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## Human Rights Council

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### Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

## The right to development

### Report of the Secretary-General and the United Nations High Commissioner for Human Rights

#### *Summary*

The present report contains a summary of the activities undertaken by the Office of the United Nations High Commissioner for Human Rights with regard to the promotion and realization of the right to development, including in commemoration of the twenty-fifth anniversary of the United Nations Declaration on the Right to Development in 2011. The present report supplements the report of the Secretary-General on the right to development submitted to the General Assembly at its sixty-sixth session (A/66/216).

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## **I. Introduction**

1. In its resolution 65/219, the General Assembly reaffirmed its request to the United Nations High Commissioner for Human Rights, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect those activities in detail in her next report to the Human Rights Council. In resolution 65/219, the Assembly also requested the Secretary-General to submit a report to the Assembly at its sixty-sixth session, and an interim report to the Council on the implementation of resolution 65/219, including efforts made at the national, regional and international levels in the promotion and realization of the right to development.

2. A note by the Secretariat was submitted to the Human Rights Council (A/HRC/18/22) to explain that, in accordance with the practice established on the basis of the timing of the reporting cycle, the consolidated report of the Secretary-General and High Commissioner on the right to development would be submitted to the Council at the same time as the report of the Working Group on the Right to Development in order to allow consolidated action by the Council on the same thematic issue.

3. The Working Group on the Right to Development convened its twelfth session from 14 to 18 November 2011. The Working Group will therefore submit its report on that session to the Human Rights Council at its nineteenth session.

4. The present report is submitted in accordance with the above-mentioned requests and the note of the Secretariat, and also supplements the report of the Secretary-General on the right to development (A/66/216) submitted to the General Assembly at its sixty-sixth session.

## **II. Activities of the Office of the United Nations High Commissioner for Human Rights relating to the promotion and realization of the right to development, including in commemoration of the twenty-fifth anniversary of the United Nations Declaration on the Right to Development**

5. As requested by the General Assembly in its resolution 65/219 and by the Human Rights Council in its resolution 15/25, the Office of the United Nations High Commissioner for Human Rights (OHCHR), in consultation with Member States and other relevant stakeholders, launched in early 2011 a far-reaching programme of commemoration for the twenty-fifth anniversary of the Declaration on the Right to Development (see annex I).

### **A. Communications, outreach and publicity activities**

6. A communication strategy for the anniversary was aimed at increasing global awareness, creating wider outreach and building a broader constituency in support of the right to development. OHCHR emphasized four messages for the anniversary: first, the right to development is a human right; second, this right belongs to everyone, without discrimination; third, the right to development is as relevant today as it was on the day the Declaration was adopted and responds to contemporary challenges; and fourth, the international community must act together in a coherent manner in order to realize the right to development.

7. OHCHR prepared and launched a special webpage<sup>1</sup> devoted to the anniversary, featuring the signature design, statements, feature stories, publicity materials, calendar of events and other documentation. The Office also prepared and published on its website and disseminated through the social network, including on Facebook and Twitter, 12 stories on the content and importance of the right to development. The Office produced and widely circulated, in all official languages of the United Nations, public information notes, booklets containing the text of the Declaration with relevant photos, and posters.

8. Jointly with the United Nations Institute for Training and Research, OHCHR developed and launched an e-platform introducing the right to development. In addition, the Office commissioned the production of a video with anniversary messages on all aspects of the Declaration, which was widely circulated through social media, including YouTube, and shown at anniversary events around the globe. During the anniversary year, OHCHR prepared, contributed and/or delivered 17 oral and press statements and articles for senior officials on the right to development. In addition, OHCHR will release, in 2012, a factsheet on frequently asked questions about the right to development and a book containing the research work of some 30 international experts.

## **B. Events and initiatives**

9. OHCHR organized and supported some 20 major international events and many pioneering initiatives. The programme of commemoration of the anniversary began with an inaugural event organized jointly by the Friedrich-Ebert Foundation on 24 and 25 February, in Berlin. The High Commissioner delivered a statement at the event, which was entitled “Twenty-five years of the right to development: achievements and challenges”.<sup>2</sup> An expert symposium, which was part of the event, affirmed the three challenges to the realization of the right to development identified by OHCHR: the impasse in the intergovernmental debate; the need to mainstream the right to development in the work of the United Nations system, thus ensuring policy coherence in the global partnership for development; and the need to build a broader right-to-development constituency in civil society.<sup>3</sup>

