

Entrenching a Human Rights Based Approach to Sustainable Development

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Abstract

This paper discusses a Human Rights Based Approach (HRBA) to sustainability as envisaged under the Sustainable Development agenda, and the related topics. The right to development, human rights, and sound governance are all parts of sustainable development, sometimes referred to as sustainable human development. To achieve sustainable human development, emphasis is put on both material and intangible components of development, such as participation and rights. People who are oppressed and living in multifaceted poverty who are most marginalised and discriminated against are those that development cooperation is most focused on helping. The plan identifies the persons and institutions in responsibility of protecting, supporting, and enforcing those human rights with the intention of enabling those who are oppressed and living in poverty to take action to change their situation.

This is due to the fact that a Human Rights-Based Approach always includes the following provisions: empowerment of women, men, girls, boys, and non-binary people living in poverty and oppression — the rights holders — with, for example, optimism, self-confidence, expertise, abilities, resources, networks, communication channels, and access to justice to enable them to assert their rights both individually and collectively; and capacity development of those with obligations to respect, protect, and uphold the rights of others.

The author advocates for entrenchment of the Human Rights Based Approach in all efforts geared towards achieving sustainable development.

1. Introduction

Article 25 (1) of the *Universal Declaration on Human Rights*¹ states that ‘everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control’.

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¹ UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III).

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Principle 1 of the *1992 Rio Declaration on the Environment and Development*² states that “Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature”.

When referred to as sustainable human development, Sustainable Development is also associated with the right to development, human rights, and good governance. Focus is placed on both tangible and immaterial aspects of human development, such as participation and rights, in order to achieve sustainable human development. Moreover, it aspires to a variety of objectives, including the eradication of poverty, the advancement of human rights, the promotion of equal opportunities, the preservation of the environment, and the evaluation of the effects of development efforts.³ Kenya’s Vision 2030 adopts sustainable human development as it seeks to address the economic, social and political pillars. It thus fosters both material factors and non-material factors.⁴ Sustainable human development is, therefore, inextricably linked to people’s livelihoods, and is thus requisite in moving towards environmental justice.

This paper discusses the place of a Human Rights Based Approach to sustainability as envisaged under the Sustainable Development agenda, and the related topics.

2. Human Rights Based Approach to Sustainable Development

Since 1945, when the United Nations Charter was adopted, human rights have been a keystone of the organization's activities.⁵ The Universal Declaration of Human Rights, issued by the UN General Assembly in 1948, states that the equal and inalienable rights of every human being serve as the cornerstone for freedom, justice, and peace in the world.⁶

² UN General Assembly, *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992. Volume 1, Resolutions adopted by the Conference: corrigendum*, A/CONF.151/26/Rev.1(Vol.I)/Corr.1.

³ See generally Amartya S., *Development as Freedom* (Anchor Books, New York, 1999), pp.35-53; See also UNDP, Human Development Report 2011, *The Real Wealth of Nations: Pathways to Human Development*, (Palgrave Macmillan Houndmills, Basingtoke, Hampshire, 2011), p. (i)-12. This report defines sustainable human development as the expansion of the substantive freedoms of people today while making reasonable efforts to avoid seriously compromising those of future generations.

⁴ Kenya Vision 2030, Government of Kenya, 2007.

⁵ ‘UNSDG | Human Rights-Based Approach’

<<https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>, <https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>> accessed 19 April 2023.

⁶ ‘The Human Rights-Based Approach’ (*United Nations Population Fund*)

<<https://www.unfpa.org/human-rights-based-approach>> accessed 19 April 2023.

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Since the United Nations Environmental Agency suggested a new rights-based agenda for sustainable development in the report "Transforming Our World: The 2030 Agenda for Sustainable Development," (UN, 2015), a rights-based approach to environmental concerns has gained support.⁷

A conceptual framework for the process of human development, the Human Rights-Based Approach (HRBA) is operationally focused on advancing and defending human rights while normatively basing itself on international human rights norms. It aims to address unfair power dynamics and discriminatory behaviours that inhibit development and frequently leave some groups of people behind. These issues are at the core of development issues, and it strives to analyse and address them.⁸ The human rights-based strategy puts the spotlight on those who are the most disadvantaged, excluded, or subjected to discrimination. In order to make sure that interventions reach the most vulnerable sections of the community, it is frequently necessary to analyse gender norms, various types of discrimination, and power disparities.⁹

