

Human Rights Budgeting

#YourBudgetYourRights

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**Human Rights
Budget Work:**
What, Why, How?

Human Rights Incorporation

“A New Era
For Human
Rights”
(SHRC 2021)

Scotland’s National Taskforce recommends human rights incorporation.

As we have seen with the [UNCRC \(Incorporation\) \(Scotland\) Bill](#)

Further, new legislation aims to ratify obligations to meet economic, social, and cultural rights.

Applying Human Rights Norms to Budgets

International Covenant on Economic, Social and Cultural Rights, Article 2(1)

“Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to **the maximum of its available resources**, with a view to **achieving progressively the full realisation** of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures”

Progressive Realisation

Maximum Available Resources

States must use the maximum of their available resources to realising human rights.

Non-Retrogression

States have an obligation to refrain from taking deliberately retrogressive measures.

Minimum Core Obligations

States have a duty to ensure the satisfaction of “minimum essential levels” of each right.

Non Discrimination

UNCRC Article 4

“States parties shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the Convention. With regard to economic, social and cultural rights, States parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation.”

General Comment 19 – Children's Rights and Public Budgets (2016)

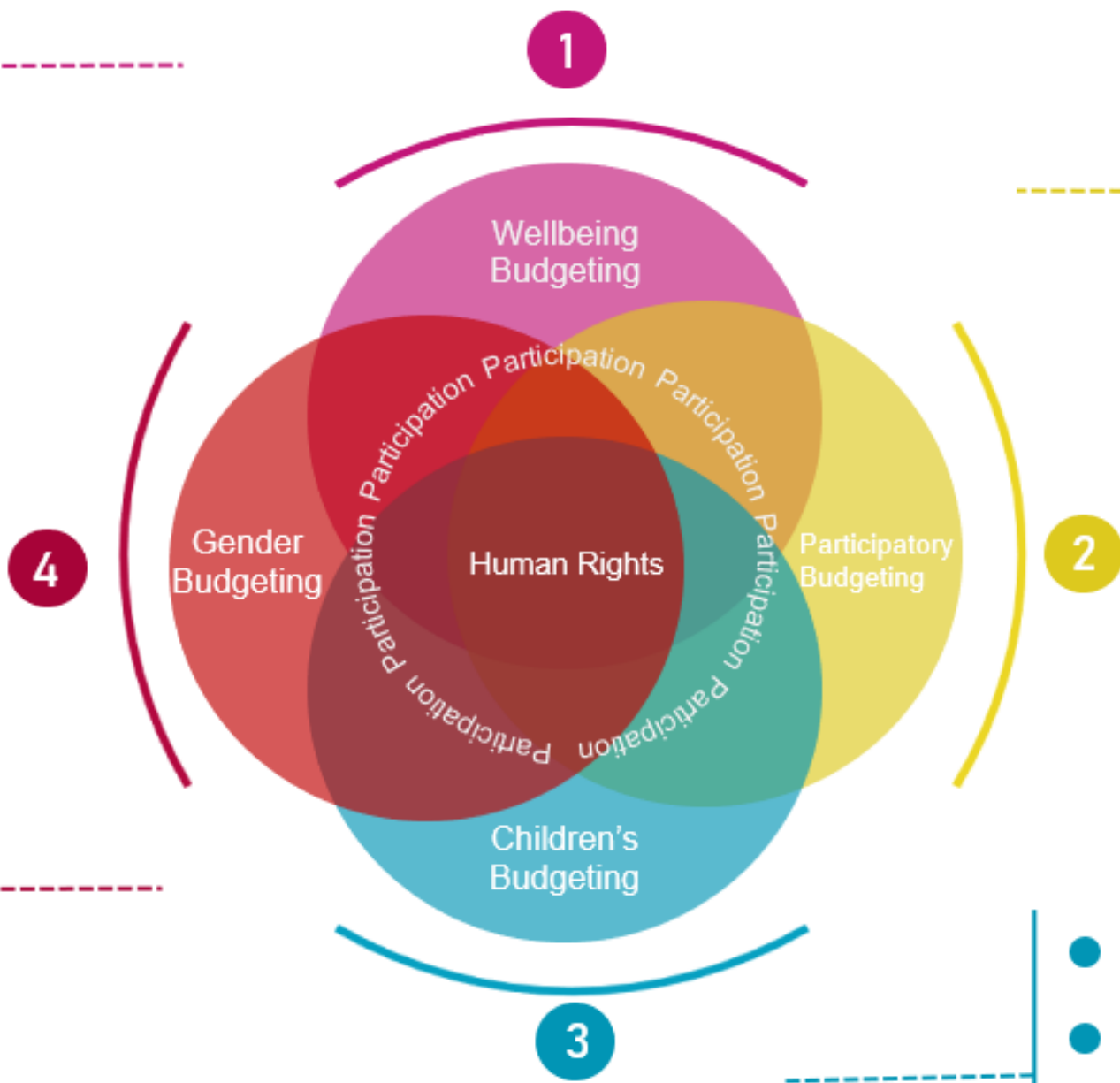
“Given that article 4 relates to all the rights of the child, and that all those rights can be affected by public budgets, the present general comment applies to the Convention” (para 2)