10. At the Fourth United Nations Conference on the Least Developed Countries, held from 9 to 13 May 2011, in Istanbul, Turkey, OHCHR delivered a statement<sup>4</sup> and observed that human rights, including the right to development, were central to the course of development envisaged for the least developed countries for the coming decade; highlighted the twenty-fifth anniversary of the Declaration on the Right to Development as an opportunity to reinvigorate partnerships to build an enabling environment for development, inclusive of human rights principles; stressed the linkages between development, poverty reduction and gender equality and the contribution of women to development; and reaffirmed the commitment of OHCHR to support human rights-based development in the least developed countries. In addition to the article by the High Commissioner (annex II), OHCHR submitted a written contribution entitled “The right to development approach to a new global partnership for development for the least developed countries”<sup>5</sup> to inform the outcome of the Conference. The Istanbul Declaration and Programme of Action, adopted at the Conference, embraced a significant number of explicit human rights considerations, including the right to development. OHCHR is working closely with relevant United Nations bodies, including the Office of the High

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<sup>1</sup> See [www.ohchr.org/EN/Issues/Development/Pages/DevelopmentIndex.aspx](http://www.ohchr.org/EN/Issues/Development/Pages/DevelopmentIndex.aspx).

<sup>2</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10759&LangID=e](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10759&LangID=e).

<sup>3</sup> See [www.ohchr.org/EN/NewsEvents/Pages/DevelopmentHumanRightForAll.aspx](http://www.ohchr.org/EN/NewsEvents/Pages/DevelopmentHumanRightForAll.aspx).

<sup>4</sup> See [www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11003&LangID=E](http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11003&LangID=E).

<sup>5</sup> [www2.ohchr.org/SPdocs/Issues/Development/LDCIV/OHCHRWrittenContributionLDC.doc](http://www2.ohchr.org/SPdocs/Issues/Development/LDCIV/OHCHRWrittenContributionLDC.doc).

Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States to ensure follow-up in this regard.

11. On 20 May 2011, the Committee on Economic, Social and Cultural Rights adopted a statement on the importance and relevance of the right to development (annex III). Following a briefing organized by OHCHR in cooperation with the Friedrich-Ebert Foundation for the chairpersons of United Nations treaty bodies and special procedures mandate holders on 29 June 2011, the chairpersons of nine United Nations human rights treaty bodies issued a joint statement on 1 July 2011, in which they resolved to make a concerted effort to promote a development-informed and interdependence-based reading of all human rights treaties in order to highlight and emphasize the relevance and importance of the right to development in interpreting and applying human rights treaty provisions and in monitoring compliance with these provisions (annex IV).

12. The Economic and Social Council, during the coordination segment of its annual substantive session, devoted a special event to the right to development and global partnership for development, which was held on 12 July 2011 in Geneva. The event, chaired by the United Nations High Commissioner for Human Rights, provided an opportunity to exchange views on how the promotion of the right to development and the achievement of Millennium Development Goal 8 could strengthen each other and how the United Nations system could use these synergies in the perspective of 2015 and beyond.<sup>6</sup> The High Commissioner delivered a statement at the event.<sup>7</sup>

13. In accordance with the request made by the Human Rights Council in its decision 16/117, OHCHR organized, on 14 September 2011, in Geneva, a thematic panel discussion, during its eighteenth session, on the theme “The way forward in the realization of the right to development: between policy and practice”. The panel discussion focused on the contribution and potential of the Declaration on the Right to Development to thinking, policy and practice in relation to development; how the right to development can be implemented in the context of contemporary political, social, environmental and financial challenges; and shaping future work on the effective implementation of the right to development.<sup>8</sup> The High Commissioner participated in and delivered a statement at the event.<sup>9</sup>

14. At the initiative of OHCHR, 17 United Nations bodies and system agencies as well as other international organizations endorsed, on 14 September 2011, a statement in support of human rights-based policy coherence in the implementation of the right to development and global partnership for development (annex V). The High Commissioner launched the joint statement at the above-mentioned panel discussion .

15. OHCHR also organized the fourth session of the Social Forum from 3 to 5 October 2011, under the chairmanship of Minelik Alemu Getahun, the Permanent Representative of Ethiopia to the United Nations Office in Geneva. In the light of the anniversary and as decided by the Human Rights Council, in its resolution 16/26, the Social Forum discussed the role of civil society in the realization of the right to development.<sup>10</sup> As requested in resolution 16/26, the High Commissioner submitted a background report to inform the

<sup>6</sup> See [www.ohchr.org/EN/NewsEvents/Pages/Aglobalpartnershipfordevelopment.aspx](http://www.ohchr.org/EN/NewsEvents/Pages/Aglobalpartnershipfordevelopment.aspx).

