**A consultancy study on the contribution of development to the enjoyment of human rights**

**1. Please share your views on the contribution of development in promoting and protecting human rights, including its context, concept, specific aspects and means of implementation.**

Contribution of development to:

(i) Civil and political rights.

(ii) Economic, social and cultural rights.

(iii) The right to peace, the right to development, environmental rights and digital rights.

1.1 The traditional concept of economic development mainly focuses on economic aspects with an emphasis on growth, median income, consumption and other economic indices. However, the mainstream discourse of development gradually observed a paradigmatic shift—broadening to include notions of social justice, human development, human rights and well-being.

1.2 In an attempt to challenge the traditional point of view, development thinkers bring forward the idea that civil and political rights should be included in the measure of economic development. The implications of disregarding civil and political rights is that citizens are no longer free to hold an opinion, to express it, or to organize to press their demands, they lose their human agency-their capacity to make choices and pursue them.

1.3 In the absence of a functioning human agency and protected civil and political rights, institutions of accountability are likely to suffer, for their mandate would be redefined to protect their arbitrary powers instead of protecting people’s human rights. Accordingly, several important aspects of economic development, which are directly related to economic, social and cultural rights, for example, the rights to education, health, and livelihood are likely to be affected.

1.4 Development and realization of human rights are interdependent and mutually reinforcing. Thus development can promote improved infrastructures, contribute in poverty alleviation and better revenues, fair and equitable distribution and access to resources, clean and healthy environment, promote better education and reinforced capacity thus contributing in attaining civil, political, economic, social and environmental rights amongst others.

1.5 Economic, social, and cultural rights (ESCR) include the human right to work, the right to an adequate standard of living, including food, clothing, and housing, the right to physical and mental health, the right to social security, the right to a healthy environment, and the right to education.

1.6 Given that poverty is a limiting factor in the fulfilment of Sustainable Development Goals, consideration should be given to favour development strategies so that there is a level playing field and that economic opportunities are unlocked for each citizen.

1.7 Education including digital literacy is one of the numerous corollaries of Development and contributes significantly to increasing one’s exposure and acceptance of human rights in addition to arousing awareness to the enjoyment of civil liberties. This, in turn, allows individuals to formulate their own opinions and exercise cultural and political rights.

1.8 There is, thus, no denial that prioritising developmental objectives and setting the scene for wealth creation are the pre-conditions for the protection of human rights as they allow for redistribution of economic benefits to the less privileged strata of society through fiscal instruments. It is only when one is freed from the shackles of extreme poverty that he can exercise his other rights completely.

1.9 It is also common knowledge that chronic sub-par economic performance and the absence of development can lead to conflicts which is rife among lesser developed nations and thereby limits human rights considerations to survival only.

1.10 Another aspect is the impact of technology on development. Technology is a key pillar in the new economic era for higher productivity, effectiveness and competitiveness. Personal data is being increasingly used by a range of authorities and companies digitally for example to make automated decisions and to create profiles There is a need to consider digital rights as fundamental rights of an individual. Such rights encompass a wide range of rights, from right to privacy and right of free expression online to data protection.

1.11 Lastly conflict threatens both development and the enjoyment of human rights, development and human rights are themselves essential to conflict prevention. The realization of human rights and of inclusive, equitable, human-centered development can alleviate root causes of conflict and enable peaceful and just methods of resolving tensions. Through international cooperation, States can capitalize on the savings from disarmament and global peace to further development and the realization of all human rights for all. In addition, the international community can make an effort by providing a space for peaceful conflict resolution and dispute settlement, and for the negotiation of disarmament treaties, as well as promoting global development and human rights.

**2. How to ensure that development contributes to promoting and protecting human rights?** (The principles, strategies, policies and laws, action plans and programmes of development, what contents are important and what responsibilities should be taken into account)

(i) At the international level.

(ii) At the national level.

(iii) Through global and regional partnerships, civic space and engagement.

2.1 Development is an overall economic, social, cultural and political process which contributes to the progress of the benefit of the population. Eventually, both development and human rights activities share the same devotion and ambition to encourage the independence, interest and prestige of individuals.

2.2 For development to contribute to promoting human rights, it should be inclusive and people oriented, be based on the principles of equity and take into account all the three dimensions of Sustainable Development that is social, economic and environmental aspects and adopt a human rights-based approach. At the international level south-south and triangular cooperation could contribute in sustainable development and promote human rights.

2.3 There is need for Governments to ensure that there is a balanced approach to development such that economic priorities are aligned to protecting the fundamental rights of its citizens. This may be achieved by ensuring a fair redistribution of economic benefits through astute and wise revenue laws while enshrining workers’ rights in law.

2.4 International human rights law lays down obligations which States are bound to respect. By becoming parties to international treaties, States assume obligations and duties under international law to respect, to protect and to fulfil human rights. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights.

2.5 At international level, donor agencies providing aids to lesser developed countries should set endorsement of human rights as one of the conditions to benefits from grants. This should be accompanied by a Monitoring and Reporting Mechanism including key performance indicators whereby funds are disbursed in phases subject to human rights being promoted along with economic development which should be aligned with the Sustainable Development Goals. Part of financial assistance should, in the same breath, be directed to promoting human rights through education and literacy, economic empowerment and other activities which bridges the gaps in competencies and opportunities to allow vulnerable groups to get out of poverty.

