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

Report of the Working Group on the Right to Development on its fourteenth session (Geneva, 13–17 May 2013)*

Chairperson-Rapporteur: Tamara Kunanayakam (Sri Lanka)

* Annex II is circulated in the language of submission only.

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I. Introduction

1. The open-ended Working Group on the Right to Development was established by the Commission on Human Rights in its resolution 1998/72 and the Economic and Social Council in its decision 1998/269 with a mandate to: monitor and review progress made in the promotion and implementation of the right to development, as elaborated in the Declaration on the Right to Development, at the national and international levels, providing recommendations thereon and further analysing obstacles to its full enjoyment, focusing each year on specific commitments in the Declaration; review reports and any other information submitted by States, United Nations agencies, other relevant international organizations and non-governmental organizations on the relationship between their activities and the right to development; and present for the consideration of the former Commission on Human Rights (subsequently the Human Rights Council) a sessional report on its deliberations, including advice to the Office of the United Nations High Commissioner for Human Rights (OHCHR) with regard to the implementation of the right to development, and suggesting possible programmes of technical assistance at the request of interested countries with the aim of promoting the implementation of the right to development.

2. The Human Rights Council, in its resolution 9/3, decided to renew the mandate of the Working Group until it completes the tasks entrusted to it by the Council in its resolution 4/4, and that the Working Group would convene annual sessions of five working days and submit its reports to the Council. Furthermore, the Human Rights Council, in its resolution 21/32, decided to consider the extension of the meeting time of the working group, as appropriate.

3. By resolutions 4/4 and 9/3, the Human Rights Council endorsed the request addressed to the High-Level Task Force on the implementation of the right to development by the Working Group on the Right to Development at its eighth and ninth sessions, respectively, to “[consolidate] its findings and present a revised list of right-to-development criteria along with corresponding operational sub-criteria and outline suggestions for further work, including aspects of international cooperation not covered until then for the consideration of the Working Group”.

4. By its resolution 9/3, the Human Rights Council decided that the criteria, “once considered, revised and endorsed by the Working Group, should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development” and that, upon its completion, “the Working Group will take appropriate steps for ensuring respect for and practical application of these standards, which could take various forms, including guidelines on the implementation of the right to development, and evolve into a basis for consideration of an international legal standard of a binding nature, through a collaborative process of engagement”.

5. By resolution 12/23, the Human Rights Council endorsed the recommendations of the Working Group at its tenth session, that, inter alia, the task force focus on consolidating its findings and presenting a revised list of right-to-development criteria along with corresponding operational subcriteria and outline suggestions for further work, including aspects of international cooperation not covered until then; and that the revised criteria and subcriteria should address the essential features of the right to development, as defined in the Declaration on the Right to Development, in a comprehensive and coherent way, including priority concerns of the international community beyond those enumerated in Millennium Development Goal 8, and serve the purposes set out in all relevant provisions of Human Rights Council resolution 9/3.

6. By resolutions 12/23, 15/25, 18/26, 19/34 and 21/32, the Human Rights Council reiterated its decision at its 9th session that, once considered, revised and endorsed by the Working Group, the criteria and corresponding operational subcriteria should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development; and that the Working Group shall take appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including guidelines on the implementation of the right to development, and evolve into a basis for consideration of an international legal standard of a binding nature, through a collaborative process of engagement.

7. By resolution 21/32, the Human Rights Council welcomed the launching of the process by the Working Group of considering, revising and refining the draft right to development criteria and corresponding operational subcriteria, with the first reading of the draft criteria, and acknowledged the need to further consider, revise and refine them. It further endorsed the recommendations of the Working Group at its thirteenth session that it, inter alia, pursue, at its fourteenth session, its work on the consideration of the draft operational subcriteria.

