of socio-economic and cultural inclusion and democratic space for mobilisation and collective action.

30. Increase participation and inclusion of under-represented groups (including conflict-affected people).

31. Foster a rights-based and evidence-based discussion on security, refraining from criminalisation and stigmatisation of entire groups (e.g. refugees, internally displaced persons (IDPs), migrants, former combatants, conflict-affected children, etc.) and adequately responding to fears among the population including action to counter violent extremism (CVE).

32. Promote leadership from the local to the national and international levels that is respectful of pluralism and human diversity, as part of a local/global culture of non-violence and non-discrimination.

33. Centre policing strategies on community-based, human rights-oriented partnerships, balancing intelligence-led policing with community-based policing that is open and transparent, accountable, impartial, representative and effective in preventing and detecting crime.

34. Balance community-based policing and national security priorities with a view to creating trust between police and communities.

II. RECOMMENDATIONS TO CITIES AND LOCAL GOVERNMENTS

35. Expand the network of human rights cities and local governments, bearing in mind the significant spread of urbanisation while not neglecting also the livelihood and protection of rural people. Invest in social and community work, also on public premises and in public space to promote urban competence and conflict resolution when dealing with marginalised population.

36. Ensure that urban security policies and programmes are based on a human rights approach, especially as emerging technologies such as special face recognition and intelligence software become available to police and local authorities.

37. Foster social inclusion and protection while implementing anti-discrimination and equality related measures effectively, and ensure that funding is not used for activities which may lead to incitement of hatred.

38. Encourage cities and local governments to adopt human rights education programmes, particularly addressing young people of different communities as part of action for cross-cultural understanding.

39. Implement effective communication strategies so as to prevent violence and discrimination, protect human rights effectively and ensure accountability of those responsible as well as providing remedies for victims and survivors of human rights violations.

40. Identify and/or establish independent institutions, such as local anti-discrimination offices to respond to human security, addressing local conflicts as well as to receive complaints with a view to redress.

41. Work with and promote active participation of civil society organisations and gender sensitive rights-based monitoring at the local level by means of civil society actors, including through appropriate and accessible technology to assist the work of local monitors.

III. RECOMMENDATIONS TO THE UN

42. Support the creation of early warning systems using the Human Rights Up Front Initiative, by taking into account social strategies in place and gender-based, religion and race sensitive indicators to address extremism and conflicts revival, complemented by adequate resourcing.

43. Support the UN Security Council and its committees to have consistent dialogue on human rights and to undertake human rights assessment of security-related resolutions, statements and action.

44. Urge the UN Human Rights Council through the Universal Periodic Review (UPR) and special procedures, to strengthen the monitoring of human rights violations committed in the name of national security and the negative consequences of counter-terrorism and related actions, including through fact finding, with a view to providing adequate remedies.

45. Promote accession to human rights treaties and foster synergies between treaty body mechanisms.

46. Reaffirm commitment to and full application of the human rights-based approach in development cooperation, in particular in the fields of conflict prevention, peace and security and strengthen the monitoring of its application and ensure appropriate funding.

47. Call upon the UN Department of Peacekeeping Operations to build the capacity of police, judicial and security sector with rule of law indicators leading to follow-up action.

48. Implement effectively the SDGs, particularly SDG 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels), which is cross-cutting for human rights and development, peace and security.

IV. RECOMMENDATIONS TO REGIONAL ORGANISATIONS

49. Maintain and reinforce the increasing attention from some regional organisations such as the European Union (EU), the Council of Europe (CoE) and Organisation for Security and Cooperation in Europe (OSCE) to tackle the root causes behind terrorism and violent extremism as well as encroachments by securitisation and digitisation on the right to privacy, human rights and freedoms.

Gerd Oberleitner, European Training and Research Centre for Human Rights and Democracy Graz

"Human Rights Cities can deal with human rights in a very down to earth and basic level in areas that are of concern for people in their everyday lives."

V. RECOMMENDATIONS TO PRIVATE CORPORATE ACTORS

50. Actively engage leadership in the business and technological sector as key partners in protecting human rights, and call upon digital corporate actors to respect the right to access the internet and the right to digital privacy.

51. Encourage digital actors to establish meaningful sector-wide self-regulation with independent multi-stakeholder bodies responsible for assessment and monitoring, with an appeals mechanism, an independent process and related criteria.

52. Ensure that "content moderation" staff are properly trained and resourced and that they have the necessary qualifications to review and determine whether content violates human rights.

53. Invest in research and in algorithms that respect and protect human rights and do not result in discriminatory profiling, and ensure compliance by increased scrutiny and oversight on how algorithms are built, by identifying biases in algorithms, by ensuring the quality of the data used and by increasing transparency in the use of algorithms.

54. Urge private corporate actors, especially those in the extractives industry, to adhere to international human rights standards and take measures to prevent and mitigate human rights abuses that could arise from their activities.

55. Call upon digital corporate actors to actively prevent the use and distribution of online child abuse and sexual exploitation materials on their platforms.

VI. RECOMMENDATIONS TO THE MEDIA

56. Strengthen public interest journalism, good governance in media and a public information system rooted in ethics and transparency.

57. Foster attachment inside journalism to core values – accuracy, independence, impartiality, humanity, transparency and accountability – eliminating hate-speech, building respect for pluralism, holding power bearers to account, and challenging abuse of human rights.

58. Ensure that media and journalism are trustworthy, intolerant of conflicts of interest, transparent about their work and always ready to listen to the complaints and views of others.

59. Strengthen self-regulation with independent oversight authorities to improve transparency, accountability and quality of journalism at all levels.

60. Improve solidarity and cooperation between journalists, media and human rights activists, for instance by pursuing the investigations initiated by eliminated journalists before they were murdered or imprisoned.

61. Develop and promote a human rights glossary for media workers, accessible in several languages, and provide guidelines for responsibility in framing narratives on terrorism and migration.

