

**The fifteenth session**

**of the Working Group on the Right to Development**

**Palais des Nations, Room VII**

**12-16 May 2014**

**Presentation by the Chairperson-Rapporteur of the Working Group**

**of conference room papers 3 & 4 containing new submissions received from groups of States, States and regional groups and other stakeholders**

**12 May 2014**

Excellencies,

Distinguished delegates,

Ladies and gentlemen,

The Human Rights Council, in its resolution 24/4, endorsed the recommendations adopted by the Working Group on the Right to Development at its 14th session which, inter alia, requested the Office of the United Nations High Commissioner for Human Rights to make available on its website and to the 15th session of the Working Group, in the format of two conference room papers, all further submissions by Governments, group of Governments and regional groups as well as inputs by other stakeholders.

In response to its letter dated 5 July 2013, OHCHR received submissions from Belarus, Cuba and Qatar, from the Economic Commission for Latin America and the Caribbean and the World Meteorological Organization, a joint submission from Associazione Comunità Papa Giovanni XXIII, Association Points-Coeur, Caritas Internationalis (International Confederation of Catholic Charities), Dominicans for Justice and Peace (Order of Preachers), International Institute of Mary Our Help of the Salesians of Don Bosco, International Volunteerism Organization for Women Education and Development, International Organization for the Right to Education and Freedom of Education and New Humanity as well as individual submissions from the non-governmental organizations China NGO Network for International Exchanges, Maslan and RESO Femmes International.

All submissions are posted in their original versions on OHCHR’s website and are also compiled in conference room papers 3 and 4.

In total, the Working Group has received 4 submissions from groups of States (2 from NAM and 2 from EU), 33 submissions from Member States, 10 submissions from UN system organizations, 4 submissions from national human rights institutions (2 from the National Human Rights Commission India, and one each from Independent Human Rights Commission Afghanistan and the Advisory Council on Human Rights of Morocco), 1 submission from a United Nations treaty body (CESCR), 4 joint submissions of NGOs (3 from catholic inspired NGOs and 1 from an indigenous peoples organization) **and 12 individual submissions from civil society organizations and academics.** These are in addition to the many comments made during the past three sessions of the Working Group.

As in the past the content and focus of the contribution varied, ranging from general statements to specific proposals.

One submission expressed concern that the draft right to development criteria and operational sub-criteria attempted to redefine the right to development and were conceived of, with their focus on the national dimension, as a tool to monitor the actions of States. To the contrary, the main objective of the exercise should be creation of the necessary basis for the elaboration of a legally binding instrument. The focus of the criteria must be on achieving the conditions that lead to economic development and strengthens the ability of States to promote and protect all human rights. Underdevelopment is not an intrinsic property of one or several countries but the result of colonization and looting. International responsibility and collective action should therefore focus on creating the conditions necessary for the full realization of the right to development.

Another submission recommended specific indicators and reformulation of a sub-criterion to reflect the negative impact of unilateral coercive measures on development and further indicators for measuring the elimination of sexual exploitation and human trafficking.

One submission provided an overview of steps undertaken at the national level to ensure the realization of the right to development, steps taken in the context of international cooperation, and also steps taken at the regional level, such as the drafting of a regional human development report focusing on the right to development.

A joint submission from civil society organizations emphasized the crucial and urgent need to fully implement the right to development in order to overcome structural obstacles at the international and national levels. It expressed the view that the post-2015 development agenda should be aligned with the human rights-based approach and focus on the right to development. While indicators are necessary to monitor the implementation of the right to development, they should be determined after the criteria and sub-criteria have been agreed upon. Furthermore, experts may be more competent and neutral during the process of identifying appropriate indicators, while States should indicate specific national sub-parameters aimed at better responding to the needs of each specific population/country. The criteria and operational sub-criteria should reflect all the articles of the Declaration on the Right to Development, including its preamble, as the principal reference document for the implementation of the right to development. The criteria and sub-criteria should address the structural imbalances and remove the obstacles to the realization of an enabling international and national environment for the implementation of the right to development.

Another contribution cautioned against further expanding the list of criteria and sub-criteria. With regard to attribute 2 “Participatory Human Rights Processes,” it suggested that the relevance of constitution building processes in the consolidation of the rule of law and of the role of electoral participation in the strengthening of democracy should be emphasized, and the participation of women, youth and ethnic minorities in the above processes, especially in the context of post-conflict reconstruction and peace building, should be advocated for. With regard to attribute 3 “Social Justice in Development,” it encouraged, first of all, all possible mutual feedback with the post-2015 development agenda including on structural change and social covenants for equality. It called for particular attention to be paid to sustainable development and to the equitable use of natural resources.

Another submission emphasized the need for non-discrimination in development and the fair sharing of the benefits and burdens of development. It advocated a mixed economy as the most suited to create favourable conditions for development, and highlighted social safety nets, green technology, health care systems, and education as important elements for achieving development.

One submission shared information on experiences with promoting women’s leadership and participation.

Another submission pointed out that the draft right to development criteria and operational sub-criteria did not clearly clarify the core elements and principles of the right to development and the responsibilities which the international community, especially the developed countries, should assume to implement the right to development. It suggested revising the draft criteria and sub-criteria with a view to finding a balance between “human rights-based development” and “the right to development”; between “development as a human right” and “human rights as development”; and between the international and domestic responsibility for implementing the right to development. The submission contained several concrete proposals for revising the draft sub-criteria, formulating new sub-criteria, and revising and/or proposing indicators. While underlining that further studies and new international legal instruments were needed, such as a Convention on the Right to Development, the contributor suggested elaborating guidelines for the implementation of the Declaration on the Right to Development. There was a need to distinguish between the right to development and human rights-based development and human rights. The contributor also pointed out that the right to development emphasized fair and equal opportunities for development among subjects in different stages of at different levels of development with the aim to eliminating the gap between developed and developing countries, especially the least developed countries. It further underlined the need to pay more attention to good governance at the international level.

Finally one submission provided information on the important role of women for development and made concrete proposals to foster and protect the role of women in development.

By way of conclusion, allow me to express my gratitude, once again, to all delegations, UN System organisations, and non-governmental organisations for their useful contributions to the deliberations of the Working Group.

I thank you for your attention.