

Statement of Friedrich-Ebert-Stiftung, Geneva Office  
delivered by Felix Kirchmeier

15th session of the IGWG on the RTD, 12-16 May 2014

**Thank you Ms. Chairperson, and congratulation to your re-election to lead this Working Group,**

The right to development, as a right of individuals and peoples, is extremely important, including to inform the ongoing debates on the post-2015 development agenda. Thus, a consensual outcome of this WG, if maintained in the HRC and GA can send a strong signal to the international community. On the other hand, it's implementation of the RTD on the ground – local to global – which will make a difference to people and fulfil the purpose stated in Article 1 of the Declaration as well as by the GA in the Millennium Declaration: “making the right to development a reality for everyone”.

As you mentioned in your opening statement – the WG will most likely in this session conclude the first reading of the draft RTD operational sub-criteria. This is very good news indeed and raises the question how to go forward, given the remaining controversies among member States as per the **legal standing** of the RTD as well as on the **use of measurement tools to monitor the implementation** of the RTD on national and international level.

In view of those remaining disputes which you mentioned reporting from the inter-sessional meeting earlier this spring, and given the discontinuation of the former High-level task force on the implementation of the RTD, we wonder whether it might be helpful to make use of the expert input readily available to the HRC, which is the Advisory Committee in order to proceed on these difficult questions. This links of course back to work done by the Sub-Commission.

In its resolution 2006/108 on The right to development, the Sub-Commission notes...

“having received the working paper prepared by Florizelle O’Connor (E/CN.4/Sub.2/2005/23) and tak[es] note of Ms. O’Connor’s request for additional time to complete the requested document, decided, without a vote, to request Ms. O’Connor to submit the document to the Sub-Commission at its fifty-ninth session, or to the first session of any future expert advice mechanism.”

In follow-up, the HRC in one of its earliest resolutions (1/4) requested the Sub-Commission or its successor body:

“to pursue its ongoing work on the right to development in accordance with the relevant provisions of General Assembly and Commission on Human Rights resolutions, and in compliance with decisions to be taken by the Human Rights Council;”

We would like to inquire what happened with this request, seeing that the Advisory Committee can only work upon request by the HRC, having lost the right to initiative held by the previous Sub-Commission.

The issue addressed by this report of Ms. O’Connor is still topical: to elaborate ...

“a concept document establishing options for the implementation of the right to development and their feasibility, inter alia, an international legal standard of a binding nature, guidelines on the implementation of the right to development and principles for development partnership, including issues which any such instrument might address.”

If the positions in this WG remain as you reported from the inter-sessional meeting, we suggest that the WG could, in its report, ask the HRC to mandate to the Advisory Committee to review the work left by Ms. O'Connor in light of the current debates, taking into account the substantive input delivered by the HLTF. This would include the question of **measurement** and **monitoring** for the implementation of the RTD. As the rich work of your HLTF has shown, expert advice has in the past served well to unlock political controversies and polarization, too often stemming from misunderstandings or contrary interpretation and provide a more solid basis to foster consensus.

Thank you Ms. Chairperson.