VII. RECOMMENDATIONS TO CIVIL SOCIETY ORGANISATIONS (CSOs)

62. In the relationship with increasingly digitised societies, broaden partnerships to promote human rights more effectively and in a gender sensitive manner. The partners include civic technology actors (who promote technology use for the common good) and communication experts from other fields, e.g. marketers, neuropsychologists.

63. Act as a watchdog of security policies and advocate the integration of CSOs in independent oversight bodies, including of the police, security forces, etc.

VIII. RECOMMENDATIONS TO OTHER ENTITIES

64. Call upon religious leaders to implement the Faith for Rights Declaration and Plan of Action and the Rabat Plan of Action in regard to action against incitement to hatred.

65. Encourage judges and the judicial sector more generally to question the legality of governments' security policies and interventions, on the basis of domestic or international law (namely, to turn away from the traditional "political doctrine" approach).

WORKING GROUP 1

Chairperson: Agnes Callamard
Rapporteur: Vitit Muntarbhorn
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May 2018

Working Group 2:
Promotion of Equality in our Societies

The protection and promotion of equality has been a key element of efforts to achieve the implementation of human rights since the adoption of the Universal Declaration of Human Rights in 1948, and a focus on equality and non-discrimination was reinforced in the 1993 Vienna Declaration and Programme for Action.

Since then, major cultural, economic, political, social and other changes and challenges have occurred through the effects of, inter alia, globalisation, demographic developments, migration, climate change, and new communication technologies. Political decision-makers and other stakeholders continue to be confronted with inequalities as a persistent and growing phenomenon.

This Working Group discussed concepts, aspects and evolving concerns related to equality and how to address them through human rights compliant action. It proposed some measures to ensure that the human rights principles of equality and non-discrimination are integrated in responses to structural as well as emerging issues.

In this context, participants reviewed the role of global constituencies and new actors or those that are taking on new roles as duty-bearers for human rights protection and promotion, including local governments, notably cities, and private actors, notably businesses.

**Joshua Cooper,
Hawaii Institute for
Human Rights**

"We have the language of human rights but we have to take it from paper and make it mean something in peoples` lives. There are three important steps: Education, mobilisation, and realisation."

In keeping with the concept note for the expert conference, the discussion was guided, inter alia, by the following questions:

> What are the main reasons and factors for (in-)equality in our societies? What role do the global financial system, financial transfers and phenomena such as corruption play in aggravating inequalities? In which areas did we make substantial progress, and what can we learn from these examples? What is the contribution of the Sustainable Development Goals (SDGs) in this regard?
> Are the concepts of "equality/anti-/non-discrimination" and "vulnerability/positive discrimination" still helpful to counter inequalities in society or should we develop new approaches? Are there specific grounds of discrimination that we will have to examine more closely, such as age and inter-generational issues?
> How can we best integrate a human rights-based approach to poverty prevention and reduction policies?
> What do the Sustainable Development Goals mean on a local level and how can they be integrated in city strategies for sustainable urban development?
> What is the impact of new technologies, for instance on labour rights, and how can we address potentially negative consequences for equality?
> What are the benefits of an equal society for the general population? In what ways do we have to adapt our communication strategies to better pass the message about equality to all people? How can we reach out to people who feel disenfranchised by globalisation?

Summary of discussion and recommendations to policy makers and the human rights community:

I. CONCEPT AND APPROACHES

It was noted that protection and promotion of equality in societies is a very broad topic, hence the starting point for the discussion was economic inequality, but it soon became clear that other aspects of inequality, such as civic, cultural, social and political, must be considered. While the alarming increase in economic inequality over the last 25 years demanded particular attention from the human rights community, it was important to address how economic disparities intersect with social and cultural inequalities on grounds such as gender, ethnicity, sexual orientation, disability and age, compounding discrimination and undermining substantive equality. In this context, it was considered important to also address intersectional forms of discrimination and furthermore the impact of climate change on equality.

While there has been significant progress in equality before the law since the 18th century, and more recently, progress has been made with protection from discrimination relating to prohibited grounds, such as sex/gender, race, ethnicity, disability, age, social status, religion, disability and others, these types of discrimination have neither been comprehensively and holistically addressed nor completely eliminated in any country.

It was recalled that Article 26 of the International Covenant on Civil and Political Rights

(ICCPR) of 1966 requires action to protect people against discrimination by private actors and to ensure equal protection of the law. This principle is reinforced by the International Covenant on Economic, Social and Cultural Rights (ICESCR). Where societies are becoming increasingly unequal in social, economic or other terms, this would imply that the state has a positive obligation to combat such rising inequalities and exclusion, ensuring no retrogression.

In the discussion on the concept of equality, it was noted that equality is considered as a cornerstone of the right to development, which was reaffirmed in 1993 with the Vienna Declaration and Programme of Action. It was argued that the common provisions on equality and non-discrimination in the international human rights treaties implied that equality and non-discrimination as stipulated in the Universal Declaration of Human Rights had attained the status of customary international law. Equality and non-discrimination constitute also one of the six major principles contained in the human rights-based approach to development as recognised in the UN system's common understanding.

However, while it was recalled that the international human rights treaties, the UN 2030 Agenda for Sustainable Development and the UN Secretary-General are prioritising action against inequalities, there was concern that political and societal actors in many countries had lost sight of the value of equality, including as a public good, that the egalitarian focus of the state had been abandoned and the social contract had been delegitimised. Rising inequality has led to a lack of trust in others and in society whereas such trust had been the original idea of the social contract.

It was also suggested that actors were often addressing equality through specific, group-focused lenses that created the impression of equality being only about and for minorities whereas it should be a majority concern and an overarching societal goal.

