

OHCHR

The Right to Development and the Sustainable Development Goals

Towards Mutual Reinforcement and Synergy in Action



**UNITED NATIONS
HUMAN RIGHTS**
OFFICE OF THE HIGH COMMISSIONER

Contents:

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What is the Right to Development (RTD)?

**The RTD in Global and Regional
Human Rights Instruments and Systems**



**United Nations Declaration on the Right to
Development**

Inter-American Human Rights System

African Human Rights System

Arab Charter on Human Rights

**Association of Southeast Asian Nations (ASEAN)
Human Rights Declaration**

**OIC Independent Permanent Human Rights
Commission – Abu Dhabi Declaration**



UN Declaration on the Right to Development 1986

**“an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized”
(Article 1.1)**



It is a human right, and the source of the human rights-based approach to development

It is both individual and collective

It has both national and international dimensions

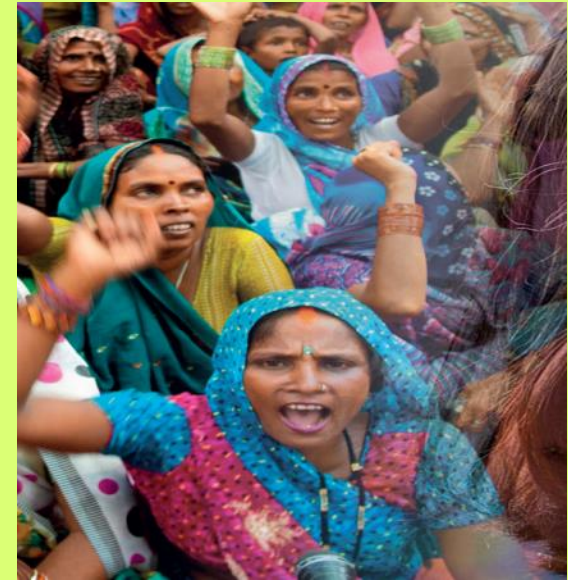
It entitles everyone to participate in, contribute to and enjoy development in its economic, social, cultural and political dimensions

Principles and Elements

People-centred development. “The human person” is the central subject, participant and beneficiary of development

A human rights-based approach. Development should be carried out in a manner “in which all human rights and fundamental freedoms can be fully realized”

Participation. “Active, free and meaningful participation” of all individuals and peoples



Non-discrimination. “No distinction as to race, sex, language or religion”

Equity. “Fair distribution of the benefits” of development

Right of peoples to self-determination including full sovereignty over all their natural wealth and resources

Principles and Elements (Continued)

Like all human rights, the principles of equality, non-discrimination, participation, accountability and transparency are intrinsic to the RTD

Development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of human well-being

The human person is the central subject, active participant and beneficiary of the RTD

States must act to eliminate human rights violations of all forms

States should promote international peace and security and disarmament and use released resources for development

Equality of opportunity for development is a prerogative for both nations and individuals who make up nations

States have a duty to cooperate to create an enabling local and global environment for development and to eliminate obstacles to development

The RTD requires appropriate national and international development policies and an enabling social and international order to realize all rights and freedoms

Who are the rights holders and duty bearers of the right to development?



Rights Holders: The human being, both individually and collectively

- a) All individuals
- b) All peoples and the entire population
- c) Emphasis on women, children & other groups

Duty bearers:

- a) States have the primary responsibility to respect, protect and fulfil the RTD at three levels (A/HRC/15/WG.2/TF/2/Add.2,)
 - i) Internally through national policies and programmes
 - ii) Internationally, through policies extending beyond their jurisdictions
 - iii) Collectively, through global and regional partnerships
- b) International Community
- c) All human beings, and all those whose actions and/or omissions have an impact on human rights and on the environment in which these rights are fulfilled



Inter-American Human Rights System

Charter of the Organization of American States 1948

Details the concept, rights and duties of integral development, the overall purpose of which should be the “establishment of a more just economic and social order that will make possible and contribute to the fulfilment of the individual” (art. 33)



Integral development is the common and joint responsibility of Member States (art. 31), preferably through multilateral organizations (art. 32)