According to the HRBA, all civil, cultural, economic, political, and social rights as well as the right to development are based in a system of rights and associated duties created by international law. The HRBA mandates that the United Nations development cooperation adhere to the human rights principles of universality, indivisibility, equality, and non-discrimination, participation, and accountability, and place special emphasis on building the capacities of both "duty-bearers" to fulfil their duties and "rights-holders" to assert their rights.¹⁰ A rights-based strategy helps duty-bearers become more capable of carrying out their responsibilities and motivates right holders to exercise their rights. Governments are required to respect, safeguard, and uphold all rights on three different levels. Respecting a right entails not interfering with how that right is used. To defend a right is to stop other parties from obstructing it from being exercised. In order to ensure that

⁷ Choondassery Y, 'Rights-Based Approach: The Hub of Sustainable Development' (2017) 8 *Discourse and Communication for Sustainable Education* 17.

⁸ 'UNSDG | Human Rights-Based Approach' <<https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>> accessed 19 April 2023.

⁹ 'The Human Rights-Based Approach' (*United Nations Population Fund*) <<https://www.unfpa.org/human-rights-based-approach>> accessed 19 April 2023.

¹⁰ 'UNSDG | Human Rights-Based Approach' <<https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>, <https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>> accessed 19 April 2023.

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individuals may exercise their rights, laws, regulations, institutions, and procedures must be put in place. This includes allocating resources.¹¹

The Human Rights system and the SDGs complement each other in that the former ensures the binding stamp and, most importantly, monitoring and accountability mechanisms, while the latter also integrates "people, planet, prosperity, peace, and partnership" for the achievement of sustainable development.¹² Several of the SDGs' aims are changed from a goal or aspiration into immediate rights when examined through the prisms of current human rights legislation. In this regard, the implementation of the SDGs can be much more successful if it is influenced by a human rights-approach and takes into account the findings and suggestions of international and regional treaty-based bodies as well as National Human Rights Institutions (NHRIs).¹³

In fact, local, regional, and international human rights organisations can be used to ensure that national policies and programmes for the implementation, monitoring, and reporting of the SDGs are based on a human rights-based approach. The various human rights mechanisms can provide useful and occasionally disaggregated data to feed decision-making and reporting processes, and the institutions overseeing human rights processes can be a useful bridge between governments and various vulnerable groups.¹⁴

HRBA in development seeks to achieve outcomes that are relevant to human rights standards, such as the right to adequate housing, through the adoption of procedures that uphold the human rights principles of equality and non-discrimination, inclusion and participation, accountability, and the rule of law.¹⁵ Indigenous peoples and local communities' ways of life and territorial boundaries are important components of the solution to our global crises, and they must be recognised and supported throughout the framework, including through the recognition of rights over lands, territories, and resources, in area-based policies, in customary sustainable use, in traditional knowledge, and in fully and effectively participating in decision-making processes.¹⁶

¹¹ 'The Human Rights-Based Approach' (*United Nations Population Fund*) <<https://www.unfpa.org/human-rights-based-approach>> accessed 19 April 2023.

¹² 'Intersessional Meeting on Human Rights and the 2030 Agenda (16 January 2019)' (*OHCHR*) <<https://www.ohchr.org/en/hr-bodies/hrc/intersessional-meeting2030-agenda>> accessed 19 April 2023.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ 'A Rights-Based Approach to Urban Development - Urban Jonsson, the Owls | UN-Habitat' <<https://unhabitat.org/a-rights-based-approach-to-urban-development-urban-jonsson-the-owls>> accessed 19 April 2023.

¹⁶ 'Implementing a Human Rights-Based Approach to Biodiversity Conservation - Paper 3 | FPP' <<https://www.forestpeoples.org/en/report/2022/implementing-human-rights-BA>> accessed 19 April 2023.

