



The Right to Development at 30: Looking Back and Forwards

The Right to Development has had great resonance with people worldwide since it was adopted by the UN General Assembly 30 years ago. It establishes the right of people to take part in the development process and to equitably enjoy the benefits of development. Today this right is even more relevant, as the world faces manifold crises.

This issue of South Bulletin celebrates the Right to Development, focusing on the panel discussion held at the Human Rights Council to commemorate its 30th anniversary. The Bulletin publishes the speeches and statements made by high officials, panel members and diplomats at this special event.



UN Photo/Pierre Albouy

The Human Rights Council takes place in Room XX at the Palais des Nations in Geneva, with the beautiful ceiling by Spanish abstract artist Miquel Barceló.

Panel Speakers' Statements:

- Opening Statement by the UN High Commissioner for Human Rights
- Introductory Remarks by Ambassador Amr Ramadan of Egypt (Moderator)
- Martin Khor, South Centre
- Dr. Mihir Kanade, UPEACE
- Flavia Piovesan, Secretary for Human Rights, Brazil
- Ambassador Wayne McCook of Jamaica

Concept Note of the Panel

Video on the Right to Development

Declaration on the Right to Development

Statements of Regional Groups:

- Iran on behalf of NAM
- China on behalf of Like Minded Countries
- Brazil on behalf of CPLP
- South Africa on behalf of the African Group
- Dominican Republic on behalf of CELAC
- European Union

PLUS the United States of America

Developing countries call for greater efforts to implement the Right to Development



The Right to Development at 30: Looking Back and Forwards



Speakers of the Panel discussion on the promotion and protection of the right to development: Commemoration of the 30th anniversary of the Declaration on the Right to Development, held during the 32nd session of the Human Rights Council at the Palais des Nations, Geneva on 15 June 2016.

The Declaration of the Right to Development was adopted 30 years ago by the UN General Assembly in 1986.

To celebrate the 30th anniversary, the Human Rights Council held a Panel discussion at the Palais des Nations (Geneva) on 15 June 2016.

The panel discussion was opened by the President of the Human Rights Council Mr. Choi Kyonglim and the Opening Address was given by the UN High Commissioner on Human Rights Mr. Zeid Ra'ad Al Hussein.

Among the panel speakers were South Centre Executive Director Mr. Martin Khor. Other speakers were Ms. Flavia Piovesan (Secretary for Human Rights, Brazil), Jamaica's Ambassador Mr. Wayne McCook and Dr. Mihir Kanade (University for Peace in Costa Rica). The Chairman was Egypt's Ambassador Mr. Amr Ramadan.

This issue of South Bulletin commemorates the 30th anniversary of the Right to Development Declaration and publishes the speeches made by the Human Rights High Commissioner, the panel speakers and some of the

government delegations that addressed the panel discussion. We hope this bulletin contributes to the dissemination of the Right to Development and its relevance to the present global situation and context.



A general view of Room XX at the Palais des Nations in Geneva where the Human Rights Council takes place.

Opening Statement: UN High Commissioner for Human Rights



Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights

By Zeid Ra'ad Al Hussein

We are here to celebrate the Declaration on the Right to Development, which thirty years ago broke new ground in the struggle for greater freedom, equality and justice.

It acclaimed long-lost freedoms and independence, and re-asserted equality for all nations and peoples – including their right to self-determination and their right to sovereignty over natural resources. But the Declaration's central focus was on the human person. Plac-

ing individuals at the heart of the development process, it called for every member of society to be empowered to participate fully and freely in vital decisions. It demanded equal opportunities, and the equitable distribution of economic resources, including for people traditionally marginalized, disempowered and excluded from development, such as women, minorities, indigenous peoples, migrants, older persons, persons with disabilities and the poor.

Bridging human rights with international relations, and building on the intrinsic interactions of human rights and development with peace and security, the Declaration demanded better governance of the international economic framework and re-defined development as far deeper, broader and more complex than the narrow, growth-and-profit focus of previous decades.

The wisdom of this multidimensional approach has stood the test of time. Today, the local and the global have become ever more connected, and from communication technology to climate change, global supply and value chains to access to medicines, the right to development is manifestly relevant.

Amid today's slow global economic growth and low commodity prices, this

thirtieth anniversary should remind the international community of development's true purpose: to improve the well-being of *all* members of society. True development generates greater social justice, not deeper exploitation; and it reduces the towering inequalities which confiscate the fundamental rights of those who are marginalised and poor.

Some progress has been made in global efforts towards realising the vision of the Declaration on the right to development. But that progress has been uneven, particularly for people in Africa, least developed countries, landlocked developing countries, small island developing States, and most other developing countries, as well as for disadvantaged people in both the Global North and South. Insufficiently regulated globalization, persistent poverty and rising inequalities continue to rob people of their rights, and they fuel multiple crises and conflicts. That violence in turn destroys hard-won development progress, and kills and displaces people wantonly, in a terrible downward spiral of avoidable suffering.

In contrast, the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda on Financing for Development and the Paris Climate Agreement set forth detailed and

DEVELOPMENT
IS A HUMAN RIGHT

"We, heads of State and Government, ... are committed to making the right to development a reality for everyone and to freeing the entire human race from want."

United Nations Millennium Declaration
(General Assembly resolution 55/2)



REALIZING THE RIGHT TO DEVELOPMENT

realistic programmes that build on each other with the potential to transform the realisation of human rights for millions of people. The 2030 Agenda, which promises to end extreme poverty within our generation, promotes an integrated vision of development with responsibilities that are shared by both the global North and South. This vision is clearly born of the Declaration on the right to development, which offers much needed prevention, since it promises solutions for root causes, including structural challenges, at all levels.

Most evidently, the right to development forcefully calls for individuals to be free to participate in vital decisions. At the international level, it addresses multiple challenges which originate in our **failure to adequately regulate globalization**. The engines of globalization – among them, trade, investment, finance, and intellectual property – must be made compatible with the human rights obligations of States. Global development cannot mean that people are denied access to essential medicines, that small farmers are denied fair earnings, or that already impoverished people are further burdened with unsustainable national debt.

Thus the 2030 Agenda addresses many of these systemic obstructions that disadvantage the poor – among them, distorted trade frameworks and weak international governance over powerful transnational actors, including the vectors of financial speculation. It promises better regulation of global financial markets, and an enhanced voice for developing countries in international economic and financial institutions. It commits all States to cooperate

in fostering international development and endorses the principle of special and differential treatment for developing countries, in particular least developed countries.

Recognizing that all human rights work together – and that together, they build the core conditions for development and peace – the Agenda makes strong commitments to provide access to justice for all, with effective, accountable and inclusive institutions at all levels, and an end to corruption. This echoes the Declaration's emphatic call for "equal attention and urgent consideration" to the implementation, promotion and protection of all civil, political, economic, social and cultural rights – and its insistence that the promotion of, respect for and enjoyment of one so-called "category" of human rights "cannot justify the denial of other human rights and fundamental freedoms".

The 2030 Agenda is a child of the right to development. As such, it must not be stunted by indifferent action, malnourished by failed commitments or denied safe passage to its fullest realization. But the right to development extends even beyond the massive global agenda of the Sustainable Development Goals. It offers a framework in which to address gaps and failures in responsibility, accountability and regulation in both national and global governance.

Trade and investment policies and agreements can have profound implications on the realisation of human rights, with potential adverse impacts in relation to food, water and sanitation, health, indigenous persons, equity and democratic decision-making. Both

within the multilateral context and increasingly in bilateral and regional Free Trade agreements, we are also seeing similar regulations relating to services, intellectual property, investment and trade plus issues. Recently, sprawling modern pacts known as mega-regionals have begun changing the landscapes of trade and investment in quite unprecedented ways. The right to development guides the international community, and individual States, to ensure human rights in this context.

For our part, my Office will continue to reach out to all States and stakeholders to carry out our individual and collective obligations in realizing the right to development. As the Declaration so clearly states, everyone, without distinction, is entitled to a social and international order in which human rights and freedoms can be realised. That includes the millions of youth facing unemployment in countries both North and South. The people of formerly affluent nations now crumbling under the burdens created by economic and financial crises. The millions of women, men and children locked in the prison of poverty, and those suffering war and displacement.

The thirtieth anniversary of the Declaration on the right to development must renew in us the spirit of multilateral action for the common good – which is our only hope for survival on this small and fragile planet that we share.

Zeid Ra'ad Al Hussein is the United Nations High Commissioner for Human Rights.

Introductory Remarks: Ambassador Amr Ramadan



Ambassador Amr Ramadan of the Permanent Mission of Egypt to the UN Geneva

It gives me great pleasure to moderate this important panel discussion on the promotion and protection of the right to development pursuant to HRC resolution 31/4. The importance of this event emanates not only from its theme per se, but also from the recent occurrence of significant developments that are intrinsically related to the realization of the right to development in its diverse aspects.

While we celebrate this year the 30th anniversary of the Declaration on the Right to Development, as an inalienable and independent human right, which encompasses a diverse myriad of economic, social, cultural and political rights, we view with concern that the progress achieved thus far in the realization of the right to development has been uneven, as is amply demonstrated in Africa, the Middle East, least developed countries, landlocked developing countries and small island developing states.

However, the past year has witnessed the adoption of 3 important instruments that pave the way for realizing the aspirational vision once embodied in the Declaration on the Right to Development; namely the 2030 Agenda for Sustainable Development,

the Addis Ababa Action Agenda on Financing for Development and the Paris Climate Agreement. The 2030 Agenda for Sustainable Development, in particular, constitutes an important vehicle for the realization of the right to development. It sets a transformative vision for people that aims at the realization of various human rights which form part and parcel of the right to development.

It is important to affirm that –as the Vienna Declaration and Programme of Action recognizes- while lasting progress towards the implementation of the right to development requires effective development policies at the national level, it necessitates as well the formation of equitable economic relations and the creation of a favourable economic environment at the international level.

It is as well important in this context to highlight the pivotal role played by the Intergovernmental Working Group on the Right to Development, created within the framework of this august council, whose mandate consists mainly in monitoring and reviewing progress made in the promotion and implementation of the right to development as elaborated in



UNICEF Ethiopia

The year 2016 marks the Declaration's 30th anniversary. Yet today many children, women and men – the very subjects of development – still live in dire need of the fulfilment of their entitlement to a life of dignity, freedom and equal opportunity.

the Declaration on the Right to Development, at the national and international levels. It is hoped that the progress achieved in the work of the Working Group, in particular during its last two sessions by means of formulating a set of standards for the implementation of the right to development, may assist current endeavors exerted to that end.

