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Filling the Gaps in the Revised Draft of the Pact for the Future

Civil Society Briefing Note

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The Pact for the Future offers an opportunity to bridge global divisions that are crippling the international response to the grave threats the world is facing, including climate change, vast economic inequalities, and devastating wars.

We welcome several improvements in the revised draft, including action items that were absent or weaker in the Zero Draft committing to:

- Strengthen the human rights pillar of the UN system.
- Recognise the interrelatedness of the triple planetary crisis, including climate change, biodiversity loss and pollution.
- Strengthen the UN Environment Assembly.
- Increase access to clean and renewable energy.
- Address the issue of climate finance, including the need for climate finance to be new and additional, grant-based, highly concessional and consistent with the principle of common but differentiated responsibilities to tackle deep inequalities between developed and developing countries.
- Establish an independent high-level expert group to develop recommendations for moving beyond GDP.
- “Explore options” to tax high-net-worth individuals.
- Establish “universal, adequate, comprehensive and sustainable social protection systems”.
- Align the multilateral trading system with achieving the SDGs.
- Fundamentally transform our food systems so everyone can access safe, affordable and nutritious food.
- Recognise gender equality for achieving the goals of the Pact.

However, the revised draft also includes some areas where language was weakened, or gaps were left unaddressed. We therefore **urge the following changes**, with our suggestions for edits to the revised draft included in the boxes below. Bolded language is new language that should be added, while language with a line through should be deleted.

1. The text risks reinforcing the divide between civil and political rights and economic, social, and cultural (ESC) rights by applying a human rights framing to issues related to civil and political rights, while failing to do so on issues related to socioeconomic well-being. The chapeau, which has been left out of the revised draft, should **reaffirm a commitment to all human rights**, including addressing global structural impediments to the full realisation of economic, social, and cultural rights, the right to self-determination, the right to development and the right to a clean, healthy, and sustainable environment, as the foundations for achieving sustainable development and a thriving planet. This language should replace the sentence in paragraph 2 of the current draft, which appears to make human rights dependent on sustainable development and a thriving planet. In other paragraphs regarding sustainable development, language must be aligned with the state's obligation under international law to realise economic, social and cultural rights.

Chapeau:

Human rights are at the core of all efforts to eradicate poverty and inequality and combat the multiple and intersecting environmental crises. We recognise that unfair and illicit environmental and climate actions can result in human rights abuses, and therefore must be prevented and combatted.

Accordingly, sustainable development should not only aim to leave no one behind, but also to actively care for and sustain all kinds of life on a thriving planet. We acknowledge that human rights are not possible without a healthy planet, as much as a healthy planet is not possible without human rights.

2. We will not accept a future in which dignity and opportunity are denied to half the world's population or become the sole preserve of those with privilege and wealth. We cannot guarantee the human rights of all without sustainable development and a thriving planet. **Neither without addressing the global structural impediments, rooted in economic and political power asymmetries, which prevent the full realisation of economic, social, and cultural rights, the right to self-determination, the right to development, and the right to a clean, healthy, and sustainable environment.**

4. (d) Create a more enabling global environment **for states** to increase the mobilisation of domestic resources for sustainable development; **and the full realisation of all human rights**, and enhance the capacities, institutions and systems of developing countries at all levels to achieve this goal.

6. We express our deep ~~concern~~ **at responsibility and commitment in overcoming the** persistent inequalities within and between countries ~~and~~ **at in the face of** the slow pace of progress towards ensuring **all economic, social and cultural rights, including universal access to social protection, quality inclusive public** education and lifelong learning,

universal health coverage, and decent work for all; We also stress the importance of ensuring clean water and sanitation for people everywhere, and universal access to energy services. We must meet the Sustainable Development Goals for all countries and peoples and for all segments of society and leave no one behind, including children, persons with disabilities, older persons, Indigenous Peoples and other vulnerable groups, especially those facing multiple and intersecting forms of discrimination. We agree to:

6. (a) Increase investment in socio-economic development from all sources in the implementation of economic, social, and cultural rights, including by securing the delivery of public services, with a particular focus on reaching all women and girls; including and empowering the most marginalised.

12. (a - new) Recognise environmental rights and the right to a clean, healthy and sustainable environment, undertaking all the necessary steps to enshrine and enforce them in our domestic legislation.

2. We appreciate the focus on increasing SDG financing and two references to the **right to development**. However, it should be made clearer that achieving this right should be fulfilled through a **decolonized** approach based on a more equitable distribution of resources between countries rather than predominantly through increased assistance. To that end, paragraph 7 should be edited to explicitly call for aligning economies and international financial architecture with human rights, including to prevent the climate crisis from worsening existing inequalities. Deleted language from the Zero Draft calling on international financial institutions to conduct impact assessments throughout their operations and create incentives for achieving the sustainable development goals should be restored and strengthened to include alignment with human rights and internationally recommended social spending benchmarks, potentially under Action 46.

