



**CEB**  
**Chief Executives Board**  
**for Coordination**

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**High-Level Committee on Programmes (HLCP)**

Core Group on Duties to the Future

**DISCUSSION PAPER:**

**DUTIES TO THE FUTURE THROUGH AN INTERGENERATIONAL  
EQUITY LENS**

(adapted from a paper circulated on 17 March 2022 for the 43<sup>rd</sup> session of  
the High-level Committee on Programmes)

## Introduction and background

1. In October 2021, the High-level Committee on Programmes (HLCP)<sup>1</sup> of the UN System Chief Executives Board for Coordination (CEB) discussed and agreed on an integrated, strategic narrative<sup>2</sup> to guide the Committee's work in the coming years. Consisting of three thematic pillars on (i) duties to the future, (ii) new global public goods, and (iii) networked and inclusive governance, the narrative is grounded in the objectives of the 2030 Agenda for Sustainable Development and has strong connections to key themes in the Secretary-General's Our Common Agenda report.
2. As HLCP considered the thematic pillar on "duties to the future", members concluded that "intergenerational equity" was an appropriate framing for the work and that the concept was worthy of deeper exploration by the Committee.<sup>3</sup> In this context, drawing from inputs received from several United Nations entities, the HLCP duties to the future core group was subsequently formed to take forward the Committee's decision.<sup>4</sup> This paper was developed to inform a focused discussion on intergenerational equity that took place at the 43<sup>rd</sup> session of HLCP in March 2022.<sup>5</sup>
3. The paper is divided into four sections. This first section provides an overview of the concepts of duties to the future and intergenerational equity, including key moral, legal and development elements of the concepts. The second and third sections highlight the main challenges for achieving intergenerational equity, as well as the role of the United Nations in reshaping global values and norms in this context. Lastly, the fourth section outlines proposed inter-related actions to take forward the conceptualization of intergenerational equity and embed it in the work of the United Nations system, for consideration by HLCP.

### I. The concept of duties to the future and intergenerational equity

4. The idea of *duties to the future* is often understood as multi-sectoral and cross-cultural; it is commonly expressed in terms of what we owe to our children and grandchildren as well as with solidarity and accountability to younger and future generations.
5. The idea of duties to the future is grounded in the concept of *sustainable development*, which dates to the Club of Rome and The Limits to Growth Report<sup>6</sup> and has been extensively discussed in academia<sup>7</sup> and political fora since then. In 1987, sustainable development was formulated by the Brundtland Commission as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs".<sup>8</sup> This formulation is reflected in important instruments such as the 2030 Agenda where in paragraph 18, Member States agreed to "implement the Agenda for the full benefit of all, for today's generation and for future generations."<sup>9</sup> Building a just and equitable world is at the core of the Sustainable

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<sup>1</sup> <https://unsceb.org/high-level-committee-programmes-hlcp>

<sup>2</sup>CEB (2022). High-level Committee on Programmes Strategic Narrative. Available at <https://unsceb.org/high-level-committee-programmes-strategic-narrative>.

<sup>3</sup> See the HLCP 42<sup>nd</sup> session report: <https://unsceb.org/session-report-369>

<sup>4</sup> The core group is co-led by the United Nations Children's Fund (UNICEF), United Nations University (UNU), and the United Nations Environment Programme (UNEP) and at time of publication is comprised of 16 United Nations system entities: FAO, IFAD, ILO, IMF, UNDP, UNEP, UNESCO, UNFCCC, UNFPA, UNICEF, UN-DCO, UN-DESA, UN-EOSG, UN-OSGEY, UNU and the World Bank Group.

<sup>5</sup> See the HLCP 43<sup>rd</sup> session report: <https://unsceb.org/session-report-378>

<sup>6</sup> See Donella Meadows et al., *The limits to growth: A report for the Club of Rome's Project on the Predicament of Mankind* (Washington, United States of America, Universe Books, 1972).

<sup>7</sup> See Christian Bugge and Christina Voigt (editors), *Sustainable development in international and national law: what did the Brundtland report do to legal thinking and legal development, and where can we go from here?* (Groningen, the Netherlands, Europa Law), pp 23–45.