Last but not least, it is noteworthy to underline that the vision of the Declaration on the right to development must be the guiding force in the implementation of the 2030 Agenda and the Addis Ababa Action Agenda on Financing for Development, in a comprehensive, equitable and balanced process that addresses the main pillars of development; namely economic, social and environmental pillars, by means of, inter alia, enhancing international cooperation and exchange of expertise, in such a way that ultimately "leaves no one behind".

H.E. Mr. Amr Ramadan is the Permanent Representative of Egypt to the United Nations Office and other international organizations in Geneva. He moderated the Panel discussion on the promotion and protection of the right to development in commemoration of the thirtieth anniversary of the Declaration on the Right to Development during the 32nd Session of the Human Rights Council.

The Right to Development at 30 Years: Current global issues that are important for implementing the Right to Development

Below is the statement of Martin Khor, Executive Director of the South Centre, during the panel at the Human Rights Council commemorating the 30th anniversary of the Right to Development on 15 June 2016.



Martin Khor, Executive Director of the South Centre (left), speaking during the panel at the Human Rights Council commemorating the 30th anniversary of the Right to Development.

developing countries....Effective international cooperation is essential in providing developing countries with appropriate means and facilities to foster their comprehensive development - Art 4.2.)

Thus it recognises that international relations and rules have important roles. And it implicitly recognises that there are imbalances and inequities in the existing international order that hinder countries from implementing the right to development. Therefore it calls for a new international order. (States should realise their rights and fulfil their duties in such a manner as to promote a new international economic order - Article 3.3.)

The right to development is also practical. It calls for the realisation of the right to development. It recognises that there are obstacles to the realisation of the right to development. It also recognises that there are international-level obstacles and national-level obstacles, and encourages all parties and stakeholders to identify these obstacles and to act to remove these obstacles. The international obstacles obviously require international cooperation to address them. (States should take steps to eliminate obstacles to development - Article 6.)

In this 30th anniversary of the Declaration, it is useful to make use of the practical relevance of the Right to Development by elaborating on some of the key global issues of our present times, and how they affect the right to development. The realisation of the right to development requires that we identify, diagnose and address these global issues, challenges and problems. Due to time limitation, I will choose five such global issues and point to their relevance to the right to development.

1. The global economy in crisis.

The economic sluggishness in developed countries has had adverse impact on developing economies. With com-

The Declaration on the Right to Development, adopted by the UN General Assembly in 1986 (as Document 41/128) is 30 years old. It is appropriate to celebrate this anniversary. For the right to development has had great resonance among people all over the world, including in developing and poor countries. Even the term itself "the right to development" carries a great sense and weight of meaning and of hope.

It is fitting to recall some of the important elements of this right to development. **It is human and people centered.** It is a human right, where every human person and all peoples are entitled to participate in, contribute to and enjoy development in which all rights and freedoms can be fully realized (Article 1.1). The human person is the central subject of development and should be the active participant and beneficiary of development (Article 2.1).

It gives responsibility to each state

to get its act together to take measures to get its people's right to development fulfilled. (States have the right and duty to formulate appropriate national development policies, that aim at improving the well-being of all individuals on the basis of their meaningful participation in development and in the fair distribution of the benefits resulting therefrom - Article 2.3.)

But it also places great importance to the international arena, giving a responsibility to all countries to cooperate internationally and especially to assist the developing countries. (States have the duty to cooperate with each other in ensuring development and eliminating obstacles to development - Article 3.3; States have the duty to take steps, individually and collectively, to formulate international development policies to facilitate the full realisation of the right to development - Art 4.1; Sustained action is required to promote more rapid development of

modity prices down, many commodity dependent developing countries are facing reduced export earnings. Many countries had to endure great fluctuations in the inflow and outflow of funds, due to absence of controls over speculative capital flows. Currencies are fluctuating due to lack of a global mechanism to stabilise currencies. Growth rates have fallen in Africa and elsewhere and some countries are on the brink of another debt crisis. There is for them an absence of an international sovereign debt restructuring mechanism, and countries that do their own debt workout may well become victims of vulture funds. All these become challenges for maintaining development, and are obstacles to the right to development, and need addressing.

2. The challenges of implementing appropriate development strategies.

Developing countries that aspire to achieve sustained economic growth and sustainable economic development face many challenges in formulating and implementing policies that work.

There are challenges in getting policies right in agricultural production, ensuring adequate livelihoods and incomes for small farmers, and national food security.

Countries that aim to industrialise face the challenges of climbing the ladder from starting viable low-cost industries to establishing labour-intensive industries to higher technology industries including overcoming the middle-income trap.

Then there are the challenges to build a range of services, including providing social services like health and education and water supply, lighting and transport, developing financial services and commerce.

These sectoral policies and the overall policy are even more difficult to formulate and implement due to the trend of liberalisation and the dangers of premature liberalisation as a result of loan conditionality and recently due to trade and investment agreements which also constrain policy space. In particular, investment agreements that contain the investor-state dispute settlement (ISDS) system enable foreign investors to take advantage of imbalanced provisions and great shortcomings

in the arbitration system that not only cause countries a lot of costs but also put a chill or constraint on the ability to make policy. There is an increasing legitimacy problem for the investment rules regime. These challenges and obstacles to development policy making should be addressed including through processes in the right to development.

3. Climate change has become an existential problem for the human race.

Climate change is an outstanding or even an ultimate example of an environmental constraint to development and the right to development. In 2014 the IPCC's 5th Assessment Report gave the sobering figure that there is atmospheric space to absorb Greenhouse Gases of only another 1,000 billion tonnes for a reasonable chance of avoiding global warming of 2 degrees Celsius. Anything above that would be a devastating disaster. Global emissions are running at 50 billion tonnes a year. Within 2 decades the atmospheric space would be filled up. If the aim is to keep warming to 1.5 degrees, we have little more than a decade left. Therefore there is an imperative to cut global emissions as sharply and quickly as possible.

In seeking a solution, one key question is which country and which groups within countries should cut emissions by how much? The danger is that the burden will mainly be passed on to developing and poorer

countries and to the poor and vulnerable in each country. A global agreement and national agreements to tackle climate change have to be environmentally ambitious, socially fair and economically viable. This is a set of enormous challenges.

The Paris Agreement of December 2015 succeeded in showing the ability to reach a multilateral deal on an issue that threatens human survival. But it is not ambitious enough to save humanity, and it also does not demonstrate that the promise of transfers of finance and technology to developing countries will take place. The celebration of reaching an agreement has to give way to the sobering challenge of doing much more within a few years. The question is how the objective urgency of the situation can be met by measures that are equitable and economically feasible. This is a major challenge to development and the realisation of the right to development.

4. The crisis of anti-microbial resistance brings dangers of a post-antibiotic age.

Another possible existential issue that is less known is antibiotic resistance or more broadly anti-microbial resistance. Many diseases are becoming increasingly difficult to treat because bacteria have become more and more resistant to anti-microbials. Some strains of bacteria are now resistant to multiple antibiotics and a few have become pan resistant - resistant to all antibiotics. The WHO Director General has warned that every antibiotic ever



The flags of the Member States of the UN at the United Nations Office in Geneva, where the Working Group on the Right to Development meets regularly since its first session in 2000.

developed is at risk of becoming useless. She added that: "A post-antibiotic era means in effect an end to modern medicine as we know it. Things as common as strep throat or a child's scratched knee could once again kill."

There is also the special danger in the discovery of the existence of two genes (MCR-1 and NDM-1) with the frightening ability to easily spread resistance to other species of bacteria. MCR-1 has been found to be resistant to colistin, a very powerful antibiotic usually used only as a last resort, and another danger is its ability to spread resistance from one type of bacterium to other bacteria. NDM-1 is another gene with the ability to jump from one bacteria to other species, making them highly resistant to all known drugs, except two. In 2010, only two types of bacteria were found to be hosting the NDM-1 gene --- E Coli and Klebsiella pneumonia. Within a few years, NDM-1 had been found in more than 20 different species of bacteria. The discoveries of NDM-1 and now of MCR-1 add urgency to the task of addressing anti-microbial resistance.

Actions needed include better surveillance, measures to drastically reduce the over-use and wrong use of antibiotics including control over unethical marketing of drugs, control of the use of antibiotics in livestock, public education, and discovery of new antibiotics. The WHA in 2015 adopted a global plan of action to address anti-microbial resistance but the challenge is in the implementation. Developing countries require funds and technology such as microscopes and diagnostic tools; they also need to have access to existing and new antibiotics at affordable prices; and people in all countries need to be protected from anti-microbial resistance if life expectancy is to be maintained and if there is to be realisation of the right to development.

5. Challenges of meeting the Sustainable Development Goals.

A special challenge is the extent to which the ambitious Agenda 2030 and the Sustainable Development Goals can be fulfilled. There is a close connection between the Right to Development and the SDGs. Fulfilling the SDGs would go a long way to realising

the right to development. The SDGs include some very ambitious and idealistic goals and targets. Yet there are obstacles for many countries and people to fulfil these.

For example, Goal 3 is "to ensure healthy lives and promote well-being for all at all ages." What could be more noble than this? One of the targets is to achieve universal health coverage, that no one should be denied treatment because they cannot afford it. But unless there is sufficient means of implementation in countries or among people, this will remain a noble target. Even if the government of a poor, or average or even rich country is willing to give a sizable allocation to health care, it will face the problem of lack of resources or the need to redistribute income or both. The financing of health is thus a major challenge.

It becomes more of an obstacle when treatment is unnecessarily expensive. One problem is when medicines are priced very high and out of reach of the poor or even the middle class. The treatment for HIV AIDS became more widespread and affordable only when generics were made more and more available at cheaper and cheaper prices, for example \$60 a patient a year as compared to the original prices of \$10,000 or \$15,000, and millions of lives have been saved. A similar situation has arisen for patients of Hepatitis C where the original price of a new drug with nearly 100% cure rate is \$84,000 in the US and 56,000 euros in Europe for a 12 week course of treatment, whereas generics can be produced and sold for less than \$1,000 (in some cases around \$600) in a number of developing countries. Similar wide price comparisons can be made for drugs to treat cancer and other diseases and for the new category of drugs known as biologics, many of which are priced at above \$100,000 in the US.