Power and structural and institutional discrimination and inequality

Entrenched unfair, unequal and discriminatory institutional power structures were considered a fundamental concern, reflected, inter alia, in a lack of the right to participation in society, as well as of the rights to freedom of expression, information, association and assembly. At the same time, economic inequality cannot be separated from power. Addressing economic inequalities also requires looking at the fundamental power structures and considering which groups are and which groups are not able to fully participate in social and economic development and decision-making. While there is a need to focus on income inequality, simultaneously, there is an urgent need to address horizontal or status inequality amongst and between different groups. Access to equitable opportunities, for example, is frequently defined by existing social patterns of exclusion and prejudice (such as on grounds of race, gender, disability, age etc.), and therefore addressing structural and entrenched forms of discrimination is also vital in promoting income equality. In fact, status equality is a precondition to achieving substantive economic equality.

The right to development and the notion of empowerment mean little if structural, institutional inequalities are perpetuated, and when related corruption impacts on development. Powerlessness, or a sense of powerlessness, is a major concern that needs to be addressed in the context of poverty alleviation policies.

While it was considered important to identify vulnerabilities to ascertain how they contribute to inequality and discrimination and to ensure that targeted action can be taken, the notion of "vulnerable groups" was seen as disempowering for some, such as women, and in some contexts, as potentially further victimising those who are already vulnerable. It was instead suggested to use language that does not equate a person with a given vulnerability and that ensures an appropriate focus on the existing agency of actors and their empowerment.

Recommendations:

1. Build trust, refocus on and communicate equality as a goal for all of society, and re-legitimise and re-define the social contract.

2. Affirm states' obligations to eliminate inequality and discrimination as part of their human rights commitments.

3. Work towards expanding the concept of prohibited grounds for discrimination to include the increasing of inequality, and consider the latter as a non-permissible manifestation of retrogression of rights.

4. Ensure that policies and programmes that target inequalities contribute to empowerment and address entrenched, unsustainable, unfair and unequal power structures.

5. Use language such as "persons in situations of vulnerability" instead of "vulnerable groups", as appropriate in the given context.

II. GLOBAL TRENDS AND RECENT POLICY DEVELOPMENTS

Growing inequalities as human rights violations

Inequalities were considered as cause, catalyst as well as symptom of other human rights violations, and economic inequality as linked to many other types of inequalities and social tension, corruption, and radicalisation. It was highlighted that inequality is largely due to discriminatory legislation, policies and practices, and globalisation driven by neoliberalism.

Economic growth and equality

Economic growth may lead to reduction of poverty, which is an important goal. Some noted that there had been economic growth due to large scale poverty reduction in some countries and consequently inequalities between countries had been reduced. Yet, others highlighted lack of differentiation and a need to ensure disaggregation, and that by many accounts inequalities between countries were actually rising.

Another trend, on the other hand, is visible and concerning, namely growing inequalities within countries. In this respect, it was noted that a key issue in the last 30 years has been a major escalation in the gap between the rich and the poor, with unequal wealth concentration: 8 people own as much as 50% of the world's population do, and the top 1% own more than all others.[1] While a new middle class had emerged in some countries, there was also a trend towards the decimation of the middle class in others. It was suggested that the gap escalation has been perpetuated by socio-economic policies skewed towards protecting the rights of the few in the elites.

Entrenched, institutionalised inequality continues to exist in economic structures. Economic growth alone does not decrease economic inequality if it is not matched by policies that support sustainable economic redistribution and social protection. As the example of some countries shows, high economic growth that benefits some parts of the population and not others may lead to significant increase in economic and social inequalities as well as continued lack of empowerment.

If inequality reaches a certain level, it leads to further human rights violations, with extreme economic inequality not just a cause but also a consequence. Drivers in this regard are transnational corporations and various groups of actors in the global economy where the recent proliferation of actors makes finding appropriate policies and programmes more challenging. Another driver is the global financial system with policy determinants such as fiscal austerity, freezes on public spending, and

regressive tax reforms benefiting those who are already rich.

It was argued that some economic growth policies, through their focus on unsustainable large-scale development projects, had in fact increased the risk of or led to actual human rights violations, as manifested in evictions, land grabbing, forced migration, destruction of the natural environment, as well as torture and ill-treatment, extra-judicial executions, disappearances and arbitrary detention. This has led to new vulnerabilities and inequalities.

A major new UN/World Bank conflict prevention study, 'Pathways to Peace', concludes that exclusion and discrimination lead to conflict, and that political, economic, ethnic, or religious inequality fuels violence and populism. Some participants in the Working Group considered the effect of inequality "toxic" in the sense that inequality leads to exclusion that often finds its expression in violent, xenophobic, racist or populist movements. Populist governments play with, manipulate and exacerbate people's perceptions of discrimination, and these governments feed on inequality. A perception of disenfranchisement and inequality has been expressed in some democracies by groups who had previously been among the privileged and not significantly affected by inequalities. Far from being disenfranchised, this new group of the "poor"

[1] **Oxfam Briefing Paper (2017):** An Economy for the 99%. https://policy-practice.oxfam.org.uk/publications/an-economy-for-the-99-its-time-to-build-a-human-economy-that-benefits-everyone-620170 [accessed 22.06.2018]

is however now playing a major role in politics and contributing to the trend towards marginalisation and further social, economic and political polarisation that would ultimately only deepen inequalities.

Recommendations:

6. Recognise extreme economic inequality as the product of policies which entail multiple, serious violations of various human rights, including the right to equal protection of the law, and economic, social and cultural rights.

7. Analyse and address structural inequality and discrimination, including unequal access to power structures and decision-making, acknowledge its scale and recognise its impact.

8. Reaffirm that economic growth must be sustainably focused on contributing to equality and following a human rights-based approach with a focus on access to health, education, housing and other economic, social and cultural rights but also civil and political rights, including equal access to justice and political participation.

9. Undertake quality root cause analysis and research on grounds for inequality and exclusion and affected people who are or consider themselves to be treated unequally, to be disenfranchised and discriminated against, in order to better target policies aimed at rooting out stereotypes or societal norms supporting inequalities and discrimination.

10. Employ a human rights-based approach to climate change by respecting, protecting and fulfilling respective human rights obligations.