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In the *Case Concerning the Gabčíkovo-Nagymoros Project*,¹⁷ ICJ Judge Warramantry rightly opined that Sustainable Development reaffirms the need for both development and environmental protection, and that neither can be neglected at the expense of the other. He considered sustainable development to be a ‘*principle with normative value*’ demanding a balance between development and environmental protection, and as a principle of reconciliation in the context of conflicting human rights, that is the *human right to development* and the *human right to protection of the environment*. Sustainable Development reconciles these rights by ensuring that the right to development tolerates the ‘*reasonable demands of environmental protection*.’¹⁸

3. Place of Law in Achieving Human Rights and Sustainability

The relationship between law and governance has been conceptualised by certain scholars in broad terms. Law and governance have been successfully connected, according to some, as hereunder:

Constitutions provide the framework for the legal and political institutions through which government takes place. They provide- legal ‘power-maps’ for how power will be held and exercised; a legal framework for accountability, often enforceable by apex courts; a legalized text which embodies the underlying political settlement or elite-level pact from which any political community flows; rights and safeguards for individuals from abuses of power by political actors and institutions; Public institutions of governance are themselves also creatures of law, operating according to law and sometimes even having secondary law-making functions; Good governance depends on a legal platform of both criminal law and civil law, to create the environment – here law’s key role is to provide background norms that enable horizontal interactions; International law increasingly impacts on, and increasingly even regulates governance at the state level. This regulation is diverse and multifarious, including- International legal regulation of political change processes (including peace settlements, coup d’état, or other forms of regime change), which attempts to ensure only ‘democratic’ regime change; International legal requirements for human rights to be protected at the domestic level; Human rights directly impact on the internal governance arrangements of states; International legal requirements for ‘inclusion’ both in change processes and in the terms of the new political settlement itself; A range of diverse international bodies shape domestic governance in what have been termed ‘transnational global administrative spaces’ which impact on domestic governance¹⁹.

¹⁷ The Gabčíkovo–Nagymaros Project relates to a large damming project on the Danube River. This river is classified as an international waterway as it passes through or touches the borders of ten European countries before emptying into the Black Sea. The Project was specific to the part of the river passing through Hungary and Slovakia. It was initiated by the Budapest Treaty of 1977 between Slovakia and Hungary and aimed at preventing floods, improving river navigability and producing clean electricity for the two countries. Only a part of the project was completed in Slovakia, under the name Gabčíkovo Dam. Hungary suspended the Project in its territory and then later tried to terminate it citing environmental and economic concerns. Slovakia then proceeded with an alternative solution, called "Variant C", which involved diverting the river. These developments caused an international dispute between the two countries and they turned to the International Court of Justice for redress.

¹⁸ *Hungary v Slovakia*, 1997 WL 1168556 (I.C.J-1997).

¹⁹ Bell, C., “Governance and Law: The Distinctive Context of Transitions from Conflict and its Consequences for Development Interventions,” Briefing Paper 4, (The Political Settlements Programme Consortium, 2015), pp.1-2.

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Article 10 of the Constitution of Kenya outlines the national values and principles of governance that inform application or interpretation of the Constitution, enacting, application or interpretation of any legislation, or making or execution of public policy.²⁰ The law thus has a significant impact on governance issues since it not only establishes the necessary governance structures but also specifies how they should operate.

The nexus between sustainable development and the right to clean and healthy environment, as well as the place of the polluter pays principle in enhancing this connection, was captured in the case of *John Muthui & 19 others v County Government of Kitui & 7 others [2020] eKLR*²¹ in the following excerpt:

83. Indeed, Section 18 of the Environment and Land Court Act and Section 3(5) of the Environmental Management and Co-ordination Act provides that this court should be guided by the principle of *intergenerational* equity while resolving environmental disputes. Section 2 of the Environmental Management and Co-ordination Act defines *intergenerational* equity as follows:

“intergenerational equity” means that the present generation should ensure that in exercising its rights to beneficial use of the environment the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.”

84. The quality of life for the future generation depends on our decisions today. The need for change in human development for them to lead happy lives has been debated for decades. The sustainability discourse started in the 1970s, and the 1992 UN Conference on the Environment and Development recognized intergenerational equity as central for policymaking that safeguards the future - this principle is now found in the constitutions of many countries, including Kenya.