8. The Working Group accordingly convened its fourteenth session in Geneva from 13 to 17 May 2013.

II. Organization of the session

9. In her opening statement, the representative of OHCHR, speaking on behalf of the High Commissioner for Human Rights, recalled the importance the Vienna Declaration and Programme of Action placed on the right to development. Three overarching themes were at the heart of the World Conference on Human Rights: the universality of human rights, the importance of democratic participation and the imperative of development. She highlighted a number of fundamental challenges confronting the world: climate change, environmental degradation and loss of biodiversity impacted heavily on the human rights of present and future generations; rising inequalities; and demographic changes and the changing contours of geo-political and economic relations, as well as multiple crises, placed new demands on governance at all levels and called for coherent and human rights-based policies. The Declaration on the Right to Development enshrined a comprehensive, human-centred development paradigm that aimed at the improvement of human well-being for all. It recognized that every human person was entitled to participate in, contribute to and enjoy a development process in which all human rights could be fully realized. The statement pointed out that the right to development was not confined to declarations, summit outcomes or political debates within the United Nations. Real democratic participation can be measured by the extent to which – in the words of the Declaration on the Right to Development – “active, free and meaningful participation” determines policy and law. The global conversation about post-2015 development goals is an important opportunity for meaningful popular participation in global governance.¹

10. At its first meeting, on 13 May 2013, the Working Group re-elected by acclamation Tamara Kunanayakam (Sri Lanka) as Chairperson-Rapporteur.

¹ For the full text of the High Commissioner’s statement, see <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13320&LangID=E>.

11. In her opening statement,² the Chairperson-Rapporteur reported on the activities she had undertaken since the last session of the Working Group, the resolutions adopted by the Human Rights Council and the General Assembly, the results of the informal intersessional meeting, and informal consultations held with a view to improving the effectiveness of the fourteenth session and its preparation. She stated that the General Assembly, in its latest resolution 67/171 of 20 December 2012 had, for the first time, invited the Chairperson-Rapporteur to present an oral report instead of an update, and to engage in an interactive dialogue at its sixty-eighth session. She also noted the support and endorsement received from the Human Rights Council in its resolution 21/32 and from the General Assembly in its resolution 67/171 for having launched the process of considering, revising and refining the draft right to development criteria and corresponding operational subcriteria, with the first reading of the draft criteria, and the Council's acknowledgement of the need to further consider, revise and refine them. Referring to the task at hand, namely consideration of the draft operational subcriteria, she recalled that the mandate of the Working Group was to ensure the practical application of the right to development at the national and international levels, and that it was also part of a longer-term process. Once considered, revised and endorsed by the Working Group, the criteria and operational subcriteria should, in accordance with Human Rights Council resolutions, be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development. As the Working Group proceeded to review the draft subcriteria, it was appropriate to recall that the Declaration on the Right to Development defined development in broad and comprehensive terms, as a complex, multidimensional, integrated and dynamic process, which, through multiple interactions in the economic, social, cultural and political spheres, generated continuous progress in terms of social justice, equality, well-being and respect for the fundamental dignity of all individuals, groups and peoples. Given that the human person and all peoples are the central subjects, not objects, of development, development was a subjective process and, hence, could not be imposed from outside, but must be based on participation on the basis of equality and non-discrimination, in a process of integrated economic, social and cultural development, in accordance with peoples' aspirations to progress and well-being. In this connection, she recalled article 9 (1) of the Declaration, which provides that "[a]ll the aspects of the right to development set forth in the present Declaration are indivisible and interdependent and each of them should be considered in the context of the whole". The Chairperson-Rapporteur underscored her determination to ensure that the Working Group would continue to make progress toward fulfilling its mandate on the basis of consensus built on shared principles and values that were at the very core of the Declaration on the Right to Development.

12. At its first meeting, the Working Group formally adopted the agenda (see annex I) and Programme of Work of its fourteenth session that it had elaborated at its informal intersessional meeting. Prior to their adoption, the United States of America, while not objecting to the adoption of the programme of work, noted that this did not imply that an agreement had been reached on the issue of indicators. The European Union and Switzerland, echoing the stance of the United States of America, stated that its adoption did not prejudice the discussion of indicators. The Islamic Republic of Iran (on behalf of the Non-Aligned Movement), Cuba and Egypt expressed their approval for the programme of work, stating that Human Rights Council resolution 21/32 had not mandated the Working Group to consider indicators. The Chairperson-Rapporteur recalled that the respective positions had been noted at the informal intersessional meeting and appealed to the

² The Chairperson-Rapporteur's opening statement is available at <http://www.ohchr.org/EN/Issues/Development/Pages/14thSession.aspx>.