Gender equality, women's and girls' rights and the implementation gap

An equally concerning trend has been regression in gender equality since the millennium. There is an implementation gap in relation to equality overall, but notably gender equality: Where it exists in law, the formal right to equality and a gender equality-based policy approach are frequently not implemented in practice and often present greater challenges and resource requirements than overcoming the initial hurdles to create the legal or policy foundation in the first place. For individuals, especially for women, substantive equality is often not a reality, also due to internalised traditional approaches to gender equality where not only men, but also women are unaware of or indifferent to their right to equality, or have no space to claim and realise it.

Recommendations:

11. Emphasise the universality of women's rights as an integral and indispensable part of all human rights.

12. Focus policies and programmes on effective promotion of women's and girls' right to equality, including through affirmative action.

Age-based discrimination and generational inequality

Young people and older persons face specific barriers in accessing their rights, specific human rights violations, and structural and institutional discrimination on the basis of their age. These are both a cause and a consequence of facing economic inequality, with youth or older persons being the age groups most at risk of poverty and social exclusion in many countries. This is also linked to power relations in society. While there has recently been a focus on the role of youth in the 2030 Agenda for Sustainable Development or in discussions on peace and security policies, with youth recognised as peace builders, and on older persons through new international human rights mechanisms, the conceptual shift towards greater recognition of young people and older persons as rights-holders should be strengthened.

Recommendation:

13. Recognise/focus on young people and older persons, and other groups more traditionally viewed as 'beneficiaries', as rights-holders and take steps to address their exclusion, discrimination and the barriers they face in accessing their rights.

New human rights developments and policy frameworks: the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs)

The most important development has been the adoption of the 2030 Agenda for Sustaina-ble Development in 2015 and its 17 Sustainable Development Goals, which are often described as strongly grounded in international human rights standards. The Working Group discussed the relationship between human rights and the SDGs almost three years after the adoption of the Agenda.

It was noted that the human rights community had achieved much in helping to align the 2030 Agenda and SDGs with human rights, notably through the expansion of previous goals or the introduction of new ones to encompass broader notions of equality/inequality and non-discrimination, such as SDG 5 on gender quality (broader than the pertinent former Millennium Development Goal 3) and the new SDGs 10 "Reduce inequality within and among countries" and 16 "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, account-able and inclusive institutions at all levels". It was noted that the implementation of the SDGs may be used for strategic engagement with governments that reluctantly engage on human rights. SDG 10 in particular was con-sidered an entry point for dialogue with those with whom, from a human rights perspective, dialogue might be less conducive. Yet SDG 10, the goal that tackles vested interests directly, experiences limited uptake by major political or development actors.

While the 2030 Agenda and its SDGs are the single most important development policy document of the current millennium so far and dominate as the defining benchmarks all development planning, policy dialogue,

Experts during discussions in Working Group 2 "Promotion of Equality in our Societies"

programming and financing bilaterally and multilaterally, at national, regional and international levels, it was recalled that they are a policy framework and thus "soft law", whereas the international human rights treaties are legally binding standards. Some participants were concerned that while the SDGs are more influenced by human rights principles than the Millennium Development Goals and offer entry points, the often vague formulation of targets and indicators does not sufficiently mirror the ambition of the goals or the universality of international human rights standards.

It was stressed that human rights offer to the SDGs a framework of binding legal obligations that does not exist as such in the 2030 Agenda, and human rights standards on non-discrimination and substantive equality provide a detailed normative framework to guide implementation of the cross-cutting SDG commitments to "reduce inequality within and between countries" and to "leave no one behind". At the same time, it was pointed out that it is important to use clear human rights language in a principled approach, and to not replace human rights language with development/SDG-related language. It was also recalled that follow-up to outcomes/recommendations of the international human rights mechanisms should be pursued as an equal and integrated priority of the national development agenda.

Recommendations:

14. Use the 2030 Agenda, the implementation of the SDGs and the commitment to "leave no one behind" as an entry point for discussions with governments on human rights principles and standards, in view of states' commitment to Agenda 2030 in support of the implementation of human rights. Concretely, base each goal and target of the 2030 development agenda on related human rights, and link SDG indicators to human rights indicators.

15. Use SDGs, the Addis Ababa Action Agenda, the Paris Agreement on Climate Change and other development-related frameworks as a vehicle for human rights accountability, not just development accountability, including through the Voluntary National Reviews (VNRs) and new Voluntary Local Reviews (VLRs).

16. Seize the opportunity for a review of the status of national, regional and global inequalities in the context of Goals 8 (decent work and economic growth), 10 (reduced inequality within and among countries) and 16 (peaceful and inclusive societies), being considered during the next VNR in 2019, and bring in elements of Goal 5 (gender equality).

17. While framing the action in support of SDG implementation as based on human rights and the "leave no one behind" principle, ensure that clear human rights language is used to illustrate principles, norms and standards.

18. While emphasising that equality and non-discrimination are cross-cutting objectives in the SDG framework, emphasise the key role played by peaceful and inclusive societies in support of all other goals and advocate for annual review of SDG 16 at each VNR as of 2020, when VNR practice will be reviewed.

19. Integrate Universal Periodic Review (UPR), Treaty Body and Special Procedures recommendations into SDG planning, implementation and monitoring, including any national SDG action plans, UN (Sustainable) Development Assistance Frameworks, VNRs and other such processes at national, regional and international levels.

III. HOLISTIC, COMPREHENSIVE POLICIES AND PROGRAMMES BASED AND FOCUSED ON HUMAN RIGHTS PROTECTION AND PROMOTION

Good governance, social protection, fair labour policies

It was suggested that committing to a new agenda for achieving equality rooted in human rights requires, at national and, where applicable, regional and global levels, good governance and fair social policies, labour standards, social protection floors with guaranteed access to health, education, housing and other social services. These can be the skeleton of the framework for a new human rights-focused agenda to tackle inequalities, which features reforms of social, economic/financial and where necessary political systems, and redistribution to overcome inequalities. Good practices were seen in some countries in social spending, labour protection, social protection, and increasing progressive taxation. Other good practices were seen in the human rights-based approach to social protection developed by the former Special Rapporteur on extreme poverty.