85. Indeed, the World Commission on Environment and Development noted as follows: *“We borrow environmental capital from future generations with no intention or prospect of repaying.... We act as we do because we can get away with it: future generations do not vote; they have no political or financial power; they cannot challenge our decisions.”*

86. Some countries, most notably Israel and Hungary, have created their own guardian or commissioner for future generations, independent voices for the long term that act as temporal checks and balances. Based on the human right to a healthy environment (*Hungary*) and on a basic law concerning sustainable development (*Israel*), the Commissioners in each country have

Available at http://www.politicalsettlements.org/wp-content/uploads/2017/09/2015_BP_4_Bell_Governance-and-Law.pdf [Accessed on 6/1/2023].

²⁰ Art. 10(1), Constitution of Kenya 2010.

²¹ *John Muthui & 19 others v County Government of Kitui & 7 others [2020] eKLR*, ELC. Petition No. E06 of 2020.

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unrestrained access to the information behind policymaking; respond to citizens' concerns; and publicly expose the long-term implications of current decisions.

105. The right to a clean and healthy environment is bestowed on every person, and has been considered by the courts and eminent authors to be essential for the existence of mankind. In *Adrian Kamotho Njenga vs. Council of Governors & 3 others [2020] eKLR*, it was held that:

“18. Article 42 of the Constitution guarantees every person the right to a clean and healthy environment and to have the environment protected for the benefit of present and future generations through the measures prescribed by Article 69. The right extends to having the obligations relating to the environment under Article 70 fulfilled.

19. Unlike the other rights in the bill of rights which are guaranteed for enjoyment by individuals during their lifetime, the right to a clean and healthy environment is an entitlement of present and future generations and is to be enjoyed by every person with the obligation to conserve and protect the environment. The right has three components; the right itself, the right to have unrestricted access to the courts to seek redress where a person alleges the right to a clean and healthy environment has been infringed or is threatened; and the right to have the court make any order or give any directions it considers appropriate to either prevent or discontinue the act harmful to the environment, or compel any public officer to take measures to prevent or discontinue the act that is harmful to the environment or award compensation to any victim of a violation of the right to a clean and healthy environment.”

107. This position was elaborately considered in the case of *Martin Osano Rabera & Another vs. Municipal Council of Nakuru & 2 others [2018] eKLR* where the court adopted the decision in *Communication No.155/96: The Social and Economic Rights Action Centre and the Centre for Economic and Social Rights vs. Nigeria* where the African Commission on Human and People's Rights stated as follows:

“These rights recognize the importance of a clean and safe environment that is closely linked to economic and social rights in so far as the environment affects the quality of life and safety of the individual. As has been rightly observed by Alexander Kiss, “an environment degraded by pollution and defaced by the destruction of all beauty and variety is as contrary to satisfactory living conditions and the development as the breakdown of the fundamental ecologic equilibria is harmful to physical and moral health.”

The right to general satisfactory environment, as guaranteed under article 24 of the Africa Charter or the right to healthy environment, as it is widely known therefore imposes clear obligations upon a government. It requires the State to take reasonable measures to prevent pollution and ecological degradation, to promote conservation, and to secure an ecologically sustainable development and use of natural resources.”

123. *Sustainable Development* is one of the national values and principles of governance in the Constitution that bind all State organs, State officers, public officers and all persons. In its report,

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Our Common Future, the Brundtland Commission defined Sustainable as *development that meets the needs of the present without compromising the ability of future generations to meet their own needs*'.

124. Under Section 2 of the Environmental and Management Co-ordination Act, sustainable development is defined as follows:

“sustainable development” means development that meets the needs of the present generation without compromising the ability of future generations to meet their needs by maintaining the carrying capacity of the supporting ecosystems.”

125. In the *Case Concerning the Gabčíkovo-Nagymaros Project*, (*Hungary v Slovakia*), 1997 WL 1168556 (ICJ), it was held as follows:

“Throughout the ages, mankind has, for economic and other reasons, constantly interfered with nature. In the past this was often done without consideration of the effects upon the environment. Owing to new scientific insights and to a growing awareness of the risks for mankind - for present and future generations - of pursuit of such interventions at an unconsidered and unabated pace, new norms and standards have been developed [and] set forth in a great number of instruments during the last two decades. Such new norms have to be taken into consideration, and such new standards given proper weight, not only when States contemplate new activities, but also when continuing with activities begun in the past. This need to reconcile economic development with protection of the environment is aptly expressed in the concept of sustainable development. For the purposes of the present case, this means that the Parties together should look afresh at the effects on the environment of the operation of the Gabčíkovo power plant. In particular, they must find a satisfactory solution for the volume of water to be released into the old bed of the Danube and into the side-arms on both sides of the river.”