“all government branches, levels and structures that play a role in devising public budgets shall exercise their functions in a way that is consistent with the general principles of the Convention” (para 19)

“In terms of budgets, “implementing children’s rights” means that States parties are obliged to mobilize, allocate and spend public resources in a manner that adheres to their obligations of implementation.” (para 27)

The Committee recognizes the evolution of the concepts of “maximum extent of available resources” and “progressive realisation” in other core international human rights treaties, and regards article 4 of the Convention as reflecting both. (para 29)

- A wellbeing economy
- Focuses on the ends over means
- Moving beyond GDP
- Budgets analysed in view to sustain people's capability to achieve wellbeing
- Approach adopted in New Zealand for national budget



- Focus on transparency.
- Participatory or joint decision making with citizens.
- Budget expenditure more aligned with citizens interests.
- Access to information – AARHUS convention.

- Incorporate the gender equality perspective to budgeting
- Focus on discriminatory elements of current process
- Gender impact assessments and gender mainstreaming in decision making

- Influencing fiscal policy to reflect children's rights.
- Direct focus on children's needs and participation in decision-makings.
- Children's impact assessments

HRBA and PANEL

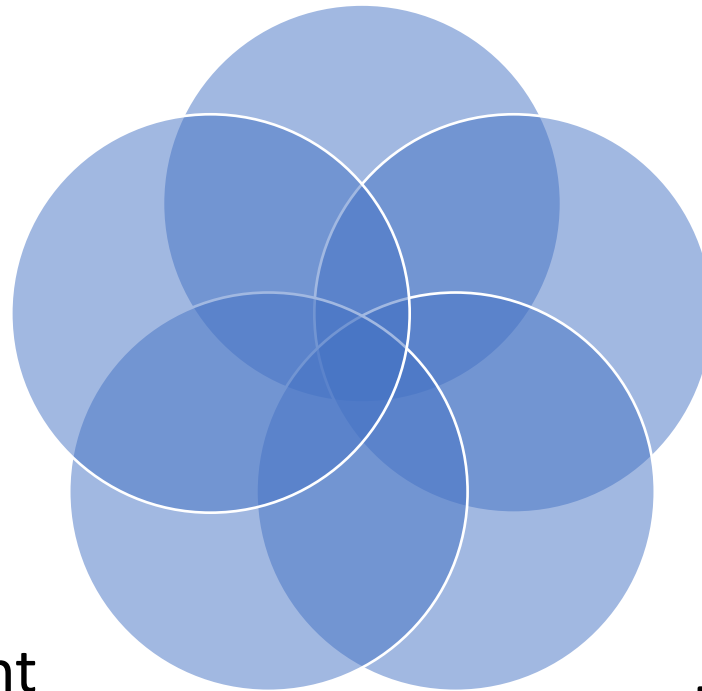
Participation

Law

Accountability

Empowerment

Non-Discrimination



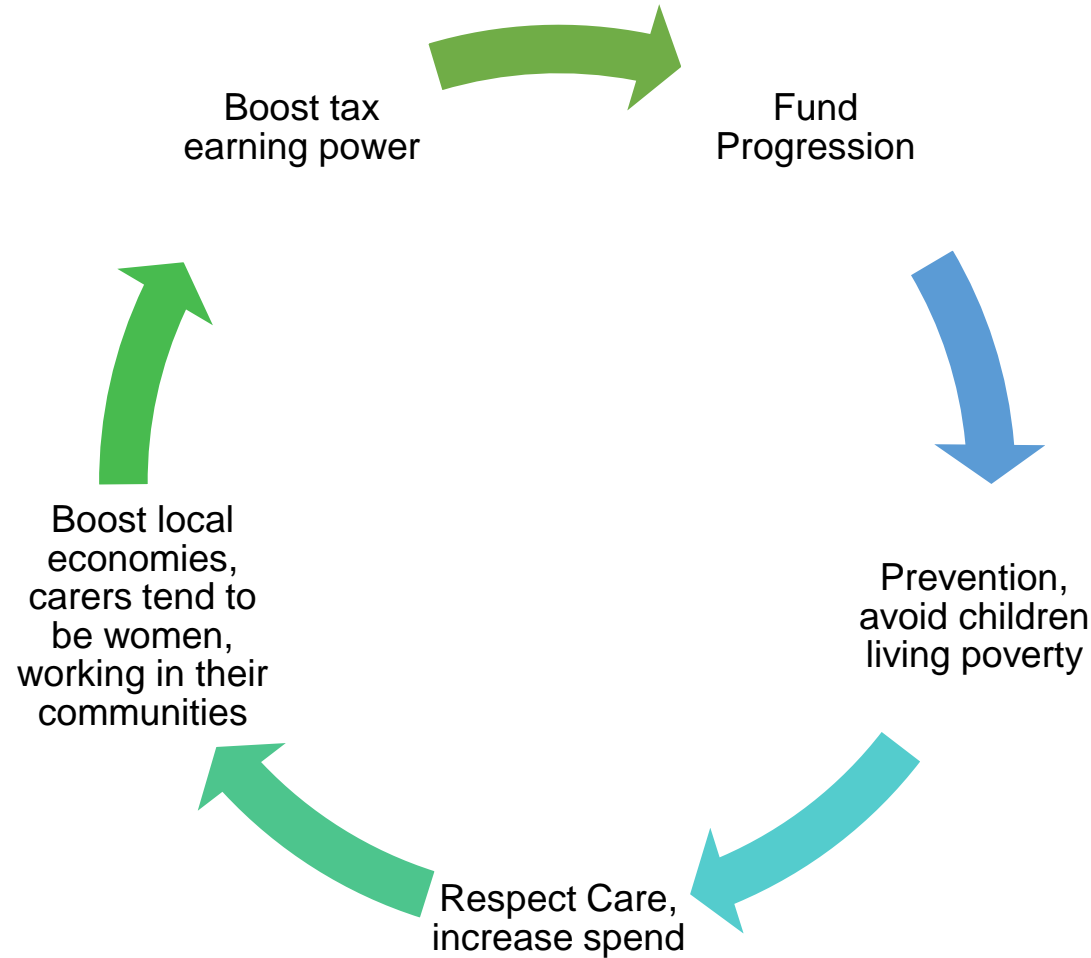
Recovery, Prevention and Boosting Financial Power

We need to:

1. Lobby For Power Sharing!

2. Lobby for HRBA!

3. Lobby for transparency!
- Of data
- Of resources
- Of spend



Resources & Further Reading

- Nolan, A. (2014) Human Rights Budget Work, SNAP Innovation Forum, Govan
- SHRC (2019) Human Right Budget Work: What, Why, How?
- Blyberg, A. (2015) Human Rights Budgeting and Budget Analysis (SHRC)
- O'Connell R et al (2014) Applying an International Human Rights Framework to State Budget Allocations (Routledge)
- UN OHCHR (2017) Realising Human Rights Through Government Budgets

<https://www.scottishhumanrights.com/projects-and-programmes/human-rights-budget-work/>