Working Group to continue with the task of examining the draft operational subcriteria, in accordance with the recommendation of the Working Group at its thirteenth session, endorsed by the Human Rights Council by resolution 21/32, in the absence of consensus within the Working Group.

13. The Chairperson-Rapporteur also reported³ on the informal intersessional meeting of the Working Group, which was held on 18 and 19 April 2013, pursuant to Human Rights Council resolution 21/32. At that meeting, the Working Group had elaborated and agreed on the draft programme of work for its fourteenth session, listing the draft operational subcriteria to be reviewed at each meeting, and identifying United Nations and other relevant international organizations which would receive a special invitation to contribute to the examination of the draft operational subcriteria of particular relevance for the work of their respective organizations. Discussions at the intersessional meeting centred on (1) the issues to be discussed at its fourteenth session; (2) the experts to be invited; and (3) the methodology to be adopted to ensure their effective participation, taking into account the time constraints. There was general agreement that, at its fourteenth session, the Working Group would undertake its first reading of the draft operational subcriteria. There was also general agreement on the importance of expert contributions to the process of considering the draft right to development criteria and the operational subcriteria. However, positions diverged as to whether the indicators listed in the report of the High-Level Task Force should be reviewed along with the draft operational subcriteria, the kind of experts to be invited and the methodology to be adopted for expert contributions.

14. Commenting on the Chairperson-Rapporteur's oral report, the United States of America requested that it be placed on record that there had been no agreement or outcome of the informal meeting, explaining that there had been a useful exchange but no agreement on the issue of indicators. Switzerland suggested using the current list of indicators to further refine the subcriteria, which was supported by Australia, the European Union and the United States of America. The Islamic Republic of Iran, on behalf of the Non-Aligned Movement, sought clarification on whether the Working Group was moving away from the adopted agenda and the programme of work. It reiterated the position of the Non-Aligned Movement that the Working Group had no mandate to discuss the so-called indicators. Egypt and Sri Lanka asked the Working Group to proceed with discussing the operational subcriteria. The United States of America further noted that the High-Level Task Force had included criteria, subcriteria and indicators, not criteria and operational subcriteria; that, in its view, indicators were the operational elements of the subcriteria; and that nothing in the relevant resolutions of the Human Rights Council precluded their discussion in the Working Group. The Chairperson-Rapporteur said that the programme of work had been formally adopted and the issues under consideration had been clearly identified. She urged the Working Group to adhere to the programme of work and the time limit set.

15. During the session, the Working Group focused on the first reading of the draft right to development operational subcriteria proposed by the High-Level Task Force, gathering views and refinements to the proposed subcriteria, as well as proposals for additional subcriteria. For that purpose, the Working Group had before it two conference room papers (A/HRC/WG.2/14/CRP.4 and 5), prepared by the Secretariat pursuant to Human Rights Council resolution 21/32, containing, respectively, submissions received from Governments, groups of Governments and regional groups, and submissions from other relevant stakeholders, including United Nations agencies, funds, programmes and

³ The Chairperson-Rapporteur's oral report on the informal intersessional meeting of the Working Group is available at <http://www.ohchr.org/EN/Issues/Development/Pages/14thSession.aspx>.

institutions, as well as other relevant multilateral institutions and forums. The papers were prepared by the Secretariat pursuant to Human Rights Council resolution 21/32.