Recommendations:

20. Support policies and programmes aligned with human rights standards that challenge discriminatory, asymmetric power relations, empower disadvantaged and discriminated people and groups and encourage redistributive justice and wealth/economic benefit redistribution, including through fiscal and taxation policies.

21. Ensure good governance and the rule of law, eliminate corruption in government and the economy, and ensure transparency in procurement and other public processes.

22. Ensure fair social and labour market policies focused on elimination of inequalities and discrimination.

23. Adopt and reinforce social protection programmes to fulfil the right to social security and to an adequate standard of living for all, without discrimination, in line with recent international commitments to ensure social protection floors.

24. Ensure that labour market policies are aimed at fulfilling the right to decent work, ensuring rights of freedom of association and to collective bargaining, implementing wage protections and ensuring stringent labour standards in the workplace, addressing wages and labour conditions in the informal as well as formal sector.

25. Ensure that policies and programmes are gender-sensitive and, for instance, consider women's disproportionate unpaid care work in the home and community. Create temporary special measures for women as necessary, e.g. to reduce the gender pay gap, reach women's equal participation in political decision-making, shore up social protection for the many women in the informal economy.

Participation, civic space and human rights defenders

Participation is a vital element of equality. Studies have shown that many poor, rural, illiterate people measure poverty and equality not primarily by economic indicators for the affected persons, but that people describe themselves as poor because they lack participation and voice.
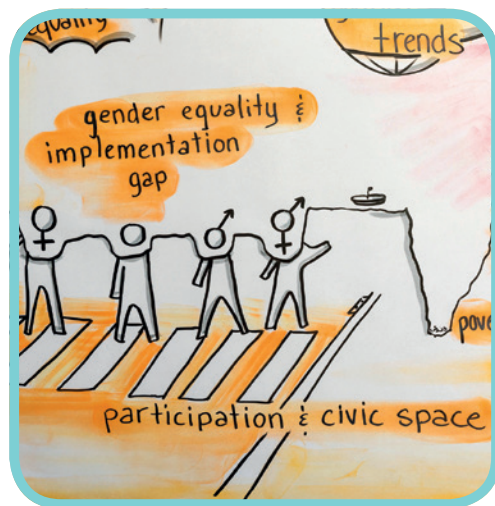
In recent years, many laws and policies have been adopted and action taken to constrain civil society and more broadly, civic space - ranging from laws directly suppressing freedoms of expression, assembly, association, information and participation to laws that affect the economic livelihoods of organisations and individuals. An even more concerning trend shows in serious human rights violations in a growing number of countries, consisting of alleged extrajudicial executions, disappearances and arbitrary arrests, accompanied by a climate of fear and impunity of the security forces who were mostly behind those developments.

It was noted that there are major challenges in the way in which SDG processes have so far been implemented. There has been a lack of inclusive and transparent national processes. Gap analyses and human rights impact assessments must be taken into consideration. There have also been long-standing concerns relating to challenges due to lack of participation in programmes by the International Financial Institutions (World Bank and International Monetary Fund) and regional institutions (e.g. the Asian Development Bank) as well as by the UN. Programmes relating to the principle of free, prior and informed consent, especially by indigenous communities, must be strengthened and relaunched. New grievance and complaints mechanisms introduced over the past years by the UN should be used.

Recommendations:

26. Ensure support for the role of, and support to, civil society as critical actors in ad-

dressing inequalities, notably human rights defenders, including development actors and environmental defenders.

27. Provide strong protection measures for human rights defenders, especially against serious human rights violations such as extrajudicial executions, disappearances, arbitrary arrests, torture and harassment.

28. Ensure regular, increased inclusion of and support to civil society in national SDG planning, monitoring and implementation processes to ensure an equality focus and better monitoring.

29. Ensure the application of the United Nations "Declaration on the right of individuals, groups of power in society to promote and protect universally recognised human rights and fundamental freedoms" of December 9, 1998, commonly known as the Declaration on Human Rights Defenders (HRDs), and related guidelines of the UN, EU and other organisations. Use the 20th anniversary of the Declaration to highlight the important role of HRDs in contributing to equality.

Education

It was noted that equality was severely curtailed for 800 million illiterate adults, two thirds of whom are women. This ratio has remained unchanged for the last 20 years[2]. Education and skills levels are closely related to inequality, thus it is essential to invest in education at all levels. In the context of technical and vocational education and new technolog-

ical developments, demands are created for different skill sets and should be anticipated to ensure that no one is left behind in the future. Industries that are moving towards improved technology can be incentivised and/or required to develop skills.

Recommendations:

30. Pursue relevant, quality and equitable education policies, focusing in particular on delivering outcomes for women. Education should focus first and foremost on personal development and supporting active participation in society, while also supporting learners in preparing for new emerging labour markets and the changing nature of work.

31. Make human rights education available for everyone in society, not just in universities, to empower people as rights-holders to understand and claim their human rights, and states as duty-bearers to protect rights and address the impact of inequalities.

32. Ensure that political leadership communicates the value of equality and inclusive participation, and continuously targets human rights education at officials and their contractors who are responsible for providing public services.

[2] United Nations Statistics Division (2015): The World's Women. https://unstats.un.org/unsd/gender/chapter3/chapter3.html [accessed 22.06.2018]

33. Ensure human rights education for women and girls in particular, and adapt tools, including new textbooks that highlight equality. Arguments for education for women can be made on the basis of local religious and cultural concepts (e.g. education is a right in Islam); in order to achieve this, language needs to be culturally sensitive while upholding universal human rights principles.

