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**Panel discussion on the promotion and protection of the right to development**

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Good morning, 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 lives 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 RTD, 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.

Thank you.