III. Summary of proceedings

A. General statements

16. The Islamic Republic of Iran, on behalf of the Non-Aligned Movement, pointed out that the international community faced financial, climate and economic crises, which threatened development and led to increased poverty. Despite the turbulence in financial markets, the current institutional arrangements did not adequately address these issues. It was necessary to include a strong development agenda at the national level and an international framework and cooperation that would promote development with adequate policy space. Creating adequate policy space and building a development-friendly global economic environment would require systemic reforms at the international level, for which the post-2015 development agenda discourse would be well suited. The Non-Aligned Movement reiterated that the right to development was an individual and collective right incurring national responsibility and international responsibility of States for the creation of an enabling environment for its full realization. It was essential to strike a balance between national and international responsibilities, and to ensure access to resources by developing countries and their participation in global decision-making for the realization of the right to development. It called for systemic reforms and the establishment of a mechanism within the United Nations to evaluate the incorporation of the right to development in its work. The right to development was on par with all other human rights and its criteria and subcriteria should evolve into an international legal standard.

17. The European Union reiterated its commitment to sustainable development and poverty eradication. The right to development was based on the interdependence and indivisibility of all rights, and required that human rights and development policies make the human being the central subject. The European Union emphasized that States had primary responsibility for the creation of national and international conditions for development.

18. Sri Lanka said that it had taken steps to implement the right to development nationally with effective results such as rural development, high literacy rates and free health care. However, national responsibility alone was not enough, and the international element was essential for the realization of the right to development, including mainstreaming this right in the United Nations. Pakistan said that cross-cutting issues of the global economic crisis must be considered by the Working Group in order to build an enabling environment for development.

19. The United States of America stated that it was determined to engage in a constructive discussion to make the right to development unifying rather than divisive. It would not join a consensus on negotiating a binding treaty, expressed its concerns about proposals for additional meetings of the Working Group and believed that the Working Group should consider limiting the criteria and subcriteria to a few critical elements that focused on the human rights aspects of the right to development. It was of the view that indicators were consistent with development practice and necessary for evaluating how to have the most significant effect on the lives of the largest number of people. The United States noted that international financial institutions do not have human rights obligations, that States do not have human rights and that the primary responsibility for development rested with States. The United States urged the Working Group to align criteria and subcriteria with specific rights recognized in the Universal Declaration of Human Rights

and specifically emphasized non-discrimination, gender and women's rights, and good governance. The United States of America said it did not support subcriteria on the International Monetary Fund, the World Trade Organization and the World Bank, nor the discussion of specific treaties such as the Agreement on Trade-Related Aspects of Intellectual Property Rights. The United States also emphasized that the Working Group was not the place to negotiate a development agenda and that the Working Group should defer to the intergovernmental process that will negotiate the post-2015 agenda.

20. According to Switzerland, the right to development was a universal principle arising from human rights codification as a whole. The right to development could bring development and human rights together, and the full realization of human rights for all was the ultimate goal of development. Achieving the Millennium Development Goals required policy coherence toward global partnership that took the right to development into account. States had primary responsibility for the creation of national and international conditions conducive to the right to development. The Fourth High-level Forum on Aid Effectiveness called for international cooperation to meet the challenge of development. A human rights-based approach was necessary to strengthen partnership for development. Switzerland did not think that a legally binding instrument on the right to development was a solution, but would support continuing dialogue and pragmatic solutions. The criteria and subcriteria could lead to a political agreement on guidelines for global partnership.

21. China said that the right to development was an inalienable human right and the process of development was not balanced. The international community should strengthen partnership for development and improve mechanisms of global governance. The United Nations played a leadership role in setting up an effective framework for sustainable development. The international community should respect the diversity of States in making development decisions.

22. In the view of Norway, the right to development was complex and influenced by global trends. The mainstreaming of the right to development should be on par with other human rights and it should bring human rights and the right to development closer together. Poverty reduction and development required good governance. Development should be participatory and transparent. Human rights needed to be mainstreamed in development processes. Development was a human right, and States had the responsibility to protect, respect and fulfil human rights using the maximum available resources. Human rights should be the framework for development cooperation. Both national and international responsibilities were critical in ensuring an enabling environment.

