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**Review of progress in the implementation of
the right to development**

**Joint written statement* submitted by Associazione
Comunita Papa Giovanni XXIII, Association Points-Coeur,
Caritas Internationalis, Company of the Daughters of
Charity of St. Vincent de Paul, Dominicans for Justice and
Peace – Order of Preachers, International Institute of Mary
Our Help of the Salesians of Don Bosco, International
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Education, International Movement of Apostolate in the
Independent Social Milieus, New Humanity, Teresian
Association and International Volunteerism Organization for
Women, Education and Development**

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[11 April 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Joint Contribution on the Implementation of the Right to Development for the 19th Session of the Intergovernmental Working Group (23–27 April 2018)

In view of the forthcoming 19th session of the Open-Ended Intergovernmental Working group on Right to Development that will be held from 23 to 27 April 2018, the co-signing NGOs belonging to the CINGO Working Group on right to development would like to make the following comments:

- In a joint oral statement delivered during the Interactive Dialogue with the Special Rapporteur on the right to development at the 36th Regular Session of the Human Rights Council, our NGOs remarked that the Declaration on the Right to Development, if fully implemented, has the potential - together with the respect of other international human rights law instruments - to lead to the achievement of social justice and lasting peace in the world since it aims to the creation of an enabling international and national environment to overcome structural obstacles and challenges that impede the development of persons and peoples;
- We confidently affirm that human rights would be better fulfilled if States were to show a true-commitment to the implementation of the right to development, and to conceive of it in a holistic, critical and multi-dimensional fashion. Of course, the primary responsibility for implementing the right to development belongs to States, as established in article 2, comma 3 of the declaration, but article 4 also calls on the international community to cooperate in creating an enabling environment for the realization of the right to development. Effective international cooperation and solidarity among States is necessary to achieve a global framework on right to development;
- Even if the Declaration on Right to Development was adopted in 1986 by vote with only the United States of America voting against and eight countries (all developed ones) abstaining, the Vienna Declaration and Programme of Action as well as many others ministerial declarations, reaffirmed by consensus the right to development. The Vienna Declaration and Programme of Action, in its consensual approach, not only reaffirms and validates the Declaration on the Right to Development but also resolves the controversy over whether the right to development is a human right by emphatically stating that it is an integral part of fundamental human rights;

The 2030 Sustainable Development Agenda, a landmark for the progress of humanity, has been also inspired by the Declaration of the Right to Development and has been adopted by consensus too.

Therefore, we find surprising and difficult to understand the fact that States in Vienna and New York have reached consensus on certain issues while in the contest of the Human Rights Council and its mechanisms in Geneva they cast doubts on the same issues.

- For almost ten years, the differences of opinions among States have hampered the progress of the intergovernmental debate at the Open-Ended Working Group. It looks like States are not prepared to recognise the importance of the Right to Development. After more than 30 years from the adoption of the declaration, States are still divided on the concept of the right to development. We think that the high polarisation and politicisation of the debate represent the principal obstacle to the implementation of this right;

- Most of the States who took part in the debate have focused more on stressing where their views diverge than on building a constructive dialogue. In analysing the evolution of the OEIWG from 2010 up to the last session, we have found that States have consistently held on their views at the expense of considering alternatives. We also wish to point out that, notwithstanding the fact that the participation of the States has been uneven, with some States tending to monopolize the discourse, few states have condemned the polarized discussion or sought a more constructive means to continue the discussion;
- As the Special Rapporteur on right to development pointed out in his first report to the Human Rights Council, *“The implementation of the right to development faces numerous other challenges: the global financial and economic crisis, the energy and climate crisis, the increasing number of natural disasters, the new global pandemics, the increase in automation in many sectors, corruption, illicit financial flows, the privatization of public services, austerity and other measures and the ageing of the global population, including in developing countries... The rise of nationalistic tendencies and the related trend to move away from international solidarity and cooperation may further weaken international governance. Addressing these challenges will require the concerted effort of all relevant stakeholders, both at national and at international levels”*;

We concur with Mr Saad Alfarargi and would like to emphasize the indispensable necessity to keep the fundamental practice of multilateralism and constructive dialogue in facing the challenges of our present world.

- We think that time has come for all Member States to consider going from rhetoric to action bearing in mind that the life, well-being and respect for the human rights of billions of people around the world depend on the implementation of the right to development and the establishment of an international social order founded on justice, development and peace;
- Since 2010, our NGOs have been actively engaged in the Open-Ended Intergovernmental Working Group trying to build bridges between the different coalitions of States in the awareness that our role, particularly as faith-based organisations and more generally as civil society, is to make the voice of the people at grass root level, especially the most vulnerable, heard. We insist in conveying the message that it is urgent in our present world to implement the right to development and that its implementation has become significant and relevant for both developing and developed countries in view of the increased inequalities between and within countries;
- Concerning the on-going debate on the criteria and operational sub-criteria for the implementation of the right to development, the conclusions of the 17th OEIWG made it clear that the text on criteria and operational sub-criteria should be finalized “as expeditiously as possible, preferably no later than its nineteenth session”. Yet, at the end of the 18th session of the OEIWG, no progress was made on this item of the agenda. We are now approaching the 19th session and we do hope that the third reading of the criteria and operational sub-criteria will be conducted by States with a more constructive attitude in order to conclude the process. In addition, we would like to stress the importance that the criteria and operational sub-criteria that States will agree upon must be meaningful, person/people centred and have a real and good impact on the life of the people, especially the most vulnerable;