Some of the new medicines are unaffordable even in rich countries and not provided in their national health service and certainly unaffordable in developing countries let alone LDCs. The issue of patents, over pricing of original drugs, and the need to make generic drugs more available, is relevant to the fulfilment of SDGs, to universal health coverage, and the realisation of the right to development and the right to

health. Therefore for the SDGs to have a chance of a good success rate, the goals and targets have to be taken seriously using domestic resources of the countries, and they also have to be accompanied by adequate means of implementation. Obtaining adequate means of implementation entails international cooperation in at least three areas: (1) the provision of finance and technology to developing countries, including to assist them to fulfil the SDGs; (2) establishing appropriate international rules in trade, finance, investment, intellectual property and technology; (3) when formulating their domestic policies, policy makers in developed countries are sensitive to and take account of the interests and needs of people in developing countries.

The approach and instruments of the right to development would be useful to apply when implementing the SDGs. In turn, the fulfilment of the SDGs would be helpful for the realisation of the right to development. At the same time we should be mindful that there are limitations to the set of SDGs, and to the SDG approach. This should be supplemented by other instruments and approaches that are needed for a comprehensive understanding of the dynamics of development and thus of the right to development.

The five issues above are examples of the global crises and challenges facing our present world. There are undoubtedly several more major global issues. And there are many more issues at the national level. The right to development, its principles, perspectives and approaches, provide a valuable framework to address these problems. It would be very useful, for each issue, to: (1) identify the issue and its link to the right to development; (2) diagnose the causes of the problem; (3) elaborate on how it constitutes obstacles to development and to realising the right to development; (4) formulate and implement measures to eliminate the obstacles; (5) evaluate the effects of the actions and adjust the measures or actions to make them more effective.

This would be an action-oriented way to celebrate the 30th anniversary of the declaration on the right to development.

Operationalizing the Right to Development for Implementing the SDGs

Below is the statement of Dr. Mihir Kanade, Head of the Department of International Law and Human Rights and Director of the Human Rights Centre at the United Nations-mandated University for Peace (UPEACE) in Costa Rica, during the panel at the Human Rights Council commemorating the 30th anniversary of the Right to Development on 15 June 2016.

The 30th anniversary of the UN Declaration on the Right to Development which we celebrate this year, has come upon us in the backdrop of the adoption of our new and ambitious Sustainable Development Goals. And I am here to make a case before you all that if we are to realistically implement the SDGs as envisioned by the 2030 Agenda, then operationalizing the Right to Development is indeed indispensable and the only way forward.

The legal and textual justification for this position is inherent in the 2030 Agenda which grounds itself in the right to development and explicitly acknowledges that it is informed by the 1986 Declaration. But, I suggest that operationalizing the right to development is also the most sensible policy approach to implementing the SDGs, if they are to be successful. What this essentially means is embedding the implementation of the SDGs firmly within the normative framework provided by the 1986 Declaration.

I will make six specific points as to what operationalizing the RtD for implementation of the SDGs would entail.

Firstly, this requires focusing not only on the outcomes which must result from the implementation of the 2030 agenda, but equally on the processes by which those outcomes must be achieved. This includes, of course, participation of all stakeholders, as well as respecting the policy space of States and their people in determining and implementing their own development priorities. While the 17 SDGs focus on what is to be achieved, only by operationalizing the RtD can we also focus on how they are achieved as well.

Secondly, operationalizing RtD means that development, in order to be sustainable, must not be seen as a charity, privilege or generosity, but as a right of human beings everywhere, who are the central subjects of development and should be the active participants and beneficiaries of the right to development.

Thirdly, understanding that development is not a charity, privilege or generosity also means clearly acknowledging that all States are duty-bearers with respect to RtD. This duty extends not only internally towards their own citizens, but also beyond the States' borders and permeates through international decision-making at international organizations, including the UN, WB, IMF, and the WTO. Thus, for instance, States would clearly be failing in their obligations if they create international conditions unfavourable to the realization of the RtD through the lending policies they support at the IMF or WB, or through WTO rules. In fact, WTO rules are explicitly required to be framed with the objective of promoting sustainable development by the very terms of the Marrakesh Agreement Establishing the WTO.

Now, the 2030 Agenda, through Goal 17, lays special emphasis on strengthening the means of implementation of the SDGs through a revitalized global partnership for sustainable development. If global partnership and international cooperation are the means and the key for achieving the SDGs, it is far too important a goal to be relegated to the fungible and unpredictable nature of charity, generosity or privilege. Operationalizing the RtD essentially means contextualizing SDG 17 in the proper perspective by viewing it as an expression of the duty of States towards international cooperation.



Dr. Mihir Kanade, Head of the Department of International Law and Human Rights and Director of the Human Rights Centre at UPEACE

tion, which is enshrined not only in the 1986 Declaration but also in the UN Charter of 1945.

Fourthly, operationalizing the RtD means insisting on a comprehensive, multidimensional and holistic approach to development as a human right. On the one hand, this means that all SDGs must be achieved in a manner which is aligned with human rights and promotes their fulfillment. On the other hand, operationalizing RtD requires us to ensure that no goal is achieved at the cost of some other human right, whether substantive or procedural. It ensures that there is no trade-off between rights, even when we need to prioritize some rights over others through the SDGs.

Fifthly, operationalizing RtD means going beyond a Human Rights based approach to Development or HRBA. HRBA focuses on linking and aligning the objectives of development projects to specific human rights norms, standards and principles. The RtD approach goes further and makes development itself a self-standing human right. Therefore, operationalizing RtD means encompassing HRBA within its fold, but it also requires understanding that States have duties to ensure development as a matter of human rights. In programmatic terms, HRBA has always

insisted on recipients of development aid ensuring respect for human rights while implementing development projects through transparent and accountable institutions. While that is obviously necessary, it has not looked at international cooperation to ensure development and not impede it as a matter of duty of the donors. Operationalizing RtD for implementing the SDGs would, therefore, not only require the recipients of international cooperation to fulfil their human rights obligations internally through accountable and transparent institutions, but also requires the donors in international cooperation to be duty bound by human rights principles while providing financial or technical aid for the implementation of SDGs. This includes ensuring that developing countries have the necessary policy space in order to define their own development priorities in line with the SDGs and their own mechanisms for implementing them. It also requires ensuring that donors do not impose conditionalities on financial and technical aid which violate the national policy space and human rights. These principles, including RtD itself, are inherent to the Addis Ababa Action Agenda on Financing for Development, which has been reaffirmed by the 2030 Agenda.

Finally, operationalizing RtD for the implementation of SDGs means ensuring that the indicators for the SDGs and the targets are compatible with the objective of making the right to development a reality for everyone. This includes ensuring that there are clear, quantifiable indicators for both national and international action, with appropriate benchmarks for each of the SDGs, and most importantly, for Goal 17.

The SDGs should indeed be seen as an expression by States of their intention individually and collectively to fulfil their obligations under the 1986 Declaration. In other words, RtD is nothing but the human rights avatar of the SDGs; and the SDGs are nothing but a policy expression and plan of action for operationalizing the RtD. As such, operationalizing the RtD for implementation of the SDGs is the only way forward if we are to ensure a safe journey to a sustainable future.

Statement: Ms. Flavia Piovesan



Ms. Flavia Piovesan, Secretary for Human Rights at the Ministry of Justice of Brazil. (Photo: UN)

First I would like to express my deep gratitude for joining such an inspiring and important panel.

My brief talk will focus on two questions. First, how to understand the conceptual basis and legal framework of the right to development, and second, which are the central attributes, the central components, of the right to development from a human rights approach. I would start by saying that 30 years ago the UN adopted the Declaration on the Right to Development establishing the framework that provides individuals and peoples, both domestically and globally the right to an equitable, sustainable, and participatory development in accordance with the full range of human rights and fundamental freedoms. The incorporation of the human rights based approach to development is among the greatest achievements of the UN Declaration of 1986. Since then this approach has guided the integration of norms, standards, and principles of the international human rights system into the plans, policies, and process of development, including the 2030 agenda, and the sustainable development goals. At the 30th anniversary of the Declaration, it is essential to review its contributions and explore its perspectives inspired by the human rights based approach to

development, as well as by the development approach to human rights. By assuming that the human person is the central subject of development and should be the active participant and beneficiary of the right to development, the Declaration played a crucial role redefining development, shifting it from the purely economic dimension based exclusively on GDP displayed by each state into a conception based on the human dimension and the human dignity dimension. I would like to quote our Chairperson of the UN high-level task force on the implementation of the right to development, of which I was glad to participate in, Steven Marks, who said "the Declaration takes a holistic, human centered approach to development. It sees development as a comprehensive process aiming to improve the well-being of an entire population and of all individuals on the basis of their active free and meaningful participation and the fair distribution of the resulting process."

Recalling Amartya Sen's conception, development has to be conceived as a process of expansion of the true freedoms that people can benefit from. Similarly, Professor Sengupta states that the right to development is the right to a process that expands the capabilities or freedoms of individuals to improve their well-being and to realize what they value. Three key attributes and components emerge when applying a human rights approach to the right to development: 1) social justice; 2) participation, accountability and transparency; and 3) international cooperation. Concerning social justice, the Declaration on the Right to Development recognizes development as an economic, social, cultural, and political process aiming to guarantee the constant improvement of the well-being of individuals. In the contemporary world order however, one can see the process of feminization of poverty. As women we constitute 70% of people who live in poverty. About 80% of the world's population live in developing countries marked

by low income and educational levels, and high rates of poverty and unemployment. Currently, 85% of the world's income goes to the richest 20% of the world's population, whereas 6% goes to the world's poorest 60%. So what is the answer given by the Declaration of 1986? Therefore in promoting development, equal consideration must be given to political, economic, social and cultural rights as incorporated by the 2030 Agenda especially regarding goals 1, no poverty, 5, gender equality, and 10, reduced inequalities. Addressing the Right to Development, Mary Robinson states that the great merit to the human rights approach is that it draws attention to discrimination and exclusion. It permits policy makers to identify those who do not benefit from development. The second component is the democratic component embracing participation, accountability, and transparency. According to the 1986 Declaration, the human person is the central subject of development, and should be the active participant and beneficiary of the right to development based on an active, free, and meaningful participation. I would say that this Declaration is the only international instrument that makes the nature of participation in development so explicit. The 2030 Agenda reinvigorated the principle of participation by adopting a goal that

pursues the promotion of peaceful and inclusive societies. The promotion of justice for all and the building of effective, accountable and inclusive institutions at all levels - goal 16. Political liberties and democratic rights are among the constituent components of development. Why, because democracies condition not just the institutions that exist, but by the extent to which different voices can be heard. And then we move to the third dimension, international cooperation. According to 1986 Declaration, States have the primary responsibility for the creation of national and international conditions favorable to the realization of the right to development. They are also bound to cooperate in ensuring development and eliminating obstacles to development. States have as well the duty to take steps individually and collectively to formulate international development policies with a view to facilitating the full realization of the right to development.