7(b) Ensure that **economies and the international financial architecture are aligned with** all human rights ~~are at the centre of our efforts~~ in order to eradicate poverty, combat inequalities, leave no one behind and implement the 2030 Agenda.

Alternative language:

Support the reform of global financial architecture to include the development of frameworks such as the call for a human rights economy to enable the full realisation of all human rights, and guide our efforts ~~Ensure that all human rights are at the centre of our efforts~~ to eradicate poverty, combat inequalities, leave no one behind, and implement the 2030 Agenda, and effectively and fairly support all countries in responding to the climate crisis.

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Action 46. *We will reform the international financial architecture so that it aligns with human rights*, shields countries equitably during systemic shocks, enabling them to effectively and fairly respond to the climate crisis, and makes the financial system more stable.

57(e) We call upon the banks to develop conduct and publish impact reporting on human rights and the Sustainable Development Goals throughout their operations, disaggregating impacts on women and economically marginalised groups, and to build internal incentives tied to maximising achievement of both.

(f) We call upon international financial institutions to incorporate human rights standards, including internationally recommended benchmarks on social spending, across their operations.

3. Regarding **climate change and environmental breakdown**, Rev. 1 removed the references to fossil fuels included in the zero draft, which did not explicitly highlight the importance of a **just transition**. Therefore, language committing to the “transition away from fossil fuels in energy systems, in a just, orderly and equitable manner, accelerating action in this critical decade, so as to achieve net zero by 2050 in keeping with the science” should be restored and strengthened, and there must be clear recognition throughout the draft of the need for a just transition. Language on the Loss and Damage Fund was also removed from the Zero Draft and should be restored. Finally, the text should ensure that the deployment of energy technologies respect human rights obligations.

6. (f – new) Ensure just transitions that promote sustainable development and eradication of poverty, and the realisation of all human rights, including the creation of decent work and quality jobs, by making financial flows consistent with a pathway towards low greenhouse gas emission and climate-resilient development, the deployment and transfer of technology, and the provision of support to developing countries, among other measures.

11. (d) Accelerate deployment and development of clean and renewable energy technologies in line with the agreed commitment to triple renewable energy capacities and double energy efficiency by 2030. These efforts must be implemented equitably between countries, within countries, and among affected communities, while meeting human rights obligations.

11. (i) Operationalise the funding arrangements, including the Loss and Damage Fund, for averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events, and the pledges of USD 792 million to the Fund. We will seek financial contributions with developed country Parties continuing to take the lead to provide financial resources for commencing the operationalisation of the Fund.

11. (j) We recognize the need for deep, rapid and sustained reductions in greenhouse gas emissions in line with 1.5° C pathways and call on Parties to contribute to the global effort including through accelerating the phase out from fossil fuels in energy systems, in a just, orderly and equitable manner, ensuring action in this critical decade, so as to achieve net zero by 2050 in keeping with the science.

11. (k) We commit to setting an ambitious deadline for eliminating fossil fuel subsidies, helping achieve transformation while supporting a sustainable, inclusive and equitable pathway to economic growth. As part of the environmentally and socially just transition, we recognize the importance of local communities'

production and access to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems in accordance with UNDROP art.15.4.

4. **Debt** is crippling governments' ability to meet their human rights obligations, achieve the SDGs, and respond to the climate crisis. We appreciate that the Pact calls on the Secretary General to conduct a review of sovereign debt architecture, but the revised draft replaces the "comprehensive" review of zero draft with an "independent" review "in collaboration with the IMF."

56(b) Request the Secretary-General, ~~in collaboration with the IMF~~, to initiate an independent **and comprehensive** review of the sovereign debt architecture, building on the Global Sovereign Debt Roundtable, with a view to making concrete recommendations for reform to the Fourth International Conference on Financing for Development in 2025.

5. The drafting process of the Pact is taking place in parallel with a historic opportunity to transform **international tax cooperation** to remediate profound inequalities between countries and greatly expand revenues available to governments for realising human rights, achieving the SDGs, and confronting the climate crisis. We welcome improved language in the revised draft with respect to the UN Tax Convention but believe it can be further strengthened. The support to this process needs to be accompanied by language that supports progressive taxation, including adequate taxation of private corporations.