<sup>8</sup> United Nations, Resolution adopted by the General Assembly on 11 December 1987, 42/187. Report of the World Commission on Environment and Development (New York, United States of America, United Nations Document, 1987).

<sup>9</sup> United Nations, (2015), *Transforming our world: the 2030 Agenda for Sustainable Development*. Resolution A/RES/70/1 adopted by the General Assembly on 25 September 2015.

Development Goals (SDGs), which can be intrinsically link to the concept of *intergenerational equity*.<sup>10</sup> As the HLCP discussions in October 2021 emphasised, the intergenerational equity concept cannot be oversimplified, as it relates to the various constituencies currently alive, including younger and older persons, as well as generations yet to come. With this regard, more nuanced terms such as “*intergenerational justice*”, “*intergenerational solidarity*” and “*intergenerational responsibility*” have also been discussed. Intergenerational equity can be addressed and understood through several different lenses, which offer diverse insights on balancing the rights and aspirations of current and future generations including children and youth. For the purposes of this paper, three lenses are described.

6. **Moral lens:** Duties to the future can be discussed in the context of a moral *responsibility* to future generations, which would involve extending “moral communities” to include future persons.<sup>11</sup> Different theories, such as libertarianism, utilitarianism, and communitarianism, offer diverse views on the moral status of future persons, as well as the obligations of present generations towards future people.<sup>12</sup> For instance, according to Edith Brown Weiss, there is a fundamental principle of intergenerational equity,<sup>13</sup> which includes conserving the diversity and quality of the planet’s natural resources base, as well as the access to the legacy of past generations.<sup>14</sup> This principle thus engenders “two basic fiduciary duties: an intergenerational duty owed by each generation to its successors, and an intragenerational duty owed to members of the same generation.”<sup>15</sup> Intergenerational equity is thus intrinsically linked to the idea of greater solidarity.
7. **Legal lens:** The concept of duties to the future implies that future generations can be considered rights-holders with correlated duties for present generations even though these future persons do not exist today and their very existence may be influenced by actions that are taken today. Progress has been made in the realm of international environmental law to integrate the concept and legal principle of intergenerational equity since its articulation in instruments such as the 1972 Stockholm Declaration,<sup>16</sup> the 1992 Rio Declaration,<sup>17</sup> and the Paris Agreement. Intergovernmental instruments have subsequently affirmed the concept of intergenerational equity,<sup>18</sup> and references to future generations are now frequently found in political declarations,<sup>19</sup> treaties,<sup>20</sup> constitutional texts, and judicial decisions<sup>20</sup> at the international, national, and sub-national levels. Intergenerational equity also plays an important role in rethinking *environmental governance*<sup>21</sup> in the context of the triple planetary crisis, and can be considered a feature of *environmental*

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<sup>10</sup> For more information about the foundations of the intergenerational equity concept, see Edith Brown Weiss, *In Fairness to Future Generations: International Law, Common Patrimony, and Intergenerational Equity* (Transnational Pub, 1989).

<sup>11</sup> See Ernest Partridge, Future Generations in Dale Jamieson (editor), *A companion to Environmental Philosophy*, first edition (Oxford. United Kingdom, 2001), p. 377-390.

<sup>12</sup> Ernest, 2022.

<sup>13</sup> See Edith Brown Weiss, *In Fairness to Future Generations: International Law, Common Patrimony, & Intergenerational Equity* (Transntl.Pub, 1989).

<sup>14</sup> Wener Scholtz, 2021; Edith Brown Weiss, *In Fairness to Future Generations: International Law, Common Patrimony, and Intergenerational Equity* (Transnational Pub, 1989).

<sup>15</sup> Edith Brown Weiss, “The Planetary Trust: Conservation & Intergenerational Equity,” *Georgetown University Law Center*, vol. 11, No.4 (1984), p.495-582.

<sup>16</sup> See *Stockholm Declaration* (Stockholm, Sweden, United Nations Document, 1992). Available at:

<https://wedocs.unep.org/bitstream/handle/20.500.11822/29567/ELGP1StockD.pdf?sequence=1&isAllowed=y>. Accessed in February 2022.