Goal 17 of the 2030 Agenda demands further strengthening of international cooperation. And the high-level task force on the realization of the right to development has identified some criteria regarding responsibilities of States acting collectively at the global and regional levels for that

goal. Those criteria call for stability, rule of law, predictability, non-discrimination, peace, security, democracy, transparency, accountability, human rights, and a fair distribution of the benefits and also the burdens of development. So besides the traditional human rights obligations to respect, protect, and fulfill, we add here the duty to cooperate. The right to development has solidarity as a founding value, which invokes the principle of shared responsibility in the global order. Lastly, I would say that the 2030 Agenda for Sustainable Development is informed by the Declaration on the Right to Development. The 1986 Declaration on the Right to Development remains a dynamic and living instrument capable of addressing the contemporary challenges of advancing global democracy and global justice based on solidarity, international cooperation, and the protagonism and creativity of civil society considering development as an empowering process.

Ms. Flavia Piovesan is the Secretary for Human Rights at the Ministry of Justice of Brazil.

Statement: Ambassador Wayne McCook

The Right to Development is an inalienable human right by virtue of which every human person and all peoples collectively, are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, through which all human rights and fundamental freedoms can be fully realized.

The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.

The ICESCR reminds us that these rights derive from the inherent dignity of the human person, recognizing that, in accordance with the Universal Dec-

laration of Human Rights, the ideal of free human beings enjoying freedom from **fear and want** can only be achieved if conditions are created whereby everyone may enjoy her economic, social and cultural rights, as well as her civil and political rights.

As Human Beings to what are we entitled? With what do we survive and through what can we be free to live in dignity as individuals and in the community?

Should the rights we agree be limited to the ability to breathe, to speak, to listen and to move freely or is there more?

Should we, collectively, agree that all human beings have a right to more than survival or simply being alive?

Yes we have! We have agreed a body of globally accepted rights en-



Ambassador Wayne McCook of the Permanent Mission of Jamaica and Chair of the G77 and China, Geneva Chapter



The failure to adequately regulate unfettered finance and other aspects of globalisation has led to economic crises, job losses and greater inequality, causing protests in many countries. Realising the right to development requires the tackling of these issues.

compassing civil, political, economic, social and cultural rights in instruments that lay a foundation on which we base our promotion and protection of fundamental human rights.

Having agreed these rights we cannot simply assume that the task is done – that merely saying having these rights delivers those rights.

We must commit to the rights without which these cannot be secured and it is for this reason that we have recognised that the Right to Development must be promoted and protected by all.

The first globally significant step taken by Jamaica at the point of its independence in 1962 was to call for Human Rights to be placed at the centre of the global agenda at the UNGA that year!

We were among those who came from a legacy of slavery and colonization who wished the world to recognize and commit to a body of rights that would ensure that these and other practices of the past that had caused great suffering for human beings and in some cases seen genocide, the destruction of communities and civilizations and the dehumanization of peoples would be banished from our collective values, though not our memories, and replaced with fundamental commitments that would secure for future generation rights denied generations past.

It is in this context that we come to the Right to Development.

I am pleased that the proclamation of Teheran adopted on May 13, 1968 by the International Conference on Human Rights

was proposed by Jamaica in 1967 and its precom chaired by a father of our foreign service Sir Egerton Richardson. The proclamation expressed the belief that the enjoyment of economic and social rights is inherently linked with any meaningful enjoyment of civil and political rights and that there is a profound interconnection between the realization of human rights and economic development.

This recognition of this inherent linkage between economic and social rights and civil and political rights has been affirmed by Jamaica and like minded countries for many years and it is in this context that the 1986 Declaration on the Right to Development was adopted.

The Human Right to Development has helped to transform a development narrative that had for too long been about things, statistics and edifices, when its focus should have been the well being of people.

Development is not mere growth; it is the measure of the improvement in the quality of life of persons.

Therefore, processes that retard development, diminish the quality of life of the human being and puts at risk the ability to exercise other rights and to survive must be seen for what they are - a denial of human rights.

The Right to Development as compelling as it would be in concept, is made even more critical to the overall Human Rights cause because of its context.

It has come after a sober reflection on what centuries and decades of abuses of the right to development

have wrought and the divisions of countries and peoples along fault lines of plenty and poverty that were spawned by that history.

It recognized that is on the altar of economics and commerce that the most brutal denial of rights has been based.

The most horrific manifestation of this is in the practice and legacy of slavery and in particular the transatlantic slave trade that made economic interests and development for a few the basis upon which societies and peoples were deformed and the rights of millions denied.

This dramatic example of the antithesis of the right to development is a sobering backdrop to the continuing challenges that demand that this right be promoted and protected in our time.

The Right to Development is also an enabler for other rights. Social harmony and the freedoms that we cherish, require can best be attained when our societies are free from the risk of being drowned in poverty and destitution - where youth without jobs question the freedoms that they feel they cannot afford, resent the privileges that they cannot enjoy and question the values that deem this acceptable.

So even as domestic and international agendas evolve ever-increasing obligations under the civil and political rights umbrella, these efforts are at risk of crumbling under the weight of disaffection and anger from those denied the right to share in the growth around them - denied the right to development.

The Right to Development seeks to situate human rights in the wider context of the practices that enable or disable freedom from fear and want, and secure the inherent dignity of the human person.

It seeks to put the “horse” of the human person before the “cart” of the means of commerce and economic, social and cultural development.

These must serve the human person as the ultimate purpose.

This right cannot therefore be squared with systems that are built on structural inequality and discrimination among human beings and which deny equal opportunity to participate in and benefit from development in all its aspects.

We can do no better than to consider and affirm the words of the Declaration itself:

The Right to Development is an inalienable human right by virtue of which every human person and all peoples are entitled to **participate in, contribute to, and enjoy economic, social, cultural and political development**, in which all human rights and fundamental freedoms can be fully realized.

Can we argue that there is no such right or entitlement? Should we not criticize denial of these participatory rights in like manner to our criticism of denial of certain civil and political rights?

If we organize societies in which the right of some to contribute to and benefit from development is denied, if we by omission or commission curtail opportunities for development for some and promote these opportunities for others - is this discriminatory approach to development tenable?

The right to development recognizes the rights of communities to "the exercise of their inalienable right to full sovereignty over all their natural wealth and resources".

We recall the consequences of doctrines of terra nullius which were but one manifestation of the view that some human beings by virtue of being different from those who "discovered them" have no rights in property and means that should be respected and the wealth and resources under their control could be taken at will because these individuals were not important, even if they were human in form.

The Right to Development recognizes an interrelationship between the right and the development process. In this context it requires that the development process be guided by a full appreciation of the human right that it must serve and be accountable to.

Like all other rights the question of fairness and equity is an underpinning of the right to development.

Development, including economic development cannot be truly realized unless the ability to participate freely in the development processes and to benefit fairly from them is secured. This is fundamental for the creation of fair and just societies.

How do we pursue the right through policy?

At the international level we have given effect to it in certain principles that seek to bring balance in the face of historical inequities.

It is well settled that where practices over time have been unfair and disadvantageous to individuals and communities, it is not enough to simply stop the clock and move on.

We need affirmative measures to help restore the balance and bring equity.

In the field of development and the means of implementation of development and sustainable development goals we must be keen to not crystallize inequity. We are called upon to correct this through affirmative steps thereby securing for the affected their right to development.

It is in this context that we see the reflection of the Right to Development in the SDGs, recognising that the 2030 Agenda for Sustainable Development is informed by the Declaration on the Right to Development.

Indeed, the fundamental principles of Agenda 2030 enjoy natural synergies with the Declaration on the Right to Development and the theme of equity in development.

Its solemn pledge to leave no one behind and affirmation that the dignity of the Human Person is fundamental leave no doubt.

How then might we harness the synergies between the Right to Development and the SDGs?

We can do so by moving from rhetoric to reality in fulfilling the ambitious goals that have been set recognizing that beyond the desirability of the pursuit of these goals lies a duty that is defined by the right of all human beings to participate in and benefit from development.

It reinforces the duty to see the eradication of poverty and hunger - two of the greatest threats to the enjoyment of the Right to Development - and we welcome this synergy.

In reinforcing these shared commitments it is important that we put to rest the debate about hierarchy of rights and efforts to divide rights rather than reinforce and consolidate them.

We should pursue a world in which all rights are recognized and respected and most importantly guaranteed and delivered.

We do so recognizing that what makes a right is not how easily attainable the realization of that right is. It is whether or not securing that right is crucial for securing the dignity of the human person.

H.E. Mr. Wayne McCook is the Permanent Representative of Jamaica to the United Nations Office and other international organizations in Geneva. He is also the Chair of the Group of 77 and China Geneva Chapter.



Homeless person sleeping on the streets of Athens: The economic crisis and the austerity policies linked to debt repayment have affected the ability of states and citizens in both South and North to fulfil the right to development.

Concept Note on Panel Discussion on Right to Development at the Human Rights Council

The Office of the UN High Commissioner for Human Rights prepared a Concept Note on the panel discussion held during the 32nd Session of the Human Rights Council, in order to commemorate the 30th anniversary of the adoption of the Declaration on the Right to Development. The Concept Note includes a useful background as well as a list of reference documents. Below is the Concept Note.

Date and venue: Wednesday, 15 June 2016, 10 a.m. - 1 p.m.