Youth and age discrimination

The impact of economic inequalities on youth is a major issue. Public austerity policies do not favour young people, and young people are also disproportionately impacted by austerity measures, leading to their being at greatest risk of poverty and social exclusion. This is both a cause and a consequence of young people facing barriers in accessing their rights on the basis of their age. Young people face violations of their right to fair wages and equal remuneration for work of equal value: in nine European countries, there are youth minimum wages that are lower than the standard minimum wage. Young people face barriers in accessing their right to work and their right to just and favourable conditions of work: youth unemployment levels are more than double the general unemployment rate in many countries and young people are overrepresented in non-standard and precarious forms of work. Young people face age-based barriers for accessing social protection, a violation of their right to social security. Access to affordable housing is curtailed, and there is political and civil rights discrimination due to laws regulating minimum age requirements for running for office at 25 or becoming president at 40.

Minimum age requirements for running for parliamentary office that are higher than the voting age are present in a majority of countries around the world. Young persons with disabilities, young women, young people from ethnic minorities etc. are encountering multiple and intersecting discriminations.

Recommendation:

34. Ensure a focus on young people, their access to rights and their empowerment in all policies and programming, in support of equality.

Sports

It was suggested that diverse and innovative tools and mechanisms should be used to promote equality and human rights in general. One of these tools could be sports as a way to foster inclusion, establish and broaden social networks across different classes and groups, teach values, fundamental rights such as fairness and freedom, and empower women and youth.

Recommendation:

35. Use sports as an effective means of promoting fundamental norms and values such as fairness, equality, respect, responsibility and non-discrimination.

New technologies

It was noted that the approach to tackling inequality and discrimination has shifted to expand to issues such as new technologies,

both as opportunities and as threats to equality. There is digital exclusion and inequality due to a divide between parts of the world having access to digital technologies and the other parts lacking this access.

New types of discrimination, such as "algorithmic" discrimination by Artificial Intelligence (AI) was noted, e.g. an algorithm used by US courts to predict recidivism likelihood was found to discriminate against black offenders. It is predicted that AI will replace humans in the labour market and take over many jobs, not just manual labour or work in factories, but clerical workers, lawyers, drivers, telemarketers, financial analysts, and even those in the medical profession. In one US study, it has been estimated that 47 percent of currently existing jobs are at high risk of potential automation in the coming decades[3]. This would leave more of the middle class unemployed and struggling to adjust, hence furthering the income gap.

Blockchain technology as a new megatrend appears to strongly impact society and global economy over the next decade, which bears the risk of inequality in growth but also carrying the chance to promote equality.

Recommendations:

36. Ensure a focus on the negative and positive impact of new technologies and related

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[3] **Frey / Osborne (2013):** The future of employment. https://www.oxfordmartin.ox.ac.uk/downloads/academic/future-of-employment.pdf [accessed 22.06.2018]

policies and legislation: Consider anti-discrimination legislation and policies on data protection and the right to information together, creating equal protection by design.

37. Ensure that Artificial Intelligence plays a supportive role to humans, by empowering them to perform better in handling complex and critical situations which require judgement and creative thinking that supports equality and non-discrimination.

38. Prevent and address negative consequences, e.g. by feeding machines with 'fair' data to prevent algorithmic bias.

39. Monitor developments in Blockchain technology and regulate to increase equality and prevent discrimination; ensure that the technology creates more transparency while reducing fraud and corruption.

40. Prepare people equally for automation and for new roles with a focus on science and technology, through education and training in these areas and through research on the labour market and workforce needs so that no one is left behind.

Human rights and business

Increasing accountability of corporations and implementation of human rights principles by businesses were considered a key strategy for tackling inequalities. Reference was made to paragraph 67 of the 2030 Agenda that noted private businesses as key drivers of inclusive economic growth, and to the Declaration of

the G20 in 2017, which committed to achieving sustainable and inclusive supply chains, by fostering the implementation of labour, social and environmental standards and human rights in line with internationally recognised frameworks, such as the UN Guiding Principles on Business and Human Rights and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. It was noted that states had committed to working towards establishing adequate policy frameworks such as National Action Plans on business and human rights and to underline the responsibility of businesses to exercise due diligence. states also committed to taking immediate and effective measures to eliminate child labour by 2025, forced labour, human trafficking and all forms of modern slavery.

Recommendations:

41. Ensure adoption and implementation of National Action Plans on business and human rights along with effective grievance and reparation mechanisms.

42. Support and speed up the elaboration of a binding legal treaty on business and human rights.

43. Include human rights clauses in all investment treaties, with focus on extraterritorial human rights obligations.

44. Promote the application of the principle of free, prior and informed consent, especially where investment and development concerns affected indigenous people.

National Human Rights Institutions (NHRIs)

The crucial role of National Human Rights Institutions, notably independent NHRIs, was highlighted, such as their function to promote equality and prevent and protect from discrimination. The Working Group noted their indispensable protection functions; their support to people exposed to discrimination and intolerance and their roles to pursue litigation on their behalf; also the function, where applicable, to take decisions on complaints, including on issues relating to the violation of equality principles and the right to non-discrimination. NHRIs are key institutions in charge of monitoring and key partners holding governments to account. They link national, regional and international actors. They also provide platforms for people to engage on human rights through their action on promotion and through human rights education.

Recommendations:

45. Support independent National Human Rights Institutions that are adequately resourced and have a comprehensive mandate in compliance with the Paris Principles.

46. Strengthen the role of NHRIs in addressing discrimination and inequalities, reviewing the scope of progressive realisation of economic, social and cultural rights, and developing SDG indicators and monitoring compliance.