2.6 On the regional front, with trade liberalisation and formation of regional blocks, the endorsement of Preferential Trade Agreements should have as cornerstone, the full and unencumbered enjoyment of human rights of its trading members. This would ensure that countries having poor or insignificant considerations to human rights are marginalised. New sets of conducts or trade agreements should be developed based on compliance to human rights.

2.7 A successful development agenda requires inclusive partnership; at the global, regional, national and local levels that built upon principles and values, and upon a shared vision and shared goals placing people and the planet at the centre.

2.8 Many countries require Official Development Assistance and financial assistance from donor countries and agencies to encourage development, growth and trade. To this end, development partners can ascertain that development contributes to the promotion and protection of human rights, as part of their terms and conditions of the financial package that they offer.

2.9 Partnerships between countries can be established with national human rights institutions, civil society organizations, indigenous peoples and other groups to build engagement at national, regional and global levels on the implementation of human rights and SDGs thus ensuring that development contributes to promoting and protecting human rights.

**3. Please share any concrete examples of best practices of contribution of development to the enjoyment of human rights.** Challenges, obstacles, lessons learned and experience with regard to principles, strategies, action plans and programmes, the role of communities, organizations, and individuals and/or other stakeholders.

3.1 The State of Mauritius has embarked on a new economic model which forms the basis of the new development strategy in our endeavour to combat poverty, promote social justice, economic empowerment and national unity, and protecting our vulnerable citizens. It is grounded on 6 core guiding principles which are about:

* An inclusive economic growth model
* Massive investment in education and training for all.
* A strong social security system
* Empowering and supporting poor families
* Putting a halt to intergenerational transfer of poverty (Poverty should never be a heritage to be passed on to future generations)
* Combatting Social ills such as drug addiction and drug dealing, prostitution, in particular child prostitution and alcoholism, amongst others.

3.2 Significant investment on education has yielded an informed population empowered to think and act on its own. This has been an offshoot of development in that it not only provided economic benefits but at the same time, it paved the way for individuals to exercise their rights and also helped in deconstructing myths and misconceived ideas.

3.3 There is no more powerful tool to uplift the dignity of a person than in creating meaning and sense of purpose in his life. Development, thus, acts as a lever aiming to radically transform the lives of communities through the elimination of poverty and empowering individuals to be autonomous. It transpires therefrom that when one is freed from economic survival, he or she would be in a better position to focus on meeting and enjoying his other human rights.

3.4 Development, in its broad and plenary interpretation, may thus be construed as a structured approach to continually uplift human rights as it seeks to provide citizens with an array of opportunities for their self-realisation.

3.5 There has also been significant improvement in the physical realms brought along by development plans in terms of housing facilities being extended to the lesser privileged persons thus comforting the right to a decent accommodation as well as massive investment in the upgrading of infrastructural facilities to provide citizens with recreational and sports facilities.

3.6 In the field of transportation, the right to mobility is met through affordable and diverse means of transportation facilities as well as extensive and well-articulated road network providing enhanced connectivity to all parts of the island. This has been achieved by fostering development throughout the island so that the rights of one and all may be enjoyment without any hindrance.

3.7 Moreover, the State of Mauritius has been able to champion human rights primarily by promoting development and through the provision of incentives to entrepreneurs to invest and create employment. This progressively led to the uplifting of rights enjoyed by the citizens, who as a result of economic freedom, were then in a position to fully enjoy other rights.

**4. Are there any other aspects relating to the contribution of development to the enjoyment of all human rights for all that you would recommend for the study to focus on?**

4.1 With sustainable development high on Agenda, there is need for a balanced view as to how Development may still uphold human rights without compromising on the rights of future generations. Consideration should thus be geared to embed ecology in developmental considerations.

4.2 The study could explore how countries can create more resilience so that families can manage risk, cope with shocks, and continue to invest in their children, even after tragedy strikes.

4.3 The study could also take into consideration rights of young people. It has been observed that youth do not exercise these rights because they are not sufficiently empowered to do so. The study could explore the factors that inhibit people from enjoying their right including deeply-rooted psychosocial factors.

4.4 Furthermore, the study may also be directed to see as to how access to justice can be simplified taking into account that the costs involved to seek remedy from tortfeasors which may be an insurmountable barrier. Similarly, in some instances, the Judiciary constitutes the sole avenue to maintain the enjoyment of one’s human rights but it has often been observed that, for a number of reasons, justice is not delivered promptly implying that the applicant may drop out at some point. It might be proposed that a summary judicial process be considered or a specific Human Rights Court be instituted to exclusively consider cases pertaining to the non-observance of human rights.

4.5 In the same vein, the Study should also delve as to how citizens may reap the full benefits of Development having regard to the absence of good governance in some part of the world and as to how to rid corrupt practices which are a scourge and major hindrances on the enjoyment of human rights as the rightful beneficiaries are dispossessed on the enjoyment of their rights.

**5. If you are differing views on the contribution of development to the enjoyment of all human rights for all, please explain and provide examples if possible.**

5.1 The cultural and historical contexts should be taken on board as even if there may be unanimity on preserving human rights, there is need to appreciate that each country has its own priorities and set their own agenda as to how they intend to guarantee the enjoyment of human rights based on their common history and cultural specificities.

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