Palais des Nations, [Room XX](#), Geneva

(will be broadcast live and archived on <http://webtv.un.org>)

Objective: To increase awareness among all stakeholders, including Member States, relevant bodies of the United Nations system, United Nations specialized agencies, funds and programmes, in particular human rights mechanisms, as well as the international financial and trade institutions, of the distinct role and intrinsic value of the right to development as an inalienable and independent human right by virtue of which all human rights can be fully realized and all people can enjoy economic, social, cultural, and political rights. This discussion will focus on the promotion and protection of the right to development including in the context of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs), in particular SDG 17, and in this context, to generate policy recommendations and practical measures for making the right to development a reality for everyone.

The debate will be guided by the following questions:

1. How can the United Nations system, in particular human rights mechanisms, contribute to the implementation and realization of the right to development?

2. How can the United Nations system help to overcome the existing challenges around the right to development as an independent and distinct right?

3. What role can international cooperation play in the realization of the objectives enshrined in the United Nations Declaration on the Right to Development?

4. How can the implementation of the 2030 Agenda contribute to the implementation of the Declaration on the Right to Development, with a view to achieving inclusive, equitable and sustainable development for all?

5. How can the right to development be operationalized to create an environment conducive to achieving the SDGs, in particular Goal 17 on strengthening the means of implementation and revitalizing the global partnership for sustainable development?

6. What ways and means can be pursued to integrate, claim and build capacity on the right to development among all stakeholders?

Chair: [H.E. Mr. Choi Kyonglim](#), President of the Human Rights Council

Video screening: The panel will open with a video produced by OHCHR to mark the 30th anniversary of the United Nations Declaration on the Right to Development

Opening statement: [Mr. Zeid Ra'ad Al Hussein](#), United Nations High Commissioner for Human Rights

Moderator: [H.E. Mr. Amr Ramadan](#), Permanent Representative of Egypt to the United Nations Office and other international organizations in Geneva

Panellists: [Ms. Flavia Piovesan](#), Secretary for Human Rights at the Ministry of Justice of Brazil, and Professor of Constitutional Law and Human Rights, Faculty of Law, Pontifical Catholic University of São Paulo

[H.E. Mr. Wayne McCook](#), Permanent Representative of Jamaica to the United Nations Office and other interna-

tional organizations in Geneva

[Mr. Mihir Kanade](#), Head of the Department of International Law and Human Rights and Director of the Human Rights Centre, United Nations-mandated University for Peace (UPEACE), San Jose, Costa Rica

[Mr. Martin Khor](#), Executive Director of the South Centre, Geneva

Outcome: The Office of the United Nations High Commissioner for Human Rights (OHCHR) will prepare a summary report on the panel discussion for submission to the Human Rights Council at its thirty-third session.

Mandate: In paragraph 3 of its resolution 31/4, the Human Rights Council decided to convene, at its thirty-second session, a panel discussion on the promotion and protection of the right to development, as part of the celebrations of the thirtieth anniversary of the Declaration on the Right to Development. In paragraph 4, the Council invited the High Commissioner to liaise with States and all stakeholders, including relevant United Nations bodies, agencies, funds and programmes, treaty bodies, special procedure mandate holders, national human rights institutions and civil society, with a view to ensuring their participation in the panel discussion.

Background: Some progress has been made in global efforts towards realising the vision of the 1986 United Nations Declaration on the Right to Development¹ ('the Declaration'). Yet, progress has been uneven, particularly for people in Africa, least developed countries, landlocked developing countries, and small island developing States.² Globally, persistent poverty and rising inequalities remain among the many interconnected threats to peace and security, human rights and development. Consequently, the global commitment to "making the right to development a reality for everyone"³ in the Millennium Declaration remains unfulfilled in several respects.

The year 2015 provided momentum for realizing the vision of the Declaration on the Right to Development. The

commitments made in the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda on Financing for Development (AAAA) and the Paris Climate Agreement gave new impetus to its vision. The 2030 Agenda sets out a transformative vision for people and planet-centred, human rights-based, and gender-sensitive sustainable development. The successful implementation of this Agenda requires an enabling environment at both national and international levels. The Declaration on the Right to Development provides a normative framework for such an environment: grounded in development, peace and security and human rights. The 2030 Agenda “is informed by the Declaration on the Right to Development.”⁴

The Declaration proclaimed development to be a right, with active, free and meaningful participation in development and fair distribution of its benefits. It places on States and on the international community duties to make national and international development policies aimed at the constant improvement of human well-being and to cooperate to ensure development and eliminate obstacles to development. It supports peace and disarmament; upholds the right to self-determination and to full sovereignty over all natural wealth and resources; and makes equality of opportunity for development ‘a prerogative both of nations and of individuals who make up nations.’⁵ The Declaration underlines that steps should be taken at both the international and national level, to ensure the full exercise and progressive enhancement of the right to development, including the formulation, adoption and implementation of policy, legislative and other measures.⁶

The 1993 Vienna Declaration and Programme of Action recognized that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level. It also reaffirmed that the right to development should be fulfilled so as to meet equitably the developmental and environmental needs of present and future generations.⁷

The 2030 Agenda aims “to leave no one behind.” It includes a key commitment to “reaching the furthest behind

first” by ensuring that SDGs and targets are met “for all nationals and peoples and for all segments of society”. This is encapsulated in SDG 5 on “Achieving gender equality and empowering all women and girls” and SDG 10 on “Reducing inequalities within and between countries”.

Together with the Addis Ababa Action Agenda, Goal 17 on “Strengthening the means of implementation and revitalizing the global partnership for sustainable development” provides new ground for realizing the right to development. The vision of the Declaration must be the guiding force in the implementation of the 2030 Agenda and the AAAA. The SDGs can be realized only through a credible, effective and universal commitment to the means of implementation by all stakeholders. Goal 17 and a number of targets under the other 16 Goals address a range of financial and other means of implementation which are critical for the achievement of the SDGs and the realization of the right to development.

Background materials:

- [1986 Declaration on the Right to Development](#)
- [1993 Vienna Declaration and Programme of Action](#)
- [Consolidated report of the Secretary-General and the High Commissioner on the right to development \(A/HRC/30/22\)](#)
- [Transforming our world: the 2030 Agenda for Sustainable Development \(General Assembly resolution 70/1 of 25 September 2015\)](#)

- [2015 Addis Ababa Action Agenda of the Third International Conference on Financing for Development](#)
- [2015 Paris Climate Agreement](#)
- [Report of the Secretary-General on critical milestones towards coherent, efficient and inclusive follow-up and review at the global level \(A/70/684\)](#)
- [Frequently Asked Questions on the Right to Development \(Fact Sheet No. 37\)](#)
- [OHCHR video marking the 30th anniversary of the adoption of the United Nations Declaration on the Right to Development](#)

End notes:

- ¹ General Assembly resolution 41/128.
- ² Para. 16, General Assembly resolution 70/1, ‘Transforming our world: 2030 Agenda for Sustainable Development’.
- ³ Para. 11, General Assembly resolution 55/2.
- ⁴ Para. 10, General Assembly resolution 70/1 (2030 Agenda for Sustainable Development).
- ⁵ Preamble, Declaration on the Right to Development.
- ⁶ Article 10, Declaration on the Right to Development.
- ⁷ Principle 3, Rio Declaration on Environment and Development (A/CONF.151/26); and paragraph 11, Vienna Declaration and Programme of Action (A/CONF.157/23).



The Right to Development is crucial for the implementation of the Agenda 2030 for Sustainable Development and the Sustainable Development Goals .

Transcript of OHCHR video marking the 30th anniversary of the adoption of the United Nations Declaration on the Right to Development

The video can be viewed on <https://www.youtube.com/watch?v=pdKfypBTtdI>.

30 years ago the international community came together to debate the challenges affecting our world. Until then, development had been equated with economic growth only.

In 1986 the UN General Assembly adopted the Declaration on the Right to Development.

This Declaration defines development as an economic, social, cultural and political process aimed at the constant improvement and well-being of the *entire* population.

It made development the right of all individuals and peoples, called for active, free and meaningful participation in development and fair distribution of its benefits. It rejected foreign domination, racism, discrimination and all violations of human rights. It entrusted States with the duty to direct development for the well-being of all people and called on them to work together.

The Declaration supported peace and disarmament, people's right to self-determination and sovereignty over their natural wealth and resources.

States have not always respected human rights in their development decisions.

This has impaired development and contributed to growing inequalities. It has led to decisions that have denied basic rights such as food, water and sanitation, adequate housing, education and health. People have been evicted and forcibly resettled from their lands in the name of development. The most vulnerable and marginalised populations bear the brunt of development policies gone wrong.

Today, the richest 62 individuals in

the world possess the same wealth as 3.6 billion others, the poorer half of humanity.

While some have plenty, millions of men, women and children are deprived of their rights, and forced to risk their lives in search of hope and dignity in distant places.

Climate change directly impacts human lives and well-being, denying people the right to access resources. Extreme weather patterns threaten many communities, and for many small island developing states, even their very existence.

Today 700 million people are living in extreme poverty, with less than one dollar ninety cents a day to cover all their needs.

Corruption bites into development gains. And developing countries lose at least 170 billion US dollars in tax revenues each year because rich individuals and multinational companies hide money using tax havens.

Unfair trade barriers generate and sharpen inequality. Poor countries deprived of funds cannot provide healthcare, good education and basic needs to all their people.

11 children under the age of 5 die every minute, and 33 mothers die in childbirth every hour. This is about power and money: almost all infant and maternal mortality is preventable.

There is certainly a need for change.

The 2030 Agenda and the Paris Agreement recognize that the next generation's future can be safeguarded through our actions today and they recognize the right to development as a guiding force for these actions.

The Declaration is a roadmap for transformative change and a framework of rights and duties to make it work. It calls for accountability at all levels, full and free participation by all women and men, and equality of opportunity for both nations and individuals.

The Declaration requires States to ensure that they are responsible for their actions and their impacts at home and abroad. Businesses, development banks and actors financing development must also take such responsibility.

Achieving the right to development improves and saves lives.

When women have equal access to education and opportunities, the positive impact on families and societies is well known.

The right to development insists that all individuals have a right to reach their full potential.

Simply put, the right to development is development done right.