23. Senegal said that given the uncertain times with the economic crisis, the realization of the right to development was more than ever a necessity. The international community must demonstrate its political commitment and give the right to development the high profile it deserved, in particular in the context of the post-2015 development agenda. It hoped that the current process could move towards adoption of a legally binding instrument at the end. Algeria, Cuba, Indonesia, South Africa and the Bolivarian Republic of Venezuela also stressed the need for a legally binding instrument on the right to development. A number of States, including Algeria, Cuba, Senegal and the Islamic Republic of Iran, speaking on behalf of the Non-Aligned Movement, underlined the need for the Working Group to be allocated more time to complete the important tasks assigned to it.

24. Cuba reiterated the need to allocate more time to the Working Group in order to speed up its work. It said that the sole purpose of indicators was to permit developed countries to question the levels of the realization of rights. Cuba did not object to discussing freedom of expression and good governance, but there were more important issues to focus on, including the unjust and undemocratic international order. That was the reason the reform of the Bretton Woods institutions, international governance and the rule of law at

the international level must be addressed. Disarmament and nuclear disarmament were relevant as they concern peace. The Working Group must also discuss real international cooperation, not limited to aid but also with regard to technology transfer, cooperation and trade. The principal obstacle to true development in Cuba was the economic and trade blockade by the United States, which was also recognized during the universal periodic review.

25. Australia reiterated its commitment to human rights and to achieving development outcomes. It did not support additional working days for the Working Group and requested that work continue step by step towards consensus. It did not see the need for a new international instrument on the right to development and instead stressed the importance of practical measures to achieve tangible outcomes. In this regard, indicators were a crucial tool to measure and analyse results. The Working Group should focus on its human rights mandate, and avoid duplicating or undermining existing trade and development processes.

26. According to India, the draft criteria and operational subcriteria focussed unduly on individual national responsibilities. They must also focus on the international aspects and special needs of developing countries, such as special and differential treatment, common but differentiated responsibilities, and the need for policy space. Indonesia expressed concern about the non-implementation of the right to development and stressed the urgency of strengthening international cooperation in the face of multidimensional crises.

27. The Bolivarian Republic of Venezuela stated that the implementation of the right to development was necessary for the realization of all human rights and regretted that this right had been blocked by some countries, including through unilateral coercive measures which flagrantly violated the fundamental rights of some countries in the South. The predatory capitalist system directly threatened developing countries and least developed countries.

28. The United Nations Conference on Trade and Development (UNCTAD) said it was committed to the promotion and implementation of the right to development as elaborated in the 1986 Declaration on the Right to Development, and supported the work of the Working Group. As the United Nations focal point for the integrated consideration of trade and development and interrelated issues in the areas of finance, technology, investment and sustainable development, UNCTAD placed development at the centre of its work.

29. Centre Europe – Tiers Monde said that the world today was marked by inadequate development, poverty and inequality, which demonstrated the failure of neoliberal policies. Concepts such as growth and competition should be ruled out from the criteria. Instead, focus should be given to respecting the right of peoples to self-determination, State sovereignty, democracy at the national and international levels, and the responsibility of international institutions. The ONG Hope International said that prevailing issues concerning food security, health and other human rights situations on the ground should be given priority by the Working Group. A legally binding instrument might not be an effective way to address these problems. It called for a day devoted to development efforts at the Human Rights Council or a development periodic review, which would create an environment favourable to the realization of the right to development.

30. Caritas Internationalis, on behalf of the Working Group of Catholic Organizations on the Right to Development and International Solidarity, said that it preferred the term “parameters” to “criteria”. It called for a periodic review of progress towards these parameters, which should allow flexibility for States to develop their own specific subparameters. Friedrich Ebert Stiftung said that States could not ignore human rights obligations when entering international agreements in other fields. The Indian Council of South America said that the right to self-determination of indigenous peoples must be

recognized and expressed concern about the lack of participation of indigenous peoples in the development of international instruments.