- The document A/HRC/WG.2/18/CRP.1, that constitutes the basis for the discussion on the criteria and operational sub-criteria, has become progressively unmanageable. We are afraid that this may hamper the process of the third reading for the finalisation of the criteria and operational sub-criteria. In this regard, we would like to suggest a different methodology to be followed in the third reading in order to advance and speed up the process. Our proposal is to read and finalise first all the criteria and then concentrate in selecting the appropriate correlated operational sub-criteria. In this way, it will be easier to glance in a comprehensive manner the proposed criteria and see if they reflect the contents of the declaration on RTD;

Moreover, we have noticed that a certain number of criteria and operational sub-criteria are very similar in their formulation. For this reason, we decided to annex to the present contribution a table that shows such similarities with the hope that it may be useful to speed up the discussion on the criteria and operational sub-criteria (see Annex 1).

In regard to the Set of Standards for the implementation of the right to development, our coalition supported the paper produced by the Chair of the OEIWG, Ambassador Zamir Akram, since it is based on an agreed language, on human needs and focuses on the implementation of universally accepted core development goals, such as overcoming poverty, hunger and the scarcity of water, and promoting housing, education and gender equality. Moreover, during the 18th session of the OEIWG, our NGOs, with the permission of the Chair, distributed a non-paper on set of standards (see Annex 2) where we have listed the principles of the Declaration on the Right to Development (column one), the related obstacles to an enabling international and national environment (column two), and we have proposed some standards according to existing agreed language (column three) by citing the sources we took the agreed language from (column four). We hope that this non-paper may be useful in the discussion on the set of standards;

- Our NGOs very much appreciated the inputs of international experts in the panels of the previous sessions of the OEIWG and welcome the organisation of such panels in the forthcoming 19th session. The inputs from Experts can shed light on the links between the right to development and the 2030 Sustainable Development Agenda and on the contribution that the OEIWG may give to the High-level Political Forum. The theme of the High-level Political Forum on sustainable development in July 2018 will be "Transformation towards sustainable and resilient societies" and the set of goals to be reviewed in depth will include goal 6,¹ 7,² 11,³ 12,⁴ 15⁵ with Goal 17 "Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development", which is considered each year. The Working Group on Right to Development should play an important role in the forthcoming High-level Political Forum by contributing to the monitoring of the implementation of those SDGs according to the principles and the contents of the Declaration on the Right to Development and especially the means of implementation.

¹ Goal 6. *Ensure availability and sustainable management of water and sanitation for all.*

² Goal 7. *Ensure access to affordable, reliable, sustainable and modern energy for all.*

³ Goal 11. *Make cities and human settlements inclusive, safe, resilient and sustainable.*

⁴ Goal 12. *Ensure sustainable consumption and production patterns.*

⁵ Goal 15. *Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.*

- Our NGOs welcome the document A/HRC/WG.2/19/CRP.1 entitled “The international dimensions of the right to development: a fresh start towards improving accountability” written by Mr Olivier De Schutter. Indeed, the report “*by identifying a number of reasons why the time has come to further strengthen the international dimensions of the right to development and recalling the three levels of obligations that correspond to the right to development -- national, extraterritorial, and global --, each of which poses specific challenges*” proposes a new start. We concur with the attributes of the international dimensions of the right to development which are essential to its implementation and defined by Mr Oliver de Shutter in seven areas, namely the alleviation of the burden of the foreign debt; the tackling of illicit financial flows; the management of international development cooperation; the direction of trade towards sustainable development; the channelling of foreign direct investment towards development needs; ensuring intellectual property rights shall not result in obstacles to technology transfers and to the right of everyone to enjoy the benefits of scientific progress; and the universalization of social protection floors. We would like to underline also the importance of ceasing the practice of applying unilateral coercive measures on States, a practice that has very bad consequences on the enjoyment of human rights, especially economic, social and cultural rights, of the civilians of the country subjected to such a measure;

In conclusion, we would like to emphasize that in an era of globalization, all our actions have implications for people in other parts of the world, and rights and responsibilities of all are interrelated and interdependent. The importance of collective and shared responsibilities, a sense of inter and intra-generational equity and common but differentiated responsibilities should be highlighted in the context of an equitable, inclusive and sustainable development. The challenge faced by the international community is to mobilize the political will to create an enabling environment that takes all these principles into consideration and eliminates the obstacles to the full realization of the right to development.

We call on all States to leave behind their ideological and political divides to engage in a more constructive dialogue on implementation of the right to development; to focus on the implementation of universally accepted core development goals, such as overcoming poverty, hunger and the scarcity of water; to promote housing, education and gender equality; and to base the set of standards on a universally agreed language in order to overcome the existing divergences on the right to development.

The issue at stake is nothing less than the human dignity and the well-being of peoples and individuals in their own countries and in our world!