Statement: Iran on behalf of NAM

I have the honor to make this statement on behalf of the Non-Aligned Movement member States.

At the outset, NAM would like to express its sincere appreciation to the High Commissioner for his presence and for sharing with us his thoughtful remarks.

Today, on the eve of the celebration of the 30th Anniversary of the Declaration on the Right to Development, this panel has provided an ample opportunity for all member states to participate and render their full support to the Declaration, and the long standing aspirations of the international community to implementation of this Declaration and realization of the right to development.

As the Declaration underscored, the Right to Development is “an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized”.

Therefore, at this juncture, the Non-Aligned Movement firmly believes that the realization of the right to development is a necessity more than ever. While almost three decades has lapsed since the adoption of the Declaration, we should renew our commitment and device appropriate means along with political will to implement this Declaration and achieve our common goals for a better future for all.

Development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the life, meaningful participation in all spheres and fair distribution of benefits among everyone.

In this regard, we are of the view that the right to development is an inalienable and intrinsic right, with a distinct and independent nature by which all human rights can be fully realized. Hence, we acknowledge that we may not reduce the right to development by trying to define it through secondary aspects of development such as poverty reduction, hunger eradication,

food security, inclusive education and adequate housing. We are of the firm belief that the distinct nature of the right to development is not a negligible reality and should be substantially addressed.

The 2030 Agenda reflects our global development aspirations, and the Non - Aligned Movement believes that the right to development should be central to the implementation of the Agenda for Sustainable Development. In this vein, we urge Member States, relevant bodies of the United Nations system, United Nations specialized agencies, funds and programmes, in particular Human Rights mechanisms, as well as the international financial and trade institutions to mainstream the right to development in the context of the elaboration of their policies in line with the 2030 Agenda.

Massive and flagrant violations of human rights caused by situations resulting from colonialism, apartheid, racism, foreign domination and occupation, threats against national sovereignty, national unity and territorial integrity, unilateral coercive measures and unfair sanctions, has led to frustration in terms of development. The afore-mentioned goals and this bitter reality of the contemporary world can be eliminated only through international cooperation and friendly relations among states.



The representative of Iran speaking on behalf of NAM

Last but not least, NAM seizes this opportunity to welcome the distinguished panelists and hope that the discussions today will achieve its objectives and generate policy recommendations and practical measures for operationalization and realization of the Right to Development.

Finally, we would like to ask this question: “How can the human rights mechanisms contribute to implementation and realization of the right to development, and how can we overcome the lasting challenges around this concept as an independent right?”



A view of the United Nations General Assembly. The Declaration on the Right to Development was adopted by the UN General Assembly 30 years ago in 1986.

Statement: China on behalf of the Like Minded Group

I have the honor to deliver this statement on behalf of 29 Like Minded Countries (see annex).

The Right to Development is a comprehensive right involving all human rights that are mutually interdependent. It is the coordinated development of all human rights, an organic unity of rights and duties, and an important precondition to the free and full development of human beings. 30 years after the adoption of the Declaration on the Right to Development, the implementation of the Right to Development falls far short of expectations. To eliminate the obstacles of implementation, the right to development should be fully recognized as a primary, inalienable and fundamental human right; threats of wars and external aggression should be avoided; the unjust and inequitable international political and economic order should be reformed.

The 2030 Agenda for Sustainable Development clearly sets forth in "Our shared principles and commitments" that the Agenda is informed by the Declaration on the Right to Development and other instruments. The goals and targets of the Agenda, including those related to sustained and inclusive economic growth, social development, environmental protection and eradica-

tion of poverty and hunger, are all closely linked to the right to development, and provide valuable platforms for putting this right into practice. These goals and targets should be implemented in a comprehensive and coordinated manner. Countries should identify their most pressing needs and priorities of development, and formulate their development strategies and plans with concrete implementation measures in light of their national conditions, and on the basis of the principle of "common but differentiated responsibilities". We should persist in innovation, build new development mechanisms and break new grounds in science and technologies.

In the context of economic globalization, international cooperation should be the strategic foundation of the implementation of the right to development. All countries should abide by the purposes and principles of the UN Charter, embrace a new spirit of shared destiny for all, and build a new type of international relations based on win-win cooperation. Developed countries should fulfill their international obligations, by providing financial, technical and capacity building support to developing and least developed countries. These countries



China delivers a statement on behalf of the Like Minded Group

should endeavor to promote South-South Cooperation.

UN human rights mechanisms should earnestly fulfill their mandates set out by the UN General Assembly, take as its priority the promotion and protection of the implementation of the right to development, promote effective work by the UN system in mainstreaming the right to development, so as to enhance balanced and sustainable development of all people.

Annex: Algeria, Bangladesh, Belarus, Bolivia, Burundi, Cambodia, China, Cuba, DPRK, Ecuador, Egypt, Ethiopia, India, Indonesia, Kenya, Malaysia, Myanmar, Nicaragua, Pakistan, Russian Federation, Saudi Arabia, Singapore, South Africa, Sri Lanka, Tajikistan, United Arab Emirates, Venezuela, Viet Nam, Zimbabwe

Statement: Brazil on behalf of the CPLP

I have the honour to deliver this statement on behalf of the Community of Portuguese Speaking Countries (CPLP). We would like to congratulate the panellists as well the High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, for his valuable contributions to the debate on the promotion and protection of the right to development.

As we commemorate the 30th anniversary of the Declaration on the Right to Development, we consider it as essential that the Human Rights Council review ways to contribute to its promotion more effectively, including in light of the recent adoption of Agenda 2030

for Sustainable Development.

We reaffirm the commitment of our community, who will soon complete twenty years, to strengthen solidarity and cooperation ties that bind us, combining initiatives to promote sustainable development of our peoples.

Based on today's discussion, it was possible to realize that, after 30 years of the adoption of the Declaration, we have overcome the discussion about the existence of the human right to development, based on the indivisibility and interdependence of all human rights and that each individual is the

(Continued on page 21)



Ambassador Regina Maria Cordeiro Dunlop of Brazil delivers the statement on behalf of CPLP

Statement: South Africa on behalf of the African Group



The delegation of South Africa delivers a statement on behalf of the African Group

ally recognized human rights. We are fully cognizant of the duty to cooperate with each other in ensuring development and eliminating obstacles to development. However, the international community should equally acknowledge its duty to promote an effective international cooperation for the realization of the right to development and to work constructively towards the elimination of obstacles to development.

We have opportunities to collaborate with each other to make this right a reality for the developing world, especially the least developed states, thus we call upon the international community to not allow these opportunities to pass without meaningful progress.

I have the honour to deliver this statement on behalf of the African Group.

We thank the panelists for their insightful presentations.

The African Group joins the international community in celebrating the 30th Anniversary of this praiseworthy Declaration. We celebrate this anniversary with mixed emotions, but also with hopeful hearts. The concept of the right to development is perceived to be originally African, as it was first stated as such by Doudou Thiam, Minister of Foreign Affairs of Senegal, in Algiers in 1967. The then Minister referred to the right to development as a right that must be proclaimed “loud and clear for the Nations of the Third World”. Today, we proclaim this right “loud and clear”.

Long before the adoption of the Declaration by the UNGA in 1986, the issue of development was already high on the Agenda of the African Continent and is contained in Article 22 of The African Charter of Human and Peoples’ Rights. Today, we want to take the opportunity to dispel the notion that African States do not want to take

responsibility for their own development needs. We fully acknowledge that the primary responsibility for the realization of the right to development of our people rests with us.

For African States the right to development is an inalienable human right and we stand firm in the belief that the status of this right must be bestowed with the recognition it deserves which is more than that of a mere political aspiration. Human rights are universal, thus the right to development belongs to all Peoples all alike. A lot of criticism against the right to development leans towards the duties of States at national level versus that of the international community. We concede that long-term progress towards the implementation of the right to development requires effective development policies at the national level, but maintain that equitable economic relations and a favorable economic environment at the international level is vital in this regard.

As African States, we acknowledge that development facilitates the enjoyment of all human rights and the lack of development may not be invoked to justify the abridgement of internation-

Statement: Dominican Republic on behalf of CELAC



The delegation of the Dominican Republic delivers the statement on behalf of CELAC

CELAC thanks the panelists for their presentations.

In celebrating the 30th anniversary of the Declaration on the Right to Development CELAC takes this opportunity to call to redouble efforts for the effective promotion and protection of the right to development, fundamental to the realization of all other rights, recognizing its universality, inalienability, indivisibility and interdependence.

Similarly, we deepen our commitment to achieving a more inclusive and solidary region with gender equity, that contributes to advance the achievement of sustainable development, food

security and nutrition, the sustainable protection of the planet and its natural resources and the eradication of hunger, poverty and inequality, taking into account the 2030 Agenda for Sustainable Development.

For CELAC, international cooperation plays an important role in the realization of the right to development. For this reason we consider necessary the creation of an enabling environment at all levels for achieving sustainable development. We call upon all actors of the international community to operationalize the right to development.

Statement: European Union

The European Union would like to thank the panellists for their interventions.

The discussion today reaffirms the commitment of the international community to implement the 2030 Agenda for Sustainable Development, and highlights the interconnectedness of the realization, promotion and protection of human rights for all and the achievement of sustainable development.

The EU advocates a rights - based approach, to sustainable development, with all human rights respected on an equal footing, and respecting the core principles of non-discrimination, inclusion and participation, transparency and accountability. We reiterate our support for the Right to Development, in conformity with the indivisibility and interdependence of all human rights, the multidimensional nature of development strategies and with respect for individuals as the central subjects of the development process. Let us not forget that States, acting individually and collectively as duty bearers, owe the primary responsibility

to their citizens as rights holders to ensure that the right to development is realised.

The 2030 Agenda and, at its heart, the SDGs, are a major achievement and our common plan for the next generations. This plan is our shared roadmap towards a more equal, just and peaceful world. Our discussions should stem from the fact that we have all signed up to this same plan. The 2030 Agenda is indivisible, integrated and universally applicable to all countries.

Achieving the SDGs will require action by all stakeholders, including civil society and the private sector. Looking ahead, we need to promote a model of sustainable development which is inclusive and collaborative, and which respects and promotes the realisation of all human rights, ensuring that no one is left behind. In practice this means strengthening the UN's human rights mechanisms, and better integrating human rights principles with development efforts.