31. ONG Hope International expressed its doubts about the goal of the Working Group to reach a legally binding instrument, and wondered about the capacity of States to meet the standards as established and the possible implications of potential sanctions on the right to development. Stakeholders should establish effective and efficient coordination, a true partnership for development between governments, United Nations agencies and civil society. A full day should be devoted to this during the sessions of the Human Rights Council, with a half-day of discussions in working groups on projects to be implemented and a half-day for progress reports and commitments. This could be the Development Periodic Review.

B. Review of progress in the implementation of the right to development including consideration, revision and refinement of the right to development criteria and operational subcriteria

32. At its 2nd, 3rd, 4th, 5th and 6th meetings, from 13 to 15 May, the Working Group considered and revised the draft operational right to development subcriteria listed in the annex of addendum 2 to the report of the High-Level Task Force on the implementation of the right to development on its sixth session (A/HRC/15/WG.2/TF/2/Add.2) under attribute 1, “Comprehensive and human-centred development policy” as well as proposals for additional subcriteria under new criteria proposed at the last session of the Working Group.

33. Prior to the substantive review of the subcriteria, the Chairperson-Rapporteur presented to the Working Group two conference room papers⁴ which contained submissions received since the last session of the Working Group from Governments, groups of Governments and regional groups, as well as inputs from non-governmental organizations. Providing a brief overview and highlighting the suggestions relevant to the discussion of the current session, the Chairperson-Rapporteur stated that the submissions varied significantly in their approach, ranging from detailed proposals to more general assessment or comments. One submission noted that the draft criteria and operational subcriteria provided a well-constructed and comprehensive framework to measure the essential features of the right to development. Another submission, while generally supportive of the methodology and approach, commented that there was inconsistency in the manner in which the criteria and subcriteria were drafted and suggested their reformulation, including by providing more concrete and practicable details for each subcriterion.

34. Among the suggestions made, one submission underlined the link between international solidarity and the right to development and its mutually reinforcing nature, and proposed reorganizing the criteria and operational subcriteria according to a suggested list of right to development principles and related articles of the Declaration on the Right to Development. Another submission expressed the view that the criteria and subcriteria lacked explicit reference to gender equality, and commented that civil and political rights were as important for development processes as economic, social and cultural rights, and they should be better reflected. Other suggestions included paying more attention to the development rights of indigenous peoples and minorities, adding new criteria on the recognition of international solidarity as a right, adopting and implementing a comprehensive and legally binding international instrument on the right to development,

⁴ All submissions received in 2012 and 2013 are available at <http://www.ohchr.org/EN/Issues/Development/Pages/HighLevelTaskForceWrittenContributions.aspx>

and recognizing the right to peace of persons and peoples, the Chairperson-Rapporteur said when concluding her presentation on the conference room papers.

35. During the consideration of the operational subcriteria, several speakers stressed the need to simultaneously consider the indicators proposed by the High-Level Task Force. They pointed out that the draft subcriteria identified by the High-Level Task Force were not operational and that operational elements or indicators would be required, consistent with development practice and a results-based approach. Raising concerns and objections, a number of other speakers stated that indicators were outside the mandate of the Working Group and that they had also been outside the scope of the mandate of the High-Level Task Force on the implementation of the right to development. They argued that indicators would only serve the purpose of judging the performance of developing countries, instead of contributing to the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development, in accordance with the resolutions of the Human Rights Council.

36. The Chairperson-Rapporteur appealed to the members of the Working Group to refrain from introducing language or elements that relate to indicators, which were not mandated by the Human Rights Council and on which there was no consensus within the Working Group, and to pursue its work on the consideration of the draft operational subcriteria, in accordance with Council resolution 21/32. She drew the attention of the Working Group to paragraph 14 of the second addendum to the report of the High-Level Task Force on the implementation of the right to development on its sixth session (A/HRC/15/WG.2/TF/2/Add.2), which distinguished subcriteria from indicators: “The criteria and sub-criteria should be relatively long-lasting and suitable for inclusion in a set of guidelines or a legally-binding instrument that development actors may use over the long term when assessing whether their own responsibilities or those of others are being met. The indicators, on the other hand, are intended to help in assessing compliance with the criteria and sub-criteria, and are therefore context-specific and subject to change over time.” Australia, the European Union, Japan, Switzerland, the United Kingdom and the United States noted that States were free to make any proposals they wished to improve the subcriteria, and that they could not be precluded from seeking to make the draft subcriteria more operational or more measurable. The United States also reiterated its view that the High-Level Task Force did not elaborate operational subcriteria, but rather criteria, subcriteria and indicators, the latter two, in combination, constituting the operational subcriteria.