<sup>7</sup> See [www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11245&LangID=E](http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11245&LangID=E).

<sup>8</sup> See A/HRC/19/39.

<sup>9</sup> See [www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11374&LangID=E](http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11374&LangID=E).

<sup>10</sup> See A/HRC/19/70.

deliberations of the Social Forum (A/HRC/SF/2011/2). A representative of OHCHR delivered opening remarks to the Social Forum.<sup>11</sup>

16. The Geneva office of the Organization of Islamic Cooperation and the Non-Aligned Movement cooperated with OHCHR to organize, on 19 October 2011, in Geneva, a round table on the theme “The right to development: constraints and perspectives”, with a specific focus on policy coherence towards the implementation of the right to development in Member States of the Organization of Islamic Cooperation. The themes addressed included redeploying resources from disarmament to development, how to reconcile national development goals with the economic and financial restrictions imposed by financial institutions and recurring financial crises, and the role of States’ leadership and independence for the promotion of international development commitments.<sup>12</sup> A representative of OHCHR delivered a statement at the event.<sup>13</sup>

17. The Inter-Parliamentary Union in cooperation with OHCHR organized, on 20 October 2011, in Bern, a seminar on the theme “Promoting the right to development: the role of Parliament”. The seminar focused on how human rights could be promoted from a development perspective, the need to give full effect to civil, political, economic, social and cultural rights for enhancing the realization of the right to development, and the contribution of Parliaments to the promotion of the right to development. The role of parliamentarians in legislating, policymaking, monitoring and budgeting, as well as the current context of multiple crises and growing demands from civil society, dominated the discussion. The need for reform of the international economic architecture was also a focus of the discussion. The meeting was a useful opportunity to engage parliamentarians in addition to Governments, civil society and national institutions.<sup>14</sup> A representative of OHCHR attended and made a presentation at the event.<sup>15</sup>

18. OHCHR organized a special anniversary event, during the sixty-sixth session of the General Assembly, at Headquarters on 8 November 2011. The event, entitled “The right to development at 25: policy coherence in the global partnership for development”, focused on policy coherence and synergies in the agendas of the First, Second and Third Committees in efforts to mainstream the right to development and strengthen global partnership for development. The event was chaired by the United Nations High Commissioner for Human Rights and attended by the Secretary-General, who delivered a keynote statement (annex VI). The President of the General Assembly and the Chairpersons of the First, Second and Third Committees of the General Assembly also attended and made remarks at the event.<sup>16</sup> The High Commissioner delivered a closing statement at the event.<sup>17</sup>

19. OHCHR also provided substantive and logistical support for the organization of the twelfth session of the Open-ended intergovernmental Working Group on the Right to Development, which was held from 14 to 18 November 2011. The Working Group was chaired by the Permanent Representative of Sri Lanka to the United Nations Office in Geneva, Tamara Kunanayakam. The High Commissioner attended and delivered opening

<sup>11</sup> See <http://www.ohchr.org/EN/Issues/Poverty/SForum/Pages/StatementsPresentations.aspx>

<sup>12</sup> See [www.ohchr.org/EN/Issues/Development/Pages/OIC-NAMroundtable.aspx](http://www.ohchr.org/EN/Issues/Development/Pages/OIC-NAMroundtable.aspx).

<sup>13</sup> See [www.ohchr.org/Documents/Issues/Development/Opening\\_remarks\\_BacreNdaye.pdf](http://www.ohchr.org/Documents/Issues/Development/Opening_remarks_BacreNdaye.pdf).

<sup>14</sup> See [www.ohchr.org/EN/Issues/Development/Pages/IPUseminarincooperationwithOHCHR.aspx](http://www.ohchr.org/EN/Issues/Development/Pages/IPUseminarincooperationwithOHCHR.aspx).

<sup>15</sup> See [www.ohchr.org/Documents/Issues/Development/OHCHR\\_presentation\\_IPU\\_2011\\_10\\_19.pdf](http://www.ohchr.org/Documents/Issues/Development/OHCHR_presentation_IPU_2011_10_19.pdf)

<sup>16</sup> See

[www.ohchr.org/EN/Issues/Development/Pages/UNGACommemoratethe25thanniversaryoftheUnitedNationsDeclarationonRtD.aspx](http://www.ohchr.org/EN/Issues/Development/Pages/UNGACommemoratethe25thanniversaryoftheUnitedNationsDeclarationonRtD.aspx).