4 (f) **We will actively participate in the negotiation of a United Nations Convention on International Tax Cooperation (UNFCITC) to strengthen the inclusiveness and effectiveness of tax cooperation amongst Member States and engage constructively in negotiations to finalize a United Nations Framework Convention on International Tax Cooperation.**

4(h) Support developing countries to catalyze increased ~~private sector~~ investment in sustainable development, including by accelerating reforms of the multilateral development banks and development finance institutions ~~and by creating a more enabling domestic regulatory and investment environment~~. Ensure that, when private sector participation in sustainable development policies is permitted, it complies with human rights standards, including the UN Guiding Principles on Business and Human Rights and that it is taxed adequately to avoid reducing States' fiscal space by way of profit shifting or taxing exemptions.

6. Inadequate regulation of the **private sector**, as well as the privatisation of public services, has contributed to the climate and inequality crises. Language in paragraph 4(h) that encourages "creating a more enabling domestic regulatory and investment environment" to attract private investment in sustainable development risks exacerbating rather than addressing

these crises and should be removed. Rather, a new action point should be added to improve workers' living conditions, and the influence of business interests over the Pact drafting process should be carefully circumscribed. Language should be included throughout the text to defend the importance of the provision of public services, and to make sure that any participation by the private sector should be regulated to comply with human rights standards. The text should avoid wording that could suggest incentives to the private sector, such as tax exemptions, since the race to the bottom on the taxation of corporations has historically reduced states' fiscal space to implement public policies and protect human rights.

4(h) Support developing countries to catalyze increased ~~private sector~~ investment in sustainable development, including by accelerating reforms of the multilateral development banks and development finance institutions ~~and by creating a more enabling domestic regulatory and investment environment~~. Ensure that, when private sector participation in sustainable development policies is permitted, it complies with human rights standards, including the Business and Human Rights framework and is taxed adequately to avoid reducing States' fiscal space by way of profit shifting or taxing exemptions.

Enhance and extend collective labour agreements that improve workers' living conditions. Progressive abolition of precarious and informal forms of employment imposed without the consent of employees, with fixed terms chained or indexed to unilaterally imposed performance criteria, and which do not respect all the provisions of social and economic rights, in accordance with UN and ILO standards.

6. “(...) universal access to social protection, quality inclusive **public** education and lifelong learning, universal health coverage...”

29 (b) Ensure that critical infrastructure supporting the delivery of ~~essential~~ public services and required for the functioning of society is never intentionally damaged or impaired by malicious information and communications technology activity, from both State and non-State actors.

31. At the same time, we must responsibly manage the risks of science and technology, in particular the ways in which science, technology and innovation can perpetuate and deepen divides and patterns of discrimination and inequality within and between countries and threaten human rights. ~~We will deepen our partnerships with relevant stakeholders, especially the international financial institutions, the private sector and academia, and~~ We will ensure science, technology and innovation is a catalyst for a more sustainable, secure and prosperous world.

34. g) **Guarantee that any private sector investment in science, technology and innovation, is strictly regulated and aligned with human-rights and ethical considerations and deepen public-private partnerships by fostering a conducive environment in developing countries that encourages investment and entrepreneurship and by ensuring that innovation can reach global markets.**

40. Too many children and young people continue to live in extreme poverty, without access to ~~critical~~ **public** services.

42. We stress the importance of investing in ~~essential social~~ **public** services for young people, especially health, education and social protection. To fulfil their full potential and secure decent work and quality employment, young people must have access to education opportunities throughout their lives that equip them with the knowledge, skills and values they need to thrive in a rapidly changing world. We agree to:

42. (a) Scale up **public** investment in ~~critical social~~ **public** services for young people and ensure that their specific needs are reflected in national and international development strategies.

42. (b) Accelerate efforts to ensure young people enjoy the highest attainable standard of physical and mental health, access to universal health coverage, including sexual and reproductive health. **If non-State actors are involved in healthcare financing, provision or governance, these efforts will retain the oversight on the healthcare system's availability, accessibility, acceptability and quality for all.**

42. (c) Build **public** education systems and life-long learning societies that are tailored to the needs of young people today and in the future ~~by enhancing curricula, harnessing improving access to~~ digital technologies and ~~improving aeeess educational opportunities, including~~ technical and vocational training, for the digital and green transitions.

42. (c bis) Fulfil the aims and objectives of education as guaranteed by international human rights law, including the full development of the human personality and the sense of its dignity, the respect for all human rights and fundamental freedoms, as well as enabling young individuals to effectively participate in society, to be tolerant, to live together, and to have the capacity and critical thinking to elaborate and realise their own or collective life plan in an autonomous way.

(d) Support developing countries to significantly increase **public** investment in education, especially early childhood education, including by ensuring policy coherence among international actors, protecting education budgets in times of shocks and debt distress, and exploring innovative financing opportunities.

62. c) Leverage the private sector's unique role and contribution to addressing global challenges and Strengthen their accountability of private sector actors involved in towards the implementation of the agreed frameworks of the United Nations.