37. During consideration of the operational subcriteria, the Islamic Republic of Iran, on behalf of the Non-Aligned Movement, stated that human rights were interlinked and must be addressed in an integral manner, including all economic, social and cultural rights, some of which were not reflected in the list of draft criteria and operational subcriteria. Switzerland called for the use of human rights language such as the right to food, the right to water and the right to health. Non-discrimination, gender equality, a decent standard of living and certain aspects of civil and political rights, such as the right to life and freedom of expression, should be referenced from the very beginning. The Islamic Republic of Iran, on behalf of the Non-Aligned Movement, proposed different subcriteria with regard to compliance with international commitments by various multilateral policy regimes. It also called for financial and technical assistance and capacity-building for developing countries. The United States of America noted its reservation to specific language regarding developing countries, stating that human rights were universal and belonged to those in developing and developed countries alike. The Islamic Republic of Iran, on behalf of the Non-Aligned Movement, referred to the Declaration on the Right to Development, which stated that sustained action was required to promote more rapid development of developing countries.

38. Commenting on the subcriterion on reducing risks of domestic financial crises, Centre Europe – Tiers Monde stated that in the globalized world, there was a hegemony of finance and a concentration of capital in certain entities such as banks and insurance companies, which had a real impact on people's lives. Concerning the volatility of national commodity prices, Morocco stressed the need to fight against speculation in world markets, specifically when it led to price volatility of agricultural and food products. The United States of America cautioned that policy measures seeking to mitigate price volatility might distort the market, and suggested instead a focus on addressing the impact of price volatility with, for instance, social safety nets. In this context, UNCTAD highlighted, for the consideration of the Working Group, General Assembly resolution 66/188 of 22 December 2011 addressing excessive price volatility in the food and related financial and commodity markets. UNCTAD also noted the opening words of the General Assembly resolution in question, recalling the Universal Declaration of Human Rights.

39. The Working Group also discussed a number of issues such as the transfer of technology, intellectual property rights, biofuels, the digital divide, natural resources, renewable energy, peace and security, and natural disasters in relation to the right to development.

IV. Conclusions and recommendations

40. **At the final meeting of its fourteenth session, on 17 May 2013, the Working Group on the Right to Development adopted, by consensus, its conclusions and recommendations, in accordance with its mandate established by Commission on Human Rights resolution 1998/72.**

A. Conclusions

41. **The Working Group took note of documents A/HRC/WG.2/14/CRP.4 and 5 containing detailed views and comments submitted by Governments, groups of Governments, regional groups and other relevant stakeholders in fulfilment of the conclusions and recommendations agreed at its thirteenth session.**

42. **The Working Group expressed appreciation to all those who contributed with their submissions and inputs.**

43. **The Working Group welcomed the presentation made by the Chairperson-Rapporteur of the Working Group and commended her for the able stewardship in guiding the deliberations of the Working Group.**

44. **The Working Group took note of the opening remarks delivered on behalf of the High Commissioner and the participation of the Office of the High Commissioner for Human Rights (OHCHR), which attested to her commitment and that of her Office to promoting and protecting the realization of the right to development and to enhancing support from relevant bodies of the United Nations system for that purpose, consistent with General Assembly resolution 48/141.**

45. **The Working Group took note of the continuation of the process of considering, revising and refining the draft criteria and the corresponding operational subcriteria contained in document A/HRC/15/WG.2/TF/2/Add.2, with the first reading of the draft criteria and operational subcriteria under attribute 1.**

46. **The Working Group will further consider, revise and refine the aforementioned draft criteria and corresponding operational subcriteria, as mandated by the Human Rights Council in its resolution 21/32.**

47. The Working Group acknowledged the need to have experts' contributions and, in this context, re-emphasized the importance of engaging further the relevant United Nations agencies, funds and programmes and institutions as well as other multilateral institutions and forums, and international organizations and other relevant stakeholders.