<sup>17</sup> See *Report of the United Nations Conference on Environment and Development* (New York, United States, United Nations Publications, 1992). Available at:

[https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_CONF.151\\_26\\_Vol.I\\_Declaration.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.151_26_Vol.I_Declaration.pdf). Accessed in February 2022.

<sup>18</sup> Werner Scholtz, Equity, in Lavanya Rajamani and Jacqueline Peel (editors), *The Oxford Handbook of International Law* (Oxford, United Kingdom, Oxford University Press, 2021), p. 335-350.

<sup>19</sup> See Philippe Sands, Jacqueline Peel, Adriana Fabra, and Ruth Mackenzie, *Principles of International Environmental Law*, fourth edition (Cambridge, United Kingdom, Cambridge University Press, 2018).

<sup>20</sup> Edith Brown Weiss, “Intergenerational Equity in a Kaleidoscopic World”, *Environmental Policy and Law*, vol. 49, Issue 1 (2019), p. 3-11.

<sup>21</sup> See United Nations Environment Programme, “Making peace with nature: A scientific blueprint to tackle the climate, biodiversity, and pollution emergencies” (Nairobi, Kenya, United Nations Publication, 2021).

*rule of law*.<sup>22</sup> In the context of human rights law, intergenerational equity is not yet articulated in a dedicated international human rights instrument, and there is relevant work to be done in agreeing on a common understanding of future generations as rights-holders.

8. **Development lens:** As Rio +20 and subsequently the SDGs acknowledge, poverty eradication is an indispensable requirement of sustainable development. Ensuring a fairer distribution of benefits and opportunities amongst those living today, including all different constituencies, will improve the prospects of and outcomes for future generations, since structural inequalities have a strong tendency to perpetuate themselves across the lifecycle and into future generations. Intergenerational equity is therefore firmly rooted in the framework of Agenda 2030, in particular SDG 1 (poverty eradication), SDG 16 (the promotion of just, peaceful and inclusive societies), as well as SDG 10 on reduced inequalities within and among countries.

## II. Major challenges and opportunities: what has been learned that needs to be addressed going forward

9. The challenges and opportunities in equitably meeting the needs of present and future generations can be clustered into six groups.
10. **Knowledge and data challenge:** Throughout history, societies have given considerable thought to the future lives of their children and grandchildren, but it has been difficult to make concrete projections about what may or may not happen in the long-term to them – or indeed to wider society. However, the capacity to generate meaningful knowledge about the future has improved enormously in recent decades. Today's climate science, for instance, is now informed by the Intergovernmental Panel on Climate Change (IPCC)'s review of hundreds of climate projections which means there is much greater clarity of the impacts policies will have over the next 75 years and beyond. Understanding the planetary boundaries<sup>23</sup> that delineate the contours of a safe operating space for present and future generations is key. Beyond this safe operating space,<sup>24</sup> human activities may pose an existential threat. Gaining a greater understanding of intergenerational trends based on past history has also been important. It is clear, for example, that the rapid growth of many high-income countries resulted from, in large part, the absence of major crises and wars,<sup>25</sup> pointing to the importance of peace, security and good governance. At the level of individuals, there is also much better evidence of how inequalities are passed from one generation to the next, and conversely how interventions such as quality early childhood development for disadvantaged children,<sup>26</sup> or social protection measures,<sup>27</sup> can improve outcomes such as educational attainment, health, and future earnings across generations. While it is now possible to generate a much better understanding of the future based on the analysis of trends, much more remains to be done to ensure humanity is prepared for multi-faceted risks – including existential threats – and can ensure anticipatory decision-making. Current analyses of trends and risks remain fragmented and siloed, all too often issue based, and disconnected from action.
11. A focus on duties to future generations often emphasizes tools, legal instruments and institutions designed to address inequalities, but capacity-building and knowledge transfer are equally critical. The transfer of skills and knowledge across generations has been an important hallmark of human evolution, but with rapid technological and environmental changes, it becomes even more imperative for current and future

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<sup>22</sup> Arnold Kreilhuber and Angela Kariuki, "Environmental Rule of Law in the Context of Sustainable Development," *Georgetown Environmental Law Review*, (2020).