<sup>17</sup> See [www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11583&LangID=E](http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11583&LangID=E).

remarks at the meeting.<sup>18</sup> The Working Group ended its session by consensus adoption of its conclusions and recommendations.<sup>19</sup>

20. OHCHR organized an expert panel discussion on “the right to development at 25”, which was scheduled for 5 December 2011 in New York. The discussion is designed to bring together leading thinkers on global issues to address the right to development and human-rights based development in the broader context of contemporary global issues, including multiple global economic and financial crises.

### III. Conclusions and recommendations

21. **The twenty-fifth anniversary of the adoption of the Declaration on the Right to Development provided an opportunity for the international community to reflect on the lessons learned, achievements made and the potential of the right to development in addressing contemporary global challenges in an increasingly interdependent and globalized world. The anniversary led to an unprecedented amount of initiatives and activities by stakeholders, international organizations, academic institutions, non-governmental organizations and civil society, as shown in the present report.**

22. **Many of the discussions echoed the four key messages that OHCHR emphasized at the launch of the anniversary year: development is a human right for all; the right to development belongs to everyone, without discrimination; the right to development is as relevant today as it was on the day the Declaration was adopted; and finally, we must act together in a determined and coherent manner in order to realize the right to development. The conclusions of the anniversary events call for a resolute transition from theory to action. They have also highlighted the many stubborn challenges that remain in the path of the meaningful realization of the right to development.**

23. **Firstly, twenty five years after the adoption of the Declaration, the politicization, polarization and stubborn impasse in the intergovernmental debate on the right to development must end. It is imperative that principled common ground be found, through greater political consensus and more political will. The starting point for such consensus must be the Declaration itself.**

24. **Secondly, we must work to enlarge the organized constituency in support of the right to development. Non-governmental organizations and civil society at large are the engine of human rights. We must heed them, include them and support them in their work.**

25. **Thirdly, the resolution in which the General Assembly established the post of United Nations High Commissioner for Human Rights explicitly included the mandate to promote and protect the realization of the right to development and to enhance support from relevant bodies of the United Nations system for this purpose. This underscores the seminal importance of human rights-based policy coherence in the global partnership for development, and requires full mainstreaming of all human rights, including the right to development, into the work of the United Nations system, most importantly in the upcoming quadrennial comprehensive policy review and in the post-2015 development agenda.**

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<sup>18</sup> See

[www.ohchr.org/Documents/Issues/Development/HCOpening\\_statement12thsessionGWRtoDep.pdf](http://www.ohchr.org/Documents/Issues/Development/HCOpening_statement12thsessionGWRtoDep.pdf).

<sup>19</sup> See A/HRC/19/52.

## Annexes

### Annex I

#### Calendar of events and activities

	<i>RTD+25 Events</i>	<i>RTD+25 Publicity materials</i>
January		<b>Public information note</b> "The UN Declaration on the RTD at 25"
February	<b>FES Symposium</b> (in cooperation with OHCHR) "25 years of the RTD: achievements and challenges" 24-25 February, Berlin	<b>Web story</b> "Development is a human right for all"
March	<b>Human Rights Council</b> Sixteenth session, 28 February-25 March, Geneva	
April		Launch of OHCHR <b>webpage</b> on RTD+25
May	Fourth <b>United Nations Conference on LDCs</b> 9-13 May, Istanbul, Turkey	<b>Op-Ed</b> by the High Commissioner and <b>web story</b> on UN LDC IV  Statement by the <b>CESCR</b>
June	<b>A briefing to Member States</b> "Development: a human right for all. Strengthened coordinated United Nations support for national capacity-building" 1 June, New York  <b>A briefing to United Nations treaty bodies and special procedures</b> on the RTD 29 June, Geneva	Distribution of <b>Booklet</b> Version of the Declaration on the RTD
July	<b>ECOSOC special event</b> "The RTD and Global Partnership for Development" 12 July, Geneva	Joint statement by Chairpersons of <b>United Nations human rights treaty bodies</b>
August		Release of commemorative <b>posters</b>
September	<b>Human Rights Council panel discussion</b> "The way forward in the realization of the RTD: between policy and practice" 14 September, Geneva (HRC decision 16/117)	Release of an anniversary <b>video</b>
October	<b>Social Forum</b> , "Realization of the RTD: the role of society" 3-5 October, Geneva (HRC res. 16/26)  <b>OIC-NAM</b> round table (in cooperation with OHCHR) "RTD: constraints and prospects", 19 October, Geneva	OHCHR-UNITAR launch of <b>e-platform</b> "Introduction to the RTD"  Publication of <b>"Frequently asked questions on the RTD"</b> (to be released in 2012)