B. Recommendations

48. The Working Group recommended the following:

(a) To continue, at its fifteenth session, its work on the consideration of the draft operational subcriteria with the first reading of the remaining operational subcriteria;

(b) To request OHCHR to make available on its website and to the Working Group two conference room papers reflecting comments and views submitted during the session by Governments, groups of Governments and regional groups, as well as by other relevant stakeholders, respectively;

(c) To also request OHCHR to make available on its website and to the next session of the Working Group, in the format of two conference room papers, all further submissions by Governments, groups of Governments and regional groups, as well as inputs by other stakeholders;

(d) To invite the Chairperson-Rapporteur to hold informal consultations with Governments, groups of Governments, regional groups and relevant stakeholders in preparation for the fifteenth session of the Working Group;

(e) To invite the High Commissioner and to request the Chairperson-Rapporteur, with the support of OHCHR, to further their efforts to encourage the active participation in the work of the Working Group of all relevant stakeholders, consistent with paragraph 46 above.

Annex I

Agenda

1. Opening of the meeting.
2. Election of the Chairperson-Rapporteur.
3. Adoption of the agenda and programme of work.
4. Review of progress in the implementation of the right to development including consideration, revision and refinement of the right to development criteria and operational subcriteria (A/HRC/15/WG.2/TF/2/Add.2).
5. Adoption of conclusions and recommendations.
6. Adoption of the report.

Annex II

[English only]

List of attendance

Members of the Human Rights Council

Angola, Argentina, Austria, Brazil, Chile, Costa Rica, Côte d'Ivoire, Czech Republic, Ecuador, Germany, Indonesia, Ireland, Italy, Malaysia, Pakistan, Qatar, Republic of Korea, Romania, Spain, Switzerland, Thailand, United Arab Emirates, United States of America, Venezuela (Bolivarian Republic of)

States Members of the United Nations

Algeria, Armenia, Australia, Bahrain, Belgium, Bulgaria, China, Colombia, Cuba, Egypt, France, Greece, Haiti, India, Iraq, Iran, (Islamic Republic of), Japan, Madagascar, Mauritius, Mexico, Morocco, Nepal, Norway, Portugal, Russian Federation, Senegal, Slovenia, South Africa, Sri Lanka, Syrian Arab Republic, Turkey, United Kingdom of Great Britain and Northern Ireland, Viet Nam

Non-member States represented by an observer

Holy See, State of Palestine

United Nations funds, programmes, specialized agencies and related organizations

Food and Agriculture Organization of the United Nations (FAO), United Nations Conference on Trade and Development (UNCTAD), United Nations Environment Programme (UNEP), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Non-Governmental Liaison Service (UN-NGLS), World Intellectual Property Organization (WIPO), World Meteorological Organization (WMO), World Trade Organization (WTO)

Intergovernmental organizations

African Union, European Union

Non-governmental organizations in consultative status with the Economic and Social Council

General

AIDE Fédération, Caritas Internationalis, Centre Europe – Tiers Monde, Indigenous Peoples and Nations Coalition, ONG Hope International, World Alliance for Citizen Participation (CIVICUS)

Special

Associazione Comunità Papa Giovanni XXIII, Congregation of Our Lady of Charity of the Good Shepherd, Dominicans for Justice and Peace (Orders of Preachers), International Federation of University Women, International Humanist and Ethical Union, International Organization for the Right to Education and Freedom of Education, New Humanity

Roster

Friedrich-Ebert-Stiftung (FES), Indian Council of South America

Other non-governmental organizations

Ariel Foundation International, International Council for Human Rights, INTLawyers.org, International Network for the Prevention of Elder Abuse, Ligue nationale des associations pygmées du Congo (LINAPYCO), RESO-Femmes International, South Centre