<sup>23</sup> Steffen et. Al (2015). Planetary Boundaries: Guiding Human Development on a Changing Planet. *Science* 10.1126/science. 1259855

<sup>24</sup> Rockström, J., Steffen, W., Noone, K. et al. A safe operating space for humanity. *Nature* 461, 472–475 (2009).

<sup>25</sup> World Development Report (2017), World Bank <https://www.worldbank.org/en/publication/wdr2017>

<sup>26</sup> <https://heckmanequation.org/resource/perry-intergenerational-effects-summary/>

<sup>27</sup> Parker S., T Vogl (2018), The long-term effects of cash-transfers: Mexico's Progresa. <https://voxdev.org/topic/public-economics/long-term-effects-cash-transfers-mexico-s-progresa>

generations to be able to make sense of change and embrace complexity. This requires transformational educational systems, and a commitment to inclusive knowledge (co-)creation.

12. **Demographic challenge:** The need to focus the attention on future generations is highlighted when one examines global demographics.<sup>28</sup> Many more people are yet to be born this century (10.9 billion) than are currently living (7.7 billion), and these future generations will largely be born in the global south. Roughly, 70% will be born in low or lower-middle income countries and just 8% in the current group of high-income countries.<sup>29</sup> Countries with majorities who are already living tend to be richer and to have more political power on the global stage. These countries face a different demographic challenge – as smaller families lead to ageing societies – children and future generations will be in the minority, but will bear a heavy burden of care. Looking ahead, the trend is clear: children and people yet to be born are likely to experience greater inequality and have less say in global affairs than ever before. How governments and multi-lateral systems plan for and adjust to these demographic imbalances will be key. For example, intergenerational transfer systems – taxing the working-age population to support children and older persons – are a common feature of economies throughout world. How these support systems adapt to these changes in population will have important consequences for generational solidarity and intergenerational equity.<sup>30</sup> The same is true for the United Nations and multilateral system.
13. **Challenge of inequalities:** Inequalities often start before birth, accumulate and shift over the lifecycle, and are passed on to the next generation. Inequalities are not due to individual choices or efforts, but are shaped by economic, political and social drivers and barriers that help push some people behind and concentrate wealth and power in the hands of others. They tend to undermine people’s trust in institutions and each other, to seed conflict, impinge on human rights and undercut sustainable development. Inequalities also tend to intersect (e.g. with age, gender, ethnicity and disability status) and compound over time meaning that the future is likely to be more unequal for certain groups (and countries) than ever unless concrete steps are taken to address this. A rights-based approach and policies to counter both vertical and horizontal inequalities are key to addressing intergenerational inequality – including legal instruments and normative changes that tackle discrimination and its root causes – but also comprehensive action to improve the education, health, safety, employment opportunities and political representation of excluded groups. Universal social protection systems (including healthcare, child benefits and old-age pensions) are a key mechanism for addressing intergenerational inequalities, as are education and women’s empowerment, as well as taxation systems that tax assets and wealth.
14. The technological and ecological changes humans are imposing on the natural world are another example of inequality that is not always referred to in such terms. The hyper-dominance of humans as a species is resulting in catastrophic losses of biodiversity and whole ecosystems. Many of the tools required to address aspects of intergenerational inequalities and halt human’s “*suicidal war against nature*”<sup>31</sup> already exist, but the political will and financial means must also be found. Political failures and a lack of trust generate a vicious cycle that impedes progress in addressing inequality in all its forms.
15. **Challenge of skewed political and economic incentives:** Current political and economic incentives do not promote long-term thinking, but heavily prioritize immediate needs. As a global society, economic growth has been incentivized with little consideration for sustainability or climate impacts.<sup>32</sup> Short-term electoral cycles, and restrictive voting ages, incentivise policymakers to respond to the demands and priorities of the current voting or politically-active population, creating a mismatch between those who take decisions and those who

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<sup>28</sup> UN DESA (2019), Revision of World Population Prospects, <https://population.un.org/wpp/>

<sup>29</sup> Steven, D., Francuz, B., Future (2021), *Thinking and Future Generations*, United Nations Foundation

<sup>30</sup> United Nations (2020), Report of the UN Economist Network for the UN 75th anniversary : shaping the trends of our time, chapter 3.