We welcome the progress UN development agencies have made towards this new approach, and we



The representative of the European Union delivers a statement

stand ready to offer our support for such efforts.

Delivering results on this Agenda is no small task - for any of us. Yet we are fortunate to have a common basis to engage on. Let me stress our support for an inclusive and effective follow-up and review mechanism for the 2030 Agenda that fosters broad ownership and promotes accountability to citizens.

Statement: The United States

The United States reaffirms our long-standing commitment to international development and the promotion of human rights. We are dedicated to incorporating respect for human rights into our development strategies, as a means to promote inclusion and dignity of all. Respecting the dignity and well-being of everyone is critical for achieving the Sustainable Development Goals. Truly sustainable development depends on accountable governments that respect human rights, provide access to justice, and follow the rule of law.

Discourse at the Council regarding human rights and development has largely emerged under the construct of a "Right to Development." Our concerns regarding the existence and definition of a "Right to Development" are long standing and well

known. Nevertheless, we see great value in the Council discussing - in the words of the Vienna Declaration - how "development and respect for human rights and fundamental freedoms" are "mutually reinforcing." In fact, now that the Sustainable Development Goals have been adopted, this conversation is more important than ever.

The fact is, every month, more and more empirical data is collected that conclusively demonstrates that respect for human rights and establishment of rule of law are key to successful development. For example, it is unmistakably clear that to ensure successful and sustainable development, countries need to effectively address discrimination against women, including without limitation promoting gender equality in the work place, education for girls equal to that for boys, and addressing



The United States delivers its statement

violence against women. The SDGs recognize this reality, especially through Goal 5 on Gender Equality and Goal 16 on Peace, Justice and Strong Institutions.

(Continued on page 21)

Developing countries call for greater efforts to implement the Right to Development

Below is a summary of statements delivered by some member states and observers of the Human Rights Council during the panel at the Council commemorating the 30th anniversary of the Right to Development on 15 June 2016.

By Adriano José Timossi

Several countries took the floor to express their support for the Declaration on the Right to Development and its importance particularly nowadays when the world faces a series of crises from the economic, social to climate, during the panel at the Human Rights Council commemorating the 30th anniversary of the Right to Development held at the Palais des Nations, Geneva on 15 June 2016.

The representative of **Indonesia** said that the right to development should be placed at the heart of development policies and programs in developing countries as well as to internalize it among marginalized segments of society in developed countries.

US Statement...

(Continued from page 20)

While development is not a necessary precondition for human rights improvements, the United States recognizes that development can provide resources that permit the building of stronger institutions, which can aid in better protection of human rights and promotion of rule of law.

The mutually reinforcing nature of human rights and development is, in short, far too critical to ignore. At this important moment, following the adoption of the Sustainable Development Goals, the Council can play a particularly pivotal role in advancing human rights and development. We look forward to collaborating with other states to advance this conversation and make sure the Council plays its appropriate role with respect to human rights and development.

Speaking on the SDGs, the delegation also said that, as stated in its Goal No. 17, the SDGs can only materialize with commitment from each country at all levels to global partnership and cooperation and called for stronger cooperation and partnership between and within countries for the effective implementation of the right to development.

Cuba said that the operationalization of the Right to Development must focus all efforts in the accomplishment of the 2030 Agenda for Development. The Caribbean nations stressed that initiatives of cooperation implemented by ALBA countries in bilateral and regional basis are good practices that should be followed as a way of implementing such a right.

The delegation of Cuba also called upon developed countries to accomplish their commitments in terms of official development assistance and with sufficient and predictable additional financial resources. These countries should also increase support for capacity building and technology transfer, the delegation said.

Developed nations should not establish restrictions to trade from poor nations and should give solutions also to the billions of citizens living in condi-

Brazil on behalf of CPLP...

(Continued from page 18)

central subject of the process of development. We need to turn our attention to its implementation. We reiterate the need for the international community to renew its efforts in this direction, through official development assistance and international cooperation.

We would like, finally, to formulate

tions of poverty and underdevelopment and which also affects industrialized societies, the Cuban delegation said.

Bolivia said that exotic arguments and lack of human empathy abandoned the search for political consensus on the right to development, a grave contradiction which constitutes the situation of denial of civil, political, economic, social and cultural rights.

The Andean nations called states to give strong focus to the challenges of inequality and to recognize the existence of a different reality and levels of development and the respect for territorial sovereignty, national policies and priorities as well as a different focus and visions of future in harmony with Mother Earth.

Bolivia said that in order to revitalize the world alliance for sustainable development it is also possible to recognize the plurality of the economy constituted of forms of organization such as state, private and communities and social cooperatives.

Sierra Leone spoke on the role of the right to development in the implementation of the 2030 Agenda and stated that in this regard, access to resources remains a predominant concern. The delegation also referred to the Addis Ababa Action Agenda which should provide options for fi-

a question to the Secretary of Human Rights of Brazil, Flavia Piovesan: based on your experience as a member of the High Level Task Force on the implementation of the right to development, how could the discussion on measures for promotion and protection of the right to development under the work of the Human Rights Council be best promoted in order to obtain the participation of all stakeholders?



Ambassador Anayansi Rodríguez Camejo of Cuba (left) and Ambassador Nardi Suño Iturry of Bolivia (right) giving their statements during the panel.



nancing the 2030 Agenda, and which could also be seen as means for ensuring that the right to development is attainable in all countries.

The representative of **India** said that thirty years have passed by since we adopted the UN Declaration on the Right to Development. The Vienna Declaration, the Millennium Declaration and Rio+20 Declaration as well as the UNGA resolution that established this Human Rights Council have all reaffirmed the Right to Development. Yet the global commitment to make this right a reality for everyone remains largely unfulfilled.

Fresh ideas and new mechanisms are urgently needed to address the challenges in the full implementation of the Right to Development. India said that attempts to bracket the Right to Development to a group of countries or regions should be stopped. As the principle UN body dealing with human rights, this Council should fully and categorically reaffirm the Right to Development as a distinct, universal, inalienable, and fundamental human right that is applicable to all people in all countries, the delegate said.

The Indian delegate also stated that the Right to Development should be firmly recognized as a primary enabling right that provides the normative basis for realization of all other rights. The Council and its mechanisms have much to do in promoting the Right to Development and mainstreaming it in

the work of the wider UN system. Efforts to undermine the legitimacy of the Declaration or the Right itself should be actively discouraged.

Speaking on the Agenda 2030, India also said, as stated by many other developing countries, that for the SDGs to be successfully achieved there should be a focus on strengthening the Means of Implementation and creating an enabling and equitable global order that is informed by the Right to Development. The commitments made in the Addis Ababa Action Agenda, the Paris Agreement, trade and other global agendas should be aligned with these efforts, the delegation said.

Achieving policy coherence would be critical in this context and the 'Right to Development' can provide the much-needed framework for fostering policy coherence among the various international instruments, the Indian delegation concluded.

Pakistan said that the Declaration on the Right to Development has inspired Agenda 2030 which mentions this right as "an instrument that informs Agenda 2030". The Declaration provides the fundamentals that have helped in the elaboration of Agenda 2030.

The Right to Development provides a path to overcome many of our common challenges, including poverty, hunger and deprivation. It is also true for Pakistan where the Constitution

guarantees equity of access to essential amenities and development needs within parameters of national resources. Pakistan's development framework is people-centred and its long-term road map "Pakistan Vision 2025" puts people at the centre of the development paradigm, the delegation stressed.

The right of peoples to self-determination which is an integral part of the Declaration on the Right to Development remains relevant even today, especially for people under occupation. This right should be exercised freely and without coercion.

The commemoration of the 30th anniversary of the Declaration is also a reaffirmation of one of the fundamental principles included in it, that is, the right to self-determination. It is through the realization of this right that most of us are living in free countries today. We are therefore obliged to offer moral and political support for the realization of this right by people under foreign occupation and alien domination, the delegation of Pakistan concluded.

Sri Lanka said that one of the prime accomplishments of the Declaration was recognizing the Right to Development as "an inalienable human right". The Declaration emphasizes a holistic approach to fully realize all human rights - civil, political as well as social, economic and cultural rights alike which ensure fundamental freedoms for everyone. It provides an alternative vision for the development of policy and global partnership, to advance the three pillars of human rights, development, and peace and security.

The adoption of the 2030 Sustainable Development Agenda, which provides a comprehensive framework for development, being informed by the Declaration on the Right to Development, and the political commitments made in the Addis Ababa Action Agenda on Financing for Development (AAAA) and the Paris Climate Agreement provide new hope to realize this vision.

Addressing challenges in the global level, the delegation stressed that international cooperation is indispensable for addressing obstacles to development that are beyond the national capacity of States to tackle, such as extreme poverty, adverse effects of climate change, financial crises and unequal trade relations.

Nigeria said that the Right to Development is a shared responsibility whose recognition must be assessed in the light of the growing inequality and poverty resulting from State policies and other exogenous factors such as climate change, natural disasters, violent extremism, social unrest and deprivation.

Nigeria agrees with those views that have placed the right to development at par with all other human rights. However, where asymmetries in international trade still remain between developed and developing countries, the right to development is greatly impaired particularly in developing and least developed countries. Besides, illicit financial assets stashed abroad, deprive States resources required to progressively realize the right to development.

“This is why we call on this Council to lend its voice in addressing the negative impact of the non-repatriation of illicit assets to their countries of origin,” the delegate said. Nigeria has placed the fight against corruption in front in the realization of the right to development.

Namibia said that the lack of development opportunities poses a serious threat to the well-being of the citizens of developing countries and contributes to instability and conflict. Without equal development opportunities we cannot adequately provide the housing, health, education and nutritional needs of our people, which put us at risk of suffering major setbacks when we are faced with natural disasters, outbreak of disease or conflict.

The delegation said that 30 years ago, the General Assembly adopted the Declaration on the Right to Development, saying, “Bearing in mind the



Left photo: Martin Khor, Executive Director of the South Centre (left), with Ambassador Triyono Wibowo of Indonesia.



Right photo: (L-R) Ambassador María Fernanda Espinosa Garcés of Ecuador, Ambassador Ajit Kumar of India and Martin Khor, Executive Director of the South Centre, at the 32nd session of the HRC.

purposes and principles of the Charter of the United Nations relating to the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian nature, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion”.