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	<i>RTD+25 Events</i>	<i>RTD+25 Publicity materials</i>
	<b>IPU seminar</b> (in cooperation with OHCHR) "Promoting the RTD: the role of Parliament", 20 October, Bern	
November	<b>United Nations General Assembly anniversary event</b> , 8 November, New York	Book on the RTD (to be released in 2012)
	Twelfth session of the <b>Working Group on the Right to Development</b> 14-18 November, Geneva	
December	<b>Anniversary expert round table</b> , 5 December, New York	<b>Press statements</b> by the Secretary-General and the High Commissioner for Human Rights
	<b>NAM anniversary event</b> , 6 December, Geneva (proposed activity)	

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## Annex II

### **Article by the United Nations High Commissioner for Human Rights: “No real development without human rights”**

#### **Fourth United Nations Conference on the Least Developed Countries 9-13 May 2011, Istanbul, Turkey**

According to the latest UN Human Development Report, the number of malnourished people in the world increased from 850 million in 1980 to 1 billion worldwide today. There are few statistics that are more disappointing than this. Despite the technological revolutions of the past three decades, widening poverty gaps, food shortages, economic crises and armed conflicts continue to plague individuals in many parts of the world – and most painfully those living in the 48 least developed countries (LDCs).

When one speaks of development, the language used is most frequently that of economists, but let us pause for a minute and think about what the main goals of economic development ought to be. Development should be about access to opportunities towards the constant improvement of human wellbeing, about guaranteeing the right to a life of dignity and freedom – freedom from want, freedom from fear and the freedom to flourish. Indeed, development is a right, and it is high-time the language of human rights and a focus on human beings forms the core of discussions on development in LDCs.

Once every ten years, the international community gathers for a conference to address the key issues facing LDCs. This week, the Fourth UN Conference on LDCs in Istanbul takes place against the backdrop of much unrest in the Middle East and North Africa region. There is no doubt that the denial of people’s right to development is one of the root causes that sparked off this unrest. People have been taking to the streets because of rampant poverty and inequalities, rising unemployment, a lack of opportunities, and the chronic denial of their economic, social and cultural, civil and political rights. They have no regular channels to express their discontent; they are deprived of the benefits arising from the natural resources of their countries, and they cannot meaningfully participate in the decision-making process to change the situation. These are exactly the kind of issues addressed by the UN Declaration on the Right to Development, which turns 25 years old this year.

The right to development embodies the human rights principles of equality, non-discrimination, participation, transparency and accountability as well as international cooperation. Some of the basic requirements of the UN Declaration are plainly: to put people at the centre of development; to ensure free, active and meaningful participation; to fairly distribute the benefits of development; and to respect self-determination and sovereignty over natural resources.

My message to the LDCs Conference is clear: human rights and the right to development must be at the core of development policy. The right to development should be at the heart of a strengthened global partnership for development and guide global strategy to meet new challenges. It empowers everyone to realize their potential, irrespective of personal differences, irrelevant to geographic demarcations and indifferent to economic classifications.

Realizing the right to development advances more than just human rights. It mandates the rule of law and good governance, especially eradication of corruption, at the

domestic level. It applies globally including to the Millennium Development Goals, aid, trade, investment, debt, finance, agriculture, technology transfer, intellectual property and access to medicines, climate change, and institutional reform.

Development strategies that focus on economic growth alone have permitted increased poverty and inequality, malnourishment and unemployment, and threats like environmental degradation. Poor people, women, children, minorities, indigenous peoples, migrants, refugees and persons with disabilities are often left behind. We must realize the aspirations of those living at the margins of their own societies - and of the global community.

Economic growth aligned with the right to development will help realize the UN Charter's vision for a world in larger freedom, founded on peace, development and human rights.

LDCs straddle the jagged terrain between a history of hardship and an abundance of hope as the 'next wave' economies for globalization, often blessed with rich reserves of natural resources and untapped human capital, including the energy of a youthful workforce. A rights-based approach to development will draw on and nurture this hope. An approach of neglect and disdain for human rights can only result in the frustration and instability we are seeing in so many countries in recent months.

10 May 2011

## Annex III

### **Statement on the importance and relevance of the right to development, adopted on the occasion of the twenty-fifth anniversary of the Declaration on the Right to Development by the Committee on Economic, Social and Cultural Rights**

The 4<sup>th</sup> of December 2011 marks the 25th anniversary of the adoption by the United Nations General Assembly of the Declaration on the Right to Development.<sup>a</sup> On this occasion, the Committee on Economic, Social and Cultural Rights (the Committee) wishes to emphasize the close relationship and the complementarity existing between the International Covenant on Economic, Social and Cultural Rights (the Covenant) and the Declaration on the Right to Development (the Declaration).