<sup>31</sup> United Nations (2021), Our Common Agenda: Report of the Secretary-General

<sup>32</sup> Raworth, K. (2017). Doughnut economics: seven ways to think like a 21st-century economist

live with their consequences, in particular, children and future generations. Children and youth must be given a greater say in policy- and decision-making if these imbalances are not to be further exacerbated.

16. There are quantitative methods designed to empirically assess the longer-term implications of demographic transition on government and social security budgets. These so-called generational accounting tools allow one to look beyond short-term cycles and provide critical information about possible burdens that may be imposed on future generations.<sup>33</sup> In the case of social protection systems, attempts have been made to improve how equity is measured across the lifecycle (i.e. examining lifetime net taxes paid or the implicit rate of return for different cohorts). For public budgets, efforts are underway to undertake incidence analyses of intergenerational fairness.<sup>34</sup> While none of these measures provide a complete picture of intergenerational equity, they help quantify concrete aspects of it and more could be done to implement such tools more widely.
17. **Institutional challenges:** Climate change may be the most obvious example of a challenge that will weigh on humanity for many generations, but many other biological, technological and political decisions that are being made now will have long-term consequences for future generations. In this context, the question of who represents them in institutional settings arises. The dilemma of governance across time requires long-term strategies, and a different institutional approach than exists for more short-term problems. At a national level, a number of countries including Canada, Finland, Hungary, Israel, New Zealand, Wales and Norway have set up institutions for future generations.<sup>35</sup> These national institutions are actively seeking to influence national and local government policies even though they too are subject to shifting political priorities. No such institution currently exists at a multilateral level despite calls by the Major Group for Children and Youth, during the Rio+20 conference, for instance, that a United Nations High Commissioner for Future Generations be appointed. With Member State support, the proposals put forward in *Our Common Agenda* could provide the impetus to advance the question of how to institutionalise future generations and embed long-term thinking across the multilateral system – including the establishment of a Commissioner or Ombudsman for Future Generations or a repurposed Trusteeship Council.
18. **Legal opportunities:** Much progress has been made over the past 40 years in including future generations into a wide variety of legal instruments. National constitutions<sup>36</sup> in a number of countries already refer to future people or the duties of today's citizens towards financial, environmental and general posterity. Other constitutional texts could also be updated to grant specific rights<sup>37</sup> or duties to future generations. Additionally, in the context of national-level legislation, domestic laws can be effective in mainstreaming duties to the future and future generations. International treaties and other legal instruments can also embed future lenses. Similarly, strategic public interest litigation can play a role in demanding that policies be based on an analysis of their impacts on future generations. For instance rulings based on intergenerational equity were made back in 1993 in the Philippines, in 2021 in Pakistan, and numerous examples in between. In all cases, care will need to be given to ensure that institutions will implement and enforce those rules and that mechanisms are in place to address violations. Lastly, it is important to note the Human Rights Council's recognition that having a clean, healthy and sustainable environment is a human right<sup>38</sup> also paves the way for a stronger rights-based approach to future-oriented human rights and international environmental law.

### III. The United Nations and duties to the future

19. The use of the terms “future generations” and “intergenerational equity” has grown rapidly in United Nations resolutions, treaties and documents in the 50 years since the Stockholm Declaration first included it in the principles of environmental policy and the 35 years since the Brundtland Commission Report included the idea

<sup>33</sup> [https://www.un.org/en/development/desa/population/publications/development/NTA\\_Manual.asp](https://www.un.org/en/development/desa/population/publications/development/NTA_Manual.asp)

<sup>34</sup> European Centre for Social Welfare Policy and Research (2021). Study on Intergenerational Fairness, European Commission

<sup>35</sup> For instance, see <https://futureroundtable.org/en/web/network-of-institutions-for-future-generations/welcome>.