We are of the opinion that the 2030 Agenda for Sustainable Development and its 17 goals is a tool for the implementation of this creed. We are delighted that we now have the opportunity to use an initiative, which we have all agreed to, in moving forward to achieve inclusive, equitable and sustainable development for all, the delegation concluded.

The delegation of **Algeria** said that the right to development should be designed as an expression of justice and equity that merges the consecration of fundamental rights and solidarity. “It is an individual right and a collective right,” the delegate said, which requires the creation of permanent favourable conditions for each individual for the full development of their capacity as the society to constantly improve their wellbeing and quality of life that permits the full enjoyment of all human rights for all.

Algeria stated that in this regard, the international community has the duty to support actively or at least not to hinder the process of development

of people and of the most disadvantaged peoples and individuals.

The dimension of sustainability which has been added to this right is of great importance in the way to ensure that development does not concern only the needs and the wellbeing of current generations but equally, of future generations. In this regard, the Agenda for Sustainable Development will contribute to implement this right.

Algeria added its voice to many previous speakers who have also regretted the fact the work of the Working Group on the Right to Development has been hampered by the political stalemate in the past years between the developed and developing countries. The Algerian delegation hopes that the thirtieth anniversary of the UN Declaration on the Right to Development is an opportunity for the international community to renew its engagement to the effective implementation of this right in the context of cooperation and international solidarity.

Malaysia said that thirty years ago, the General Assembly adopted the United Nations Declaration on the Right to Development and collectively recognised that development is a comprehensive economic, social, cultural, and political process. In the pursuit to overcome serious obstacles to development, and to promote development, we agreed that equal attention and

urgent consideration should be given to the implementation, promotion and protection of all rights.

As Members of the United Nations, we rejected the selective enjoyment of certain rights at the expense of others, and confirmed that the right to development is an inalienable human right in itself, a prerogative of all nations and peoples, the Malaysian delegation said.

Malaysia continues to believe that in the realisation of the right of development, no man is an island. As much as one nation strives to progress towards development, it would not be able to reap the full potential of its efforts if the international financial, economic, law, and human rights systems and practices are taking those efforts for granted.

The triumph of the Agenda 2030 for Sustainable Development would need a revolutionary approach to alter international systems that pervasively hamper the creation of international conditions favourable to the realization of the right to development. The delegation ended by calling upon Member States to uphold their primary responsibilities to cooperate with and facilitate each other to promote and realize the right to development. We need to take concrete steps to implement fair global development strategies based on sovereign equality, interdependence, mutual interest, and cooperation, the delegate of Malaysia concluded.

The delegation of Suriname said that development, peace and security and human rights are interlinked and mutually reinforcing. It is therefore indispensable that all three pillars of the United Nations be addressed in a holistic manner in order to achieve meaningful progress in all areas and in all fields. "Bearing in mind the recent global commitments to sustainable development we are more focused on the implementation of the right to development, an issue of crucial importance to our region," the delegate said.

While the existence of the right to development is met with skepticism by some or even rejected, we nevertheless have a solid reaffirmation of the right

to development in the 1993 Vienna Declaration and Programme of Action of the World Conference on Human Rights, and reiterated in subsequent outcome documents of major United Nations Summits and Conferences and most recently in the Addis Ababa Action Agenda and in the 2030 Agenda for Sustainable Development.

With the adoption of the 2030 Agenda for Sustainable Development, we undoubtedly have a strong political foundation to build on with regard to the implementation of the right to development, now that this right is an integral part of the Agenda and its delivery. For Suriname and other developing countries it is indisputable: the right to development is a human right which is universal and indivisible, the delegate concluded.

In a joint statement, **Associazione Comunita Papa Giovanni XXIII**, a civil society group working actively on the Right to the Development said that there are still great obstacles in the realization of the right to development due mainly to the long-standing politicization in the debate on this right. People, especially those in situations of extreme poverty, continue to exceedingly and unnecessarily suffer for the lack of will by States to implement this right.

"We want to encourage the States to end the polarization that has characterized last year's negotiations and to work effectively and speedily towards the adoption of meaningful criteria and operational sub-criteria for the implementation of the right to development," the delegate said.

"We hope that this Panel will be a cornerstone to get over this politicization. A clear sign of this politicization is the delay of the work of the Open-Ended Working Group on the Right to Development, which recently announced the continuation of the reading of the criteria and operational sub-criteria for another two years. We can do nothing else than share with you our big disappointment."

The Declaration on the Right to Development says in the preamble "development is a comprehensive eco-

nomie, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population". In a context of multiple crises, the implementation of the right to development is more needed than ever.

The delegation of the **International Youth and Student Movement for the United Nations (ISMUN)** said that the Right to Development is indeed fundamental in meeting the challenges of our time where development is affirmed in all its dimensions, as an inalienable human right, addressing not only symptoms but underlying structural causes of poverty, inequality, injustice and discrimination.

Addressing the great survival issue of humanity, for example that of climate change, must not mean the minimum adaptation to the worst for the poorest, but must include the realisation of the Right to Development for all. The lack of global popular awareness of the Declaration on the Right to Development and its slow pace of implementation, even that of obstruction, in the UN system is a matter that needs to be urgently addressed. "We believe that the time has come for the Human Rights Council to propose and the General Assembly to decide to formally include the Declaration on the Right to Development in the "International Bill of Human Rights", the collective name given by the United Nations to the Universal Declaration and the two Covenants. It is the necessary action for the Declaration to receive the prominence it deserves at its 30th anniversary," said ISMUN.

Adriano José Timossi is Senior Programme Officer of the Global Governance for Development Programme (GGDP) of the South Centre.

Declaration on the Right to Development

Below is the historic Declaration on the Right to Development that was adopted on 4 December 1986 by the UN General Assembly.

The General Assembly,

Bearing in mind the purposes and principles of the Charter of the United Nations relating to the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian nature, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom,

Considering that under the provisions of the Universal Declaration of Human Rights everyone is entitled to a social and international order in which the rights and freedoms set forth in that Declaration can be fully realized,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights and of the International Covenant on Civil and Political Rights,

Recalling further the relevant agreements, conventions, resolutions, recommendations and other instruments of the United Nations and its specialized agencies concerning the integral development of the human being, economic and social progress and development of all peoples, including those instruments concerning decolonization, the prevention of discrimination, respect for and observance of, human rights and fundamental freedoms, the maintenance of international peace and security and the further promotion of friendly relations and co-operation among States in accordance with the Charter,

Recalling the right of peoples to self-determination, by virtue of which they have the right freely to determine their political status and to pursue their economic, social and cultural development,

Recalling also the right of peoples to exercise, subject to the relevant provisions of both International Covenants on Human Rights, full and complete sovereignty over all their natural wealth and resources,

Mindful of the obligation of States under the Charter to promote universal respect for and observance of human rights and fundamental freedoms for all without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Considering that the elimination of the massive and flagrant violations of the human rights of the peoples and individuals affected by situations such as those resulting from colonialism, neo-colonialism, apartheid, all forms of racism and racial discrimination, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity and threats of war would contribute to the establishment of circumstances propitious to the development of a great part of mankind,

Concerned at the existence of serious obstacles to development, as well as to the complete fulfilment of human beings and of peoples, constituted, inter alia, by the denial of civil, political, economic, social and cultural rights, and considering that all human rights and fundamental freedoms are indivisible and interdependent and that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights and that, accordingly, the promotion of, respect for and enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms,

Considering that international peace and security are essential elements for the realization of the right to development,

Reaffirming that there is a close relationship between disarmament and devel-

opment and that progress in the field of disarmament would considerably promote progress in the field of development and that resources released through disarmament measures should be devoted to the economic and social development and well-being of all peoples and, in particular, those of the developing countries,

Recognizing that the human person is the central subject of the development process and that development policy should therefore make the human being the main participant and beneficiary of development,

Recognizing that the creation of conditions favourable to the development of peoples and individuals is the primary responsibility of their States,

Aware that efforts at the international level to promote and protect human rights should be accompanied by efforts to establish a new international economic order,

Confirming that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations,

Proclaims the following Declaration on the Right to Development:

Article 1

1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

2. The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.

Article 2

1. The human person is the central subject of development and should be the active participant and beneficiary

of the right to development.

2. All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfilment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.

3. States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom.

Article 3

1. States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development.

2. The realization of the right to development requires full respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.

3. States have the duty to co-operate with each other in ensuring development and eliminating obstacles to development. States should realize their rights and fulfil their duties in such a manner as to promote a new interna-

tional economic order based on sovereign equality, interdependence, mutual interest and co-operation among all States, as well as to encourage the observance and realization of human rights.

Article 4

1. States have the duty to take steps, individually and collectively, to formulate international development policies with a view to facilitating the full realization of the right to development.

2. Sustained action is required to promote more rapid development of developing countries. As a complement to the efforts of developing countries, effective international co-operation is essential in providing these countries with appropriate means and facilities to foster their comprehensive development.

Article 5

States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from apartheid, all forms of racism and racial discrimination, colonialism, foreign domination and occupation, aggression, foreign interference and threats against national sovereignty, national unity and territorial integrity, threats of war and refusal to recognize the fundamental right of peoples to self-determination.

Article 6

1. All States should co-operate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all without any distinction as to race, sex, language or religion.

2. All human rights and fundamental freedoms are indivisible and interdependent; equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights.

3. States should take steps to eliminate obstacles to development resulting from failure to observe civil and political rights, as well as economic, social and cultural rights.

Article 7

All States should promote the establishment, maintenance and strengthening

of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries.

Article 8

1. States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicating all social injustices.

2. States should encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights.

Article 9

1. All the aspects of the right to development set forth in the present Declaration are indivisible and interdependent and each of them should be considered in the context of the whole.

2. Nothing in the present Declaration shall be construed as being contrary to the purposes and principles of the United Nations, or as implying that any State, group or person has a right to engage in any activity or to perform any act aimed at the violation of the rights set forth in the Universal Declaration of Human Rights and in the International Covenants on Human Rights.

Article 10

Steps should be taken to ensure the full exercise and progressive enhancement of the right to development, including the formulation, adoption and implementation of policy, legislative and other measures at the national and international levels.

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