126. Essentially, sustainable development seeks to address *intra-generational equity*, that is equity among the present generation and *inter-generation equity*, that is equity between generations. As opined in *Gabčíkovo* case (*supra*), sustainable development reaffirms the need for both development and environmental protection, and neither can be neglected at the expense of the other.

127. The four (4) recurring elements that comprise the concept of *'sustainable development'* is the need to preserve natural resources for the benefit of future generations (*the principle of intergenerational equity*); exploiting natural resources in a manner which is *'sustainable'*, *'prudent'*, *'rational'*, *'wise'* or *'appropriate'* (*the principle of sustainable use*); the *'equitable'* use of natural resources, and the need to ensure that environmental considerations are integrated into economic and other development plans, programmes and projects, (*the principle of integration*).

128. The principle of sustainable development seeks to limit environmental damage arising from anthropogenic activities and lessen the depletion of natural resources and pollution of the

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environment (See Cullet P., *Differential Treatment in International Environmental Law and its Contribution to the Evolution of International Law* (Aldershot: Ashgate, 2003) pp 8-9).

129. Sustainable development is a principle with a normative value, demanding a balance between development and environmental protection, and as a principle of reconciliation in the context of conflicting human rights, that is the right to development and the right to protecting the environment.

In the case of *Martin Osano Rabera & another v Municipal Council of Nakuru & 2 others* [2018] eKLR²², the Court stated as follows:

48. I have considered the petition, the evidence both in support and opposition to it and the submissions. That a clean and healthy environment is a fundamental prerequisite for life is not a matter that needs belabouring. It is for this reason that the drafters of the Constitution of Kenya, 2010 saw it fit to provide for the right to a clean and healthy environment at Article 42 within the Bill of Rights. Needless to state, Kenyans voted overwhelmingly in favour of the draft, thus giving their seal of approval to its provisions. Article 42 states as follows:

Every person has the right to a clean and healthy environment, which includes the right—

(a) to have the environment protected for the benefit of present and future generations through legislative and other measures, particularly those contemplated in Article 69; and

(b) to have obligations relating to the environment fulfilled under Article 70.

49. A duty to have the environment protected for the benefit of present and future generations is imposed on both the State and every person under Article 69 which among others requires the state to ensure sustainable exploitation, utilisation, management and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits; to establish systems of environmental impact assessment, environmental audit and monitoring of the environment and to eliminate processes and activities that are likely to endanger the environment. Under the same article, every person has a duty to cooperate with State organs and other persons to protect and conserve the environment and ensure ecologically sustainable development and use of natural resources. In short, the obligation to ensure a clean and healthy environment imposed on everybody – from the state to all persons be they natural, juridical, association or other group of persons whether incorporated or not.

50. So as to further safeguard environmental rights and to facilitate access to court for purposes of enforcing the right secured by Article 42, Article 70 of the constitution provides that if a person alleges that a right to a clean and healthy environment recognised and

²² *Martin Osano Rabera & another v Municipal Council of Nakuru & 2 others* [2018] eKLR, Petition No. 53 of 2012.

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protected under Article 42 has been, is being or is likely to be, denied, violated, infringed or threatened, the person may apply to court for redress in addition to any other legal remedies that are available in respect to the same matter and that he does not have to demonstrate that any person has incurred loss or suffered injury.

51. Provisions similar to those at Article 42 are found at Section 3 of the Environmental Management and Co-ordination Act, 1999 (EMCA). Under Section 3 (3) of EMCA, if a person alleges that the right to a clean and healthy environment has been, is being or is likely to be denied, violated, infringed or threatened, in relation to him, then without prejudice to any other action with respect to the same matter which is lawfully available, that person may on his behalf or on behalf of a group or class of persons, members of an association or in the public interest may apply to this court and this court may make such orders, among others, to prevent, stop or discontinue any act or omission deleterious to the environment; to compel the persons responsible for the environmental degradation to restore the degraded environment as far as practicable to its immediate condition prior to the damage; and to provide compensation for any victim of pollution and the cost of beneficial uses lost as a result of an act of pollution and other connected losses.