<sup>36</sup> Gosseries, A (2008), *Constitutions and Future Generations*, The Good Society

<sup>37</sup> Tremmel, J (2019), *Updating Constitutions: Leaving Space for Future Generations*, Environment & Sustainability, May 1, 2019

<sup>38</sup> See A/HRC/RES/48/13.



in the definition of sustainable development. Both these documents have been crucial in shaping the global dialogue around the importance of the environment to inter- and intra-generational equity, but the focus remained primarily on meeting human development needs.<sup>39</sup> In 2013, the Secretary-General's Report on International Solidarity and the Needs of Future Generations took a further important step in helping to articulate more clearly what the United Nations' position on intergenerational equity is – emphasising the importance of solidarity both between the young and the old and between present and future people. In June 2022 the international community will meet in Stockholm for the Stockholm+50 conference. The event will provide Member States with an opportunity to identify the bold and urgent action needed to secure a better future on a healthy planet. This may include consideration of actions to strengthen the implementation of Stockholm Declaration principles such as intergenerational equity. While there is no explicit reference in the SDGs to the principle of intergenerational equity, future generations are highlighted as key reasons for protecting the planet from degradation. In articulating SDG targets with both a focus on human prosperity (Goals 1 – 11) and planetary well-being (Goals 12 -15), the Agenda 2030 strives to balance the environmental, economic and social dimensions of sustainable development more resolutely than ever before. What is not yet included is an articulation of intergenerational rights.

20. The Secretary-General's 2020 Call to Action for Human Rights helps focus greater attention on this by setting the "rights of future generations, especially climate justice" as a core strategic intervention area and proposing support for Member States in developing laws and policies. *Our Common Agenda* picks up this cadence and calls for a "profound deepening of solidarity between generations" and a transformation of the political and economic models and incentive structures that favour short-term gains at the "expense of longer-term human and planetary well-being". Finally, as previously mentioned, the adoption of Resolution 48/13 in October 2021 by the Human Rights Council signalled the recognition that the right to a clean, healthy, and sustainable environment must be viewed as a human right. The resolution acknowledges that "environmental degradation, climate change and unsustainable development constitute some of the most pressing and serious threats to the ability of present and future generations to enjoy human rights, including the right to life."<sup>40</sup>
21. The United Nations has been pivotal in helping to shape the global discourse on intergenerational equity to date – including the focus on environmental, economic and social issues – and is well placed to continue to elaborate and operationalise the concept, including in the lead-up to Stockholm+50, in particular through:
- Articulating how future persons and generations can be conceived of as rights-holders and how this can be reflected in the United Nations' normative work, including exploring opportunities for ensuring **future generations have legal standing in international law**.
  - Exploring the notion of **the representation of future generations** in order to develop a more robust conception of present-day obligations and duties for the future.
  - Strengthening the United Nations' capacity to **foster a culture of long-term planning and adaptability**.
  - Building and maintaining an **evidence base on intergenerational equity and implications** of development (economic, social, demographic and political) trends for future generations.
  - Exploring opportunities to promote **tools, models and approaches** that take a longer-term perspective and include a focus on existential externalities.

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<sup>39</sup> Spijkers (2018), Intergenerational equity and the SDGs, *Sustainability* 2018, 10, 3836, doi 10.3390/su10113836

<sup>40</sup> Human Rights Council, Resolution adopted by the Human Rights Council on 8 October 2021, 48/13. The human right to a clean, healthy and sustainable environment (Geneva, Switzerland, United Nations Document, 2021).

#### IV. Points for HLCP discussion: actions to take forward in support of intergenerational equity

22. Given the United Nations' role in shaping the global discourse on intergenerational equity to date, and in order to take forward the conceptualization of intergenerational equity explored by this paper and embed it firmly in the work of the United Nations system, HCLP could consider the following inter-related actions.
23. First, HLCP could recommend that the United Nations system build a **common, scientifically-backed understanding of the impact of today's actions across multiple generations**. This means a far more systematic collection of data, analysis of global trends, and scenario-based foresight along with efforts to foster a capability-based approach across the United Nations system. Capacity for this will need to be built over time.
24. Second, HLCP can support a concerted **normative and legal push to enshrine a global responsibility towards future generations across the United Nations system**. In the longer-term this should take the form of international instruments which help enshrine specific obligations towards future generations.