Experts during discussions in Working Group 1 "Human Rights and Security"

Role of cities and municipalities

Cities and municipalities were considered new and increasingly important human rights actors. In 30 years, 70% of the world's population will live in cities.[4] Depending on their actions, urbanisation can be a positive or negative force for equality. The functions of municipalities/cities were described as serving as a democratic institution, rule maker, employer, service provider and contractor. Good practice is a toolkit for equality at local level, developed by the UNESCO-founded International Coalition of Inclusive and Sustainable Cities (ICCAR) in cooperation with the Centre for the Promotion of Human Rights at Local and Regional Levels in Graz. This tool supports the implementation of the 2016 UN New Urban Agenda (NUA) in practice. The NUA has set the scene for sustainable urban development. 39 policies in 35 cities in 13 countries had been assessed in preparation of the toolkit, and among the most important findings are that policies are applied to promote equal opportunities rather than fighting discrimination. It was found that high-level leadership, commitment, ownership and engagement was key, with clear objectives, the participation of stakeholders and programmes lasting for several years. Diversity and integration policies such as action plans, welcome services, counselling, and anti-discrimination offices were successful if they

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[4] **United Nations (2016), New Urban Agenda, A/RES/71/256**, adopted at the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in Quito, Ecuador, on 20 October 2016, p. 3.

were matched with relevant budgets for at least five years (short-term, pilot projects did not have such impact). Most successful, but rarely employed, are policies of cities as contractors and employers against discrimination over the longer term. Clear responsibilities and concrete objectives in policies were leading to concrete results. It was noted that cities/municipalities have both significant opportunities and responsibilities to ensure equal opportunities for all where people can live in security, peace and dignity.

Recommendations:

47. In efforts to expand from global to new local constituencies for human rights, recognise the important roles and responsibilities of local authorities and cities as service providers for leaving no one behind and ensuring a human rights-based approach.

48. Use an urban focus (on SDG 11 'Make cities and human settlements inclusive, safe, resilient and sustainable' and the New Urban Agenda) in policies to strengthen equality at the local level, leaving no one behind through promotion of substantive equality, equal treatment, equal opportunities, inclusion and equity.

49. Use employment policies to ensure non-discrimination and promotion of equality by employers in their city workforce and use public procurement policies to ensure non-discrimination and to prevent corruption in the private sector.

50. Plan and implement municipal equality/non-discrimination policies, operationalisation of the "leave no one behind" principle in anti-discrimination policies, with full participation of concerned people.

51. Guarantee security of tenure and recognise the social functions of housing, land and property in laws and policies (e.g. city of Vienna as good example / tradition of social housing policies).

52. Monitor local policies for impact on the persons most affected, not just for management compliance.

Monitoring and data

It was suggested that the development of improved systems for data for evidence-based policy making and programming was key to tackling inequalities. The reach of data disaggregation was to be extended, as people excluded are migrants, people in remote rural areas, nomads etc. National statistical systems/offices are natural partners for monitoring and the related data collection, analysis and use, in particular where joined up with National Human Rights Institutions.

Recommendations:

53. Focus on implementation and monitoring of inequality and non-discrimination, with robust data generation, disaggregation, analysis and dissemination supporting evidence-based policies and programming.

54. Link statistical offices and NHRIs in programming and SDG implementation monitoring, with a focus on those being most left behind and discriminated against.

Communications and advocacy

How to make equality issues relevant to everyone in society was considered a key issue. It was suggested that it is important to seek ways of reaching out to those who feel left behind or excluded by a political culture that they see as privileging marginal groups, as well as using human rights education to empower people who might feel unable to claim their rights as a result of structural or cultural barriers. It was concluded that, in parallel, emotional and rational advocacy and communication should be employed, using hard data and facts for evidence based communication, but also real life, human stories to reach those who respond better to personal experience. Human rights education programmes could use examples from history to allow people to develop their own critical perspectives on both the historical roots of present-day inequality and the past struggles for equality that resulted in the human rights norms of today.

Recommendations:

55. Engage people who might feel alienated from human rights by using perspectives from history to show how struggles for equality emerged in response to injustice, inequality, and violence in the past.

56. Use an interdisciplinary approach in communications to show that human rights are not abstract, but very real and meaningful to people, and the result of historical struggles in particular local contexts.

IV. TAKING THE NEW HUMAN RIGHTS AND EQUALITY AGENDA TO THE ECONOMIC AND DEVELOPMENT DECISION-MAKING SPHERE

In taking the new human rights and equality agenda to the economic and development decision-making sphere of accountability, considered by some so far a largely "human rights free zone", the following could be considered.

It was concluded that governments and international financial institutions should take steps to improve the regulation and monitoring of national fiscal policies and global financial markets and institutions, to address the role financial deregulation and liberalisation has played in increasing income and wealth disparities, and in contributing to financial crises with severe implications for human rights.

Recommendations:

57. Adopt policies that seek to place austerity measures within a human rights framework, halting fiscal austerity action that contravenes human rights to protect from retrogression. Ensure that fiscal policies guarantee basic social protection floors, in particular basic education and health.

58. The European Union and other regional groupings should reconsider and amend neoliberal policies.

59. The International Financial Institutions (IFIs) should ensure a human rights-based approach to poverty reduction strategies and a greater focus on longer-term processes of empowerment of stakeholders.

60. IFIs should strengthen social and economic impact assessments that significantly increase human rights integration and make them mandatory; they should ensure transparency and complaint mechanisms for stakeholders. Review trade laws and make them subsidiary to human rights law.

61. Reinforce and support the application of the concept of maximum available resources (to be used by states for the realisation of economic, social and cultural rights) and link policies to it, and support their financing through progressive and equitable tax policies aimed at generating the maximum available resources to reduce income and wealth disparities.

62. Ensure spending policies enable the universal and progressive realisation of all human rights without discrimination or retrogression.

63. Address the global economic order through socially redistributive tax systems, tax abuse being incompatible with the International Covenant on Economic, Social and Cultural Rights (ICESCR), e.g.

policies capable of transforming wealth distribution such as land reform, improved access to further education and training, and policies aimed at addressing employment vulnerabilities (by reducing potential exploitation, and strengthening labour protection).

64. Eradicate illicit financial transfers as a source of inequalities by taking individual and collective action to eliminate tax abuse that increases inequalities within and between countries.