The Committee recalls that the UN Charter obliges States to take action, individually and jointly, for the promotion and respect of human rights and economic and social progress. Article 55 specifies that the promotion of full employment and development is integral to such efforts.<sup>b</sup> In 1948, the General Assembly adopted the Universal Declaration of Human Rights. Its articles 22 to 27 proclaim various economic, social and cultural rights, particularly the rights to work, to social security, to an adequate standard of living including the rights to food and to housing, to health, to education, and to enjoy and freely participate in cultural life. Subsequently, these rights were enshrined and elaborated in the Covenant of 1966. The substantive articles 1 to 15 of the Covenant inspired and shaped numerous fundamental elements of the right to development.

Notwithstanding this incorporation of fundamental components of the right to development in the Covenant, the implementation of the right to development faced many structural obstacles. Article 28 of the Universal Declaration of Human Rights recognizes: “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.” Responding primarily to the special needs and concerns of developing countries, the General Assembly adopted the Declaration on the Right to Development in 1986 and expressed its concern about the “serious obstacles to development, as well as to the complete fulfillment 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”. The Declaration emphasizes 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.”

The Declaration also highlights that development is a multifaceted and participatory process. Specifically, the Declaration provides 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”. Furthermore, the Declaration proclaims that the right to development

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<sup>a</sup> General Assembly resolution 41/128, annex.

<sup>b</sup> See the Preamble and Articles 1, 55 and 56 of the Charter of the United Nations.

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, through which all human rights and fundamental freedoms can be fully realized.

The complementarity between the rights contained in the Covenant and the right to development in the Declaration is manifest, *inter alia*, in the correspondence between articles 3 and 4 of the Declaration on the Right to Development relating to national and international responsibilities and article 2 of the Covenant on obligations of States parties, including the duty to provide international assistance and cooperation; and in the provisions of article 8(1) of the Declaration on the Right to Development and those of the Covenant relating for example to ensuring the empowerment and active participation of women, disadvantaged and marginalized individuals and groups, employment, basic resources and fair distribution of income, eradication of poverty and the provision of an adequate standard of living, including food and housing, health services, education, and enjoyment of culture.

The Committee, in pursuance of its mandate,<sup>c</sup> has adopted several General Comments and statements which not only complement the substance of the right to development but also indicate the ways and means of implementing the fundamental elements of the right to development. These include general comment No. 3 on the nature of States parties’ obligations (14 December 1990)<sup>d</sup> and the statements on globalization (15 May 1998),<sup>e</sup> poverty (4 May 2001),<sup>f</sup> and the Millennium Development Goals (September 2010).<sup>g</sup> Moreover, in its dialogue with States parties, the Committee also consistently recalls the commitment of developed countries to provide at least 0.7 per cent of gross national product (GNP) as official development assistance (ODA),<sup>h</sup> as well as the duty incumbent on all States to co-operate in the promotion of development and respect for all human rights and fundamental freedoms, in accordance with the UN Charter. The Committee considers that the right to development, through the systematic application of the core principles of equality, non-discrimination, participation, transparency and accountability at both the national and international levels, establishes a specific framework within which the duty to provide international cooperation and assistance has to be implemented.

The Committee, recognizing and reaffirming the linkage and the synergy between the International Covenant on Economic, Social and Cultural Rights and the Declaration on the Right to Development, is resolved to continue monitoring the implementation of all the rights protected by the Covenant contributing simultaneously to the full realization of the relevant elements of the right to development. In doing so, the Committee will, in its

<sup>c</sup> Economic and Social Council resolutions 1985/17 and 1987/5.

<sup>d</sup> E/1991/23.

<sup>e</sup> E/1999/22-E/C.12/1998/26, chap. VI, sect. A, para. 515.

<sup>f</sup> E/C.12/2001/10.

<sup>g</sup> High-level Plenary Meeting of the General Assembly (20-22 September 2010), joint statement of the Chairpersons of the United Nations human rights treaty bodies (available from <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=10329&LangID=E>). See also the joint statement of the Committee and the special rapporteurs on economic, social and cultural rights of the Commission on Human Rights on the Millennium Development Goals and economic, social and cultural rights, *Official Records of the Economic and Social Council, 2003, Supplement No. 2 (E/2003/22)*, annex VII.

<sup>h</sup> See the report of the International Conference on Financing for Development (A/CONF.198/11), para. 42; and the World Summit Outcome Document (General Assembly resolution 60/1), para. 23 (b).

examination of the reports of States Parties and in its dialogue with them, continue to address the eradication of poverty and underdevelopment and the creation of conditions for achieving economic and social progress and development for all, including disadvantaged and marginalized individuals and groups.

