Interactive Dialogue – Social Forum 2011

Asian Legal Resource Centre

Tuesday October 4, 2011

Speaker: Michael Anthony

Thank you Mr. President,

The Asian Legal Resource Centre and the Asian Human Rights Commission, which are Hong Kong based regional NGOs, work on a number of human rights issues that are intrinsically linked to the right to development, including the rights to adequate housing, to food, to health and the issue of corruption, notably in South and South-East Asia.

As has been stated by panelists and speakers, the 25th anniversary of the Declaration on the Right to Development is a celebration but also a time to ask some frank questions about why these rights remain elusive in many developing countries around the world. Speakers have also highlighted that the right to development is inseparable from good governance and the issue of corruption.

From our experiences in the majority of Asian nations, the enjoyment of the gamut of rights remains obstructed by a lack of systems of accountability. Any discussion on measures that need to be taken to effect the realization of the right to development requires in depth consideration of this aspect.

Economic development unchecked by accountability mechanisms tends to breed other human rights abuses in its name, such as land-grabbing, forced evictions and displacements, and gives rise to corruption and environmental degradation. It also favours the rich and powerful, while the poor, and marginalized or minority groups, do not sufficiently reap its benefits.

Increasing disparities between rich and poor give rise to greater use of repression to ensure the status quo, resulting in restrictions on fundamental freedoms and violent abuses such as torture. In South Asia, even within nominally democratic food-rich States, and despite food distribution systems, corruption and a lack of accountability reportedly give rise to a greater number of malnourished children than exist in sub-Saharan Africa. Despite legislation, caste discrimination perpetuates a situation of developmental apartheid for countless millions. Where individuals or human rights defenders representing the poor attempt to secure their rights they face reprisals including arrest, detention, disappearance or extra-judicial killing, with these systematically accompanied by impunity. In many States, the military forces act above and beyond civilian control and the law, and engage in land-grabbing, deploy to control resource-rich areas and act as business enterprises in their own right and for their exclusive profit, often under the aegis of development projects.

The problem is not limited to the domestic setting. Internationally, developing countries replicate colonial behavior by propping up regimes responsible for grave rights abuses in order to secure preferential access to their resources in their drive for development.

Civil society groups have an important role to play in monitoring such situations and helping alleviate them, but it is our view that until States ensure systems of accountability, equitable, sustainable development that fosters the protection of all rights for all people, notably those in the poorest sectors that require it most, will not become a reality.

We look forward to the thoughts of the distinguished panelists concerning this issue.

Thank you.