Special recommendations to the UN:

65. Ensure One UN action with human rights as a central part of its mandate, in political affairs, development, peace and security, conflict prevention, humanitarian affairs and other. Fully apply UN Development Group (UNDG), Inter-Agency Standing Committee (IASC) and other guidance to this effect, including the human rights-based approach to development.

66. Implement the agreed Shared UN System Framework for Action on inequality developed by the Chief Executives Board for Coordination (CEB) and its specific areas of action in policies and programming, with implementation and operationalisation having full support from Member States.

67. Continue playing a leadership role in ensuring application of practical measures for equality and non-discrimination; e.g. newly attained gender equality among resident coordinators is a good example.

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ANNEX: POLICY LAB ON HUMAN RIGHTS CITIES

THE ROLE OF CITIES IN PROMOTING AND IMPLEMENTING HUMAN RIGHTS

Policy lab on Human Rights Cities in Europe, 23-24 May 2018, Vienna

The role of cities and local authorities is increasingly recognised in the implementation and promotion of human rights. Cities are the closest to the citizens, and are on the front-lines dealing with a number of human rights issues, and contribute to protecting and promoting the rights of all local inhabitants. Cities work on issues such as equality and non-discrimination, access to education and health, integration, and services for groups in vulnerable situations (e.g. victim support services, child protection, or shelters for homeless persons). Cities can also play a fundamental role as centres of innovation and progress in society.

Urbanisation is a growing phenomenon in Europe, as 70% of Europeans live in towns and cities. In this context, some cities worldwide, and notably in Europe, have committed to becoming Human Rights Cities, inspired by the People's Movement for Human Rights Learning (PDHRE). These initiatives build also on the World Human Rights Cities Forum, which was established as a result of the 1993 World Human Rights Conference in Vienna.

In a Human Rights City, human rights serve as:
> guiding principles for as many public and private institutions as possible;

> a basis for decision-making in cities;
> a directional indicator for institutional measures;
> a key topic in education and training.

The EU Agency for Fundamental Rights has highlighted for many years the importance of involving cities in the promotion and protection of fundamental rights in a joined-up approach between different levels of governance. FRA has also consciously increased data collected from cities, in the areas of migration, disability or Roma inclusion. This helps the Agency to understand better what works well or less well on the ground. "Cities are the drivers for delivering human rights," as Michael O'Flaherty, FRA Director, stated at the Conference "Vienna+25".

The Human Rights Cities' initiative can provide a pragmatic and comprehensive approach to establishing a sustainable culture of human rights locally.

Vienna - A City of Human Rights

Prior to becoming a Human Rights City, Vienna had already created policies and measures building upon human rights principles such as non-discrimination and equal opportunities, political participation, transparency and accountability. Achieving these goals required clearly defined strategies and a legal framework. In December 2014, the City Council adopted the declaration "Vienna – City of Human Rights" enabling a human rights-

based approach across all municipal offices and services in the city. With years of experience in migration, integration and diversity management, Vienna is determined to advance a cross-cutting approach of human rights through delivering additional inclusion measures.

The establishment of the Human Rights Office in 2015 was an important step in this process. The Office works together with political and governmental entities, as well as non-governmental organisations and civil society on local, national, European and international levels to implement the City Council's declaration and to foster a culture of human rights in Vienna.

The Policy lab on Human Rights Cities

The EU Agency for Fundamental Rights and the City of Vienna jointly organised a Policy lab with a group of Human Rights Cities practitioners and experts to explore different pathways for cities to become a Human Rights City. It also explored ideas on how to strengthen human rights cities' initiatives across Europe.

Lessons learned during the lab

There are diverse approaches to Human Rights Cities across Europe and globally, but most of them share some common elements:
> Human Rights Cities build upon a formal declaration to respect, protect and promote human rights in the city.
> They support and reinforce the engage-

ment and participation of the population and its representatives, the civil society and other grassroots organisations, in local policies.
> They aim at concrete improvements in the well-being and quality of life of the local population.
> Human Rights Cities' initiatives adapt to the reality and specificities of each city. This means tailoring the human rights initiatives to a city's socio-economic, historical or cultural contexts.

How to further promote Human Rights Cities in Europe

The initiative of Human Rights Cities could be strengthened in Europe by:
> Recognising the contribution of Human Rights Cities in protecting, promoting, implementing and guaranteeing human rights;
> Facilitating the exchange of promising practices and know-how between cities;
> Helping cities to systematically promote human rights standards and develop simple accountability mechanisms.

How to become a Human Rights City – Key steps

The process of becoming a Human Rights City can be initiated in a number of ways: by the political leadership in the city, from a bottom-up approach, or even jointly between the political and administrative levels together with civil society and local grassroots organisations.

The following key steps in this process were identified:

> Mapping stakeholders that should be involved in the process
> Engaging in dialogue with stakeholders and the general population to identify the main issues and interests in the city
> Proclaiming the city's commitment to human rights
> Defining a strategy or action plan
> Implementing the strategy or action plan
> Gathering feedback on the implementation and outcomes.

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Useful information for Human Rights Cities

> Vienna Human Rights Office ("Menschenrechtsbüro der Stadt Wien") *www.menschenrechtsstadt-wien.at*
> Human Rights Cities and Regions: Swedish and International Perspectives, Raoul Wallenberg Institute and the Swedish Association of Local Authorities and Regions, *http://rwi.lu.se/app/uploads/2017/03/Human-Rights-Cities-web.pdf.*
> The Rise of Human Rights Cities, Barbara Oomen, Barbara, Martha Davis, Michele Grigolo, (eds.) (2016) Global Urban Justice. Cambridge University Press
> People's Movement for Human Rights Learning (PDHRE), *www.pdhre.org.*
> Gwangju Declaration on Human Rights City, 2011 World Human Rights Cities Forum, "Globalizing Human Rights from Below: Challenge of Human Rights Cities in the 21st Century", *www.whrcf.org/file_Download/world_world02_eng.pdf.*