## Annex IV

### The twenty-fifth anniversary of the Declaration on the Right to Development

#### Joint statement of the Chairpersons of the United Nations treaty bodies (Geneva , 1 July 2011)

The 4th of December 2011 marks the twenty-fifth anniversary of the adoption by the General Assembly of the Declaration on the Right to Development (the Declaration).<sup>a</sup>

In our capacity as Chairpersons of the United Nations human rights treaty bodies set up to monitor the implementation of the core human rights treaty obligations at the national level, we welcome the commemoration of this special anniversary of the Declaration. We believe that this anniversary provides a unique and timely opportunity to reiterate the principles and elements set out in the Declaration.

It is significant that the Declaration, in its definition of the right to development,<sup>b</sup> does not reduce development to purely economic aspirations or goals but articulates a broad, comprehensive understanding of development at national and international levels. The right to development finds clear resonance in various human rights treaty provisions, which emphasize the multi-faceted, multi-dimensional and complex nature of development processes and the need for development to be inclusive, equitable and sustainable.

The Declaration indeed proclaims that all human rights and fundamental freedoms are indivisible and interdependent and equal attention must be paid to civil, political, economic, social and cultural rights<sup>c</sup>. In fact, there are many similarities and striking complementarities between the Declaration and the human rights treaties. Many elements of the right to development are reflected in human rights treaty provisions and jurisprudence of treaty bodies, including on self-determination; fair distribution of resources; equality and non-discrimination, particularly on grounds of sex, gender, age, race and disability; active, free and meaningful participation; accountability and transparency; substantive rights relating to adequate standard of living, including food, water and sanitation, housing, health services, education, employment, enjoyment of culture; freedom of expression, assembly and association; and international assistance and cooperation.

For all the reasons given, we are resolved to make a concerted effort to promote a development-informed and interdependence-based reading of all human rights treaties, so as to highlight and emphasize the relevance and importance of the right to development in interpreting and applying human rights treaty provisions and in monitoring compliance with these provisions. In this way, we shall contribute to further the realization of the right to development by ensuring that the necessary conditions are in place for achieving economic and social progress and development for all, including vulnerable individuals and groups.

Abdelhamid EL JAMRI      Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families Migrant Workers

Malcolm EVANS              Subcommittee on Prevention of Torture

<sup>a</sup> General Assembly resolution 41/128, annex.

<sup>b</sup> Art. 1.

<sup>c</sup> Art. 6 (2).

Claudio GROSSMAN	Committee against Torture
Anwar KEMAL	Committee on the Elimination of Racial Discrimination
Zonke MAJODINA	Human Rights Committee
Ronald Clive McCALLUM	Committee on the Rights of Persons with Disabilities
Ariranga PILLAY	Committee on Economic, Social and Cultural Rights
Silvia PIMENTEL	Committee on the Elimination of Discrimination against Women
Jean ZERMATTEN	Committee on the Rights of the Child

## Annex V

### **Statement made by agencies of the United Nations system and other international organizations in support of policy coherence in the implementation of the right to development**

**(14 September 2011)**

As the United Nations family commemorates the twenty-fifth anniversary of the United Nations Declaration on the Right to Development, we reaffirm the vision of the Charter of the United Nations for a world in larger freedom, based on peace and security, development and human rights.

Since 1986, the Declaration has provided normative underpinnings for a human-centred approach to development. Human development and human rights are embedded and reinforce each other conceptually and in practice, helping to secure the well-being and dignity of all people.

An effective global partnership for development, underpinned through human rights-based policy coherence and coordination at all levels, is the very foundation for achieving the Millennium Development Goals and other internationally agreed development goals in an equitable and sustainable manner.

Looking at development as a comprehensive process aiming to improve the lives of all peoples around the world our work is guided by key human rights principles of non-discrimination, equality, participation, transparency and accountability, as well as international cooperation.

Recognizing the political commitments made in the 2010 MDG outcome document<sup>a</sup>, which reaffirms the importance of respect for all human rights, including the right to development, States also resolved to work together for the promotion of the economic and social advancement of all peoples.

The United Nations development system and its partners continue to embrace and promote this vision around the world by supporting the development of national capacities under the principles of national ownership and social, economic and environmental sustainability. We resolve to contribute to building resilient and responsive institutions and promoting policy coherence in the spirit of a meaningful global partnership for development.

Together, we are committed to carrying this vision forward and to making the right to development a reality for all.

