

Submission in follow-up to HRC resolution 15/25 “The Right to development”

United Kingdom

The UK pursues an active and activist development policy and is fully committed to spending 0.7% of the UK’s gross national income on development aid from 2013. In addition, the UK has been a longstanding supporter of the Millennium Development Goals, participated fully at the recent MDG summit, and remains committed to achieving them.

In this context, the United Kingdom has constructively engaged with the Working Group. But this discussion is about more than development. Right to development focuses on the intersection between development and human rights. It is right therefore that we do not discuss development in isolation but that our considerations uphold basic human rights principles. The United Kingdom remains of the firm view that the primary responsibility for the promotion and protection of all human rights, including the right to development, lies with the State. In acknowledging the primacy of the State, we also recognise that international development can play an important role as per the balance achieved in the Vienna Declaration and Programme of Action. Furthermore, as the VDPA makes clear, the individual, not the State, is at the heart of international human rights system.

Work of the High Level Task Force

The United Kingdom welcomes the work of the High Level Task Force and believes that they have made an important contribution to assisting States to better understand the implications of the right to development in their national development policies, as well as any ramifications for their international work. We are particularly grateful for the efforts of the High Level Task Force to begin to refine the criteria. We fully acknowledge the methodological complexity of the work that has been undertaken. As we move forward, the UK believes the criteria need to better reflect the balance between state action at the national level and international cooperation, as well as the indivisibility of civil and political rights and economic, social and cultural rights when determining the sub-criteria and would like to see an improved balance between the two. The UK is strongly of the view that the realisation of the right to development requires states to create an enabling environment domestically which also means guaranteeing freedom of expression and assembly, as well as promoting rule of law, open and transparent government, civil society participation, gender equality, and the principle of non-discrimination. Progress against economic and social indicators requires progress in creating these enabling conditions. State fulfilment of responsibilities in this regard is essential to the realisation of the right to development for all individuals, and we believe the criteria and sub-criteria need to reflect this more clearly. We are also concerned that some of the indicators mean that data would only be available for citizens of certain countries – we need to balance this with recognition of the fact that the right to development is intended as universal. In some cases, we will also need to take into account not merely the existence of policies, but the degree to which they are implemented, including at the sub national level. In other cases, we need also to look at how it will be possible to define and capture baseline data.

Next Steps

The United Kingdom believes that it is important for the way forward to follow a logical sequence. We would anticipate that the first step of this process would be to have more detailed discussion of the criteria and indicators. This would be in an inter-governmental setting, but should also involve contributions from relevant HLTf experts, and national development experts as necessary. The latter would provide valuable input for ensuring that our work has a strong practical application.

Following this, the UK looks forward to participating constructively in determining how to best turn this policy into action. How this would be best done is still unclear and would be subject to further work on the criteria but it could be through a number of means, including; exploring how human rights treaty regimes incorporate Right to Development issues in their work, the development of Guidelines or voluntary principles, training and education, technical assistance, or sharing of best practice. The UK continues to be unable to support the development of a legally-binding instrument. However, subject to the refinement of the criteria and further expert analysis, we would be interested to explore other options on the most appropriate way forward.

In order to ensure that the 2011 Working Group is action-orientated, we would recommend that the incoming Chair of the Right to Development Working Group consult delegations early on a draft Programme of Work.