52. I have outlined all these provisions to underscore the importance placed by the constitution and statute law on protection of the right to a clean and healthy environment and conservation of the environment generally.

4. Conclusion

Although the concepts of a rights-based approach to development are consistent with the 2030 Agenda in some areas, more work has to be done in the implementation, monitoring, and assessment of the SDGs to guarantee that the full range of benefits offered by a rights-based approach may be realized.²³

According to the Swedish International Development Cooperation Agency, the following are key questions to ask when applying the HRBA: Participation: Do all relevant stakeholders engage actively, in a way which allows rights holders to contribute meaningfully and influence outcomes? Link to human rights obligations: How are relevant human rights standards and recommendations from international and regional human rights mechanisms identified and used in formulating objectives and to advance processes and outcomes? Accountability: Who are the duty bearers at different levels, and do they have sufficient capacity and interest to be accountable to rights holders? Are there mechanisms for participation and complaints in place for rights holders, civil

²³ de Man A, 'The Sustainable Development Goals and the Rights-Based Approach to Development: Compatible or Missing the Point?' (2019) 19 African Human Rights Law Journal 445.

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society and other stakeholders to hold the duty bearers to account? Non-discrimination and equality: Are rights holders and the root causes of the non-realisation of their human rights identified and taken into account, particularly those most subject to discrimination and marginalisation? Empowerment and capacity development: How does the intervention contribute to the empowerment of rights holders to claim their rights, as well as capacity development of duty bearers to uphold their responsibilities, and of other relevant stakeholders to contribute to positive outcomes? And finally, transparency: What measures are put in place to ensure that all stakeholders are able to access relevant information and knowledge regarding the intervention?

Respecting human rights and providing equal opportunity for everyone in society is a key component of sustainability. With an emphasis on reducing poverty, it necessitates an equal distribution of resources. There is a focus on local communities, including preserving and enhancing their life support systems, acknowledging and respecting other cultures, and averting all forms of exploitation. Hence, social outcomes comprise social capital, trust, increased equity, and raised living standards.²⁴

The human rights approach is at the core of the 2030 Agenda for Sustainable Development. In order for the world to continue to serve the requirements of the present and future generations, everyone has a responsibility to prevent it from degrading, especially via sustainable production and consumption, the management of its natural resources, and urgent action on climate change. Sustainable development must take into account the relationship between human rights and environmental protection. Sustainable development is contingent upon upholding peoples' rights to a secure environment where they can thrive.²⁵

The HRBA places the most marginalised and discriminated among those who are living in multidimensional poverty and oppression at the centre of development cooperation. The strategy identifies the individuals and institutions in charge of upholding, defending, and enforcing those human rights with the goal of empowering people who are oppressed and living in poverty to take action to escape their circumstances.²⁶ This is because the HRBA always includes the following

²⁴ Ibid, p. 3; Banik D, 'Legal Empowerment as a Conceptual and Operational Tool in Poverty Eradication' (2009) 1 Hague Journal on the Rule of Law 117.

²⁵ Choondassery Y, 'Rights-Based Approach: The Hub of Sustainable Development' (2017) 8 Discourse and Communication for Sustainable Education.

²⁶ Cybercom, 'Human Rights Based Approach' (*Sida*) <<https://www.sida.se/en/for-partners/methods-materials/human-rights-based-approach>> accessed 19 April 2023.

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provisions: empowerment of women, men, girls, boys, and non-binary people living in poverty and oppression — the rights holders — with, for instance, hope, assertiveness, knowledge, skills, tools, networks, communication channels, and access to justice to enable them to assert their rights both individually and collectively; and capacity development of those with obligations to respect, protect, promote, and fulfil human rights — the duty bearers — through, among other things, education.²⁷

Entrenching a Human Rights Approach to Sustainable Development is the way to go so as to secure human rights and environmental protection.

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²⁷ Ibid.

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