#### **Statement endorsed by:**

Food and Agriculture Organization of the United Nations

International Labour Organization

International Organization for Migration

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<sup>a</sup> General Assembly resolution 65/1.

Joint United Nations Programme on HIV/AIDS  
Office of the United Nations High Commissioner for Human Rights  
United Nations Children's Fund  
United Nations Conference on Trade and Development  
United Nations Development Programme  
United Nations Educational, Scientific and Cultural Organization  
Office of the United Nations High Commissioner for Refugees  
United Nations Human Settlements Programme  
United Nations Office for Project Services  
United Nations Population Fund  
United Nations Entity for Gender Equality and the Empowerment of Women  
World Food Programme  
World Health Organization  
World Intellectual Property Organization  
World Trade Organization

## Annex VI

### **Remarks by the Secretary-General at the General Assembly event to commemorate the twenty-fifth anniversary of the Declaration on the Right to Development**

**(New York, 8 November 2011)**

Your Excellency, Nassir Abdulaziz Al-Nasser, President of the General Assembly,  
High Commissioner for Human Rights Navi Pillay,  
Distinguished Chairpersons of the General Assembly's First, Second and Third Committees,

Ladies and gentlemen,

A quarter of a century ago, the Declaration of the Right to Development gave hope to millions of people around the world.

It brought all human rights together. And it centred development around people.

After the Declaration was adopted, it was reaffirmed over and over.

At the Rio Conference on the Environment and Development. At the World Conference on Human Rights. And in the Millennium Development Goals.

On paper, the Declaration lived. In practice, it languished.

Economic growth and material wealth were mistaken for true development.

Visible, accountable hands in government ceded too much to the invisible, unreliable hands of the market.

Human rights were too often subverted for financial gain.

Our environment was sacrificed for the economy.

Lavish luxury fed off of deplorable want.

In 1986, this visionary Declaration committed the world to true development.

By 2011 there has been significant progress. The MDGs galvanized the world into action.

But for too many people, basic needs are a distant dream.

As we meet, calls for change echo across the world.

We cannot take refuge in silence.

That is why my advice to world leaders is consistent.

I tell them to listen.

Listen to your people. Hear their concerns. Pay close attention.

That is what I do in my travels around the world.

In refugee camps. In the ashes of war. In cooperatives and communities. The languages are different, but the message is the same:

Help us to help ourselves.

People do not want handouts.

They are not interested in charity.

All they ask is the right to build their own future.

The Declaration demands this empowerment. It states that, “All human beings have a responsibility for development, individually and collectively.”

Now is the time to realize the Declaration’s ideals. So that people can live with dignity ... free of want or fear.

When we grant people the right to unlock their own potential, we trigger a transformation of our world.

That is why I am calling for a new social contract.

I have just returned from Cannes, where I urged G20 leaders to write this new social contract for the 21st Century.

Not only for people living in the world’s wealthiest nations, but for all.

I proposed a Global Jobs Pact.

We need a recovery that generates jobs, so that growth is sustainable and inclusive.

The Social Protection Floor is an important initiative. The specifics change from country to country – but the objectives are consistent:

To reduce poverty.

To shield people from shocks.

And to create equality so that societies can flourish.

When the floor is protected, no one will fall through the cracks.

Now is the time to invest in development.

We must invest in people, especially women and youth. They make up more than two-thirds of the global population. But they have more than numbers. Women and youth have the ability and energy to drive progress.

In the process, they can stabilize whole societies.

When we give women equal opportunities, we right a social injustice. When we give youth jobs, we transform frustration into production.

In this world marred by violence and war, we must remember that development is the path to peace.

At the same time, as the Declaration shows, peace is a path to development.

Our world is drowning in arms. Illegal weapons are flooding markets and wreaking havoc on communities.

We have to beg for funds for peace operations while military spending tops a trillion dollars.

Disarmament, economic issues and human rights are all crucial for development. That is why I am pleased to be joined today by the Chairs of the General Assembly’s First, Second and Third Committees.

When we take on global problems as a whole, the solutions cut across categories.

The food, fuel and financial crises are undermining the right to development.

We are responding by making comprehensive, sustainable development the UN's top priority. Next year's Rio+20 Conference is our chance to define a path to the future we want.

Excellencies,

Senegalese justice Keba M'Baye was a champion of the Right to Development.

He said: "To develop is to improve human life."

And to that end, he called for more than economic development ... more than technological progress ... more than material wealth.

He called for "development of the mind."

He said, "Development of thought must go hand-in-hand with technological development... because the two activities sustain each other."

Today we need more than a meeting – we need a meeting of the minds.

To realize the inalienable right to development – for all.

Thank you.

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