7. **The right to education** is fundamental to sustainable development and a better future, yet language in the Zero Draft ensuring a universal education was removed. Thus, paragraph 42(c) should be revised to read "Ensure universal, quality, and inclusive education for all children and build life-long learning societies". Furthermore, language should be included to increase investment in education, at the same time youth should be recognized as a distinctive group from future generations.

37) (a) Address persistent barriers to equal and meaningful access to and participation and leadership in science, technology and innovation for all women and girls, and other marginalised genders, including through improving **quality and inclusive public** educational opportunities for women and girls in these fields.

42. We stress the importance of investing in ~~essential social~~ **public** services for young people, especially health, education and social protection. To fulfil their full potential and secure decent work and quality employment, young people must have access to education opportunities throughout their lives that equip them with the knowledge, skills and values they need to thrive in a rapidly changing world. We agree to:

(a) Scale up **public** investment in ~~critical social~~ **public** services for young people and ensure that their specific needs are reflected in national and international development strategies.

(b) Accelerate efforts to ensure young people enjoy the highest attainable standard of physical and mental health, access to universal health coverage, including sexual and reproductive health. **If non-State actors are involved in healthcare financing, provision, and governance, these efforts will retain the oversight on the healthcare system's availability, accessibility, acceptability and quality for all.**

42 (c) Ensure universal, free, quality, public and inclusive education for all children and build education systems and life-long learning societies that are tailored to the needs of young people today and in the future. **This objective should be accomplished by expanding the mobilisation of sustainable and reliable public resources for the education sector to improve the working conditions of education professionals by improving access to digital technologies and improving access educational opportunities, including technical and vocational training, for the digital and green transitions.**

42. (c bis) Fulfill the aims and objectives of education as guaranteed by international human rights law, including the full development of the human personality and the sense of its dignity, the respect for all human rights and fundamental freedoms, as well as enabling young individuals to effectively participate in society, to be tolerant, to live together, and to have the capacity and critical thinking to elaborate and realise their own or collective life plan in an autonomous way.

42. (d) Support developing countries to significantly increase **public** investment in education, especially early childhood education, including by ensuring policy coherence among international actors, protecting education budgets in times of shocks and debt distress, and exploring innovative financing opportunities.

8. The revised draft includes an action item on promoting **gender equality** that was missing from the Zero Draft, but this should be mainstreamed throughout the Pact. Moreover, rather than the current focus on women's empowerment, which puts the onus of achieving equality on women, the focus should be on removing the structural barriers to gender equality, including to all marginalised genders, by adopting the 5R framework to recognize, reduce, and redistribute unpaid care work, and reward and represent paid care work, among other measures.

8. (c) Significantly increase investments to close the gender gap, acknowledging that poverty exacerbates gender inequalities, ~~including in the care economy~~.

8. (d - new) Recognize, reduce, and redistribute unpaid care work, and reward and

represent paid care work by promoting decent work for care workers and guaranteeing their representation, social dialogue, and collective bargaining.

Signatories:

1. ActionAid International
2. Africa Network Campaign on Education For All (ANCEFA)
3. Aid Organization
4. Arab NGO Network for Development
5. Asociación de mujeres con discapacidad y sus familias Colectiva Mariposa 88 HN
6. Asociación Latinoamericana de Comunicación y Educación Popular (ALER)
7. Association des Personnes Vulnérables du Burundi
8. Brazilian Campaign for the Right to Education
9. CADE
10. Campaña Latinoamericana por el Derecho a la Educación (CLADE)
11. Center for Economic and Social Rights (CESR)
12. Centro de Investigación y Promoción de los Derechos Humanos (CIPRODEH)
13. CETIM-Europe Third World Center
14. Coalición Panameña por el Derecho a la Educación
15. Colectivo de Educación para todas y todos de Guatemala
16. Colegio de Pedagogos de Honduras(COLPEDAGOGOSH)
17. Daayyaa Generation Network (DGN)
18. Fe y Alegría
19. Federación Nacional de Madres, Padres y Familias de Personas con discapacidad en Honduras
20. Fenapapedish
21. Foro Dakar Honduras
22. Free Trade Union Development Center
23. Fundación SES
24. Global Campaign for Education

25. Global Initiative for Economic, Social and Cultural Rights (GI-ESCR)
26. Green Economy Coalition (GEC)
27. Human Rights Watch
28. Mumbo International
29. RedAlma Educativa
30. Rede Sem Fronteiras
31. Regroupement Education Pour Toutes et Tous (REPT)
32. SHAPE CBO
33. Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI)
Uganda
34. Tax Justice Network
35. Twaweza Community Development Agenda
36. Youths Enterprise Development and Innovation Society (YEDIS)
37. World Organization for Early Childhood Education (OMEP)