Cooperation among States in this regard “should include the economic, social, educational, cultural, scientific and technological fields, support the achievement of national objectives of the Member States, and respect the priorities established by each country in its development plans, without political ties or conditions (art. 32)



Inter-American Human Rights System

American Convention on Human Rights 1969

Article 26. Progressive Development

The States Parties undertake to adopt measures, both internally and through international cooperation, especially those of an economic and technical nature, with a view to achieving progressively, by legislation or other appropriate means, the full realization of the rights implicit in the economic, social, educational, scientific, and cultural standards set forth in the Charter of the Organization of American States as amended by the Protocol of Buenos Aires



CORTE INTERAMERICANA
DE DERECHOS HUMANOS

Inter-American
Commission on
Human Rights **IACHR**



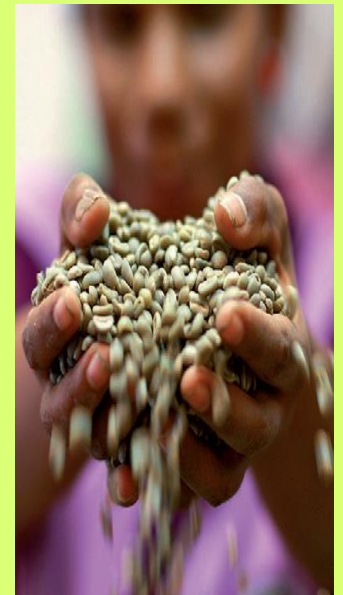
Organization of
American States

African System on Human and Peoples' Rights

African Charter on Human and Peoples' Rights 1981

Article 22

1. All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind
2. States shall have the duty, individually or collectively, to ensure the exercise of the right to development



African System on Human and Peoples' Rights

CASE LAW

African Commission on Human and Peoples' Rights

55/96 : Social and Economic Rights Action Center (SERAC) and Center for Economic and Social Rights (CESR) / Nigeria (2001)

227/99 Democratic Republic of Congo / Burundi, Rwanda, Uganda (2003)

266/03 Kevin Mgwanga Gunme et al / Cameroon (2009)

279/03-296/05 : Sudan Human Rights Organisation & Centre on Housing Rights and Evictions (COHRE) / Sudan (2009)

276/03 Centre for Minority Rights Development (Kenya) and Minority Rights Group (on behalf of Endorois Welfare Council) / Kenya (2009)

African Court on Human and Peoples' Rights

006/2012 – African Commission on Human and Peoples' Rights v. Republic of Kenya (2017)



Arab Charter on Human Rights 2004

Article 37

The right to development is a fundamental human right. All State Parties shall establish development policies and take measures to ensure this right. They must give effect to the values of solidarity and cooperation among them and, at the international level, to eliminate poverty and achieve economic, social, cultural and political development. In accordance with this right, every citizen shall have the right to participate in the development, and contribute to and enjoy the benefits, of their goods and fruits of their labour



Other relevant Articles include:

Article 39

Young persons have the right to be afforded the most ample opportunities for physical and mental development



Association of Southeast Asian Nations (ASEAN) Human Rights Declaration 2012

A section of the ASEAN Human Rights Declaration (2012) is devoted to the right to development. In paragraph 37, Member States recognize that the implementation of the right to development requires effective development policies at the national level as well as international cooperation, and that States should mainstream aspects of the right to development into ASEAN community building as well as work with the international community to promote development

See also:

Paragraph 35 (definition based on the UN Declaration on the RTD)

Paragraph 36 (On the duty to adopt development programmes including sustainable development and progressive narrowing of the development gap in ASEAN)



Abu Dhabi Declaration 2016 – Organization of Islamic Cooperation (OIC) Independent Permanent Human Rights Commission

Affirmed that the RTD is an indivisible, interdependent, interrelated and mutually inclusive individual and collective right, which belongs to all individuals and peoples in all countries without discrimination on any grounds, including foreign and colonial occupation

Urged the OIC Member States to take concrete and urgent actions to:

- reinvigorate political will for implementing the RTD;
- mainstream human rights and the RTD norms into development plans and ensure system-wide coherence to bridge implementation gaps;
- strengthen international cooperation with multilateral development institutions to address persistent challenges and create linkages with the ongoing international initiatives like the SDGs taking into account national circumstances and priorities



HUMAN RIGHTS

IPHRC Calls for Global Consensus to Convert Declaration on Right to Development into a Binding International Convention



Abu Dhabi – Independent Permanent Human Rights Commission (IPHRC), an organ of the Organization of Islamic Cooperation (OIC) has called for a global consensus to convert the Declaration on the Right to Development into a binding International Convention for full and effective implementation of human rights based approach in all development processes and plans. The commission made the call during its 3rd Annual Seminar with the theme "Right to Development" (RTD) in collaboration with the Government of United Arab Emirates (UAE) and UN Office of the High Commissioner for Human Rights (OHCHR) to commemorate the 30th anniversary of the 'UN Declaration on Right to Development' (RD) in Abu Dhabi on 12-13 October 2016. While acknowledging the adoption of DRD as a milestone achievement, the OIC Human Rights Commission (IPHRC) expressed concern that, despite passage of three decades and unmet reaffirmations of this right in international instruments, the goals of the RD have not been achieved. Furthermore, the Commission supported the call made by most developing countries to transform the Declaration into a binding International Convention on the Right to Development. The Commission stressed the need to scale up international cooperation against corruption, which continues to plague countries across all geographical regions and seriously undermines as well as adversely affects people's human rights including the

in organizing the seminar and expressed willingness to strengthen it further. He stressed the efforts and commitment of the UAE government to implement the RD by adopting comprehensive development policies including empowerment of women and investment in human resource development of its people without any distinction. He also conveyed details of the UAE's generous international assistance, which is directed mostly towards development initiatives.

For his part, the OIC-IPHRC Chairperson, Amb. Abdul Wahab emphasized that RD remains one of the priority areas of work for OIC-IPHRC, which shall continue to collaborate with all the stakeholders to promote human rights-based approach in all development processes ensuring participation, accountability, non-discrimination, equality and equity and consistency with international human rights standards.

Experts and panelists in their presentations on the evolving concept of the RD described it as an indivisible and interdependent, intertwined and mutually inclusive individual and collective right. They reminded States of their obligations at three levels for effective implementation of RD: internally, through the formulation of national development policies and programs affecting persons within their jurisdictions; internationally, through the adoption and implementation of policies extending beyond their jurisdictions; and collectively, through global and regional partnerships.

The OIC-IPHRC therefore urged international community to take firm steps to overcome the political hurdles involved in the full and effective realization of the RD in line with the UN Charter provisions of international cooperation for meaningful promotion of socio-economic progress for all. The two-day event was attended by members of the IPHRC, along with experts from multilateral and intergovernmental organizations and representatives of OIC Member and Observer States including their National Human Rights Institutions.

The Role of the UN Human Rights Office

The RTD is specifically mentioned in UNGA Res. 48/141 establishing the Office of the United Nations High Commissioner for Human Rights. The High Commissioner is mandated to:

“promote and protect the realization of the right to development and to enhance support from relevant bodies of the United Nations system for this purpose”



- Supports the Working Group on the RTD and the Special Rapporteur on the RTD
- Annual report on the RTD by SG and HC to GA and HRC and annual report on globalization and its impact on the full enjoyment of all human rights by SG to GA
- Supports Human Rights Mechanisms which address related issues, including Special Procedures on International Solidarity, Democratic Order and UN Committee on Economic, Social and Cultural Rights and other Treaty Bodies
- Organises events, raises awareness and produces resources to build capacity on RTD and related topics including trade, investment and climate change
- Research and advocacy on RTD, international cooperation, trade, investment, finance, technology, intellectual property, Human Rights Impact Assessments, corruption, and creating an enabling environment for sustainable development
- Supports RTD implementation at the global, regional and national levels

The Role of the Intergovernmental Working Group on the RTD

The Working Group was established in 1998 with the following mandate:

to monitor and review progress made in the promotion and implementation of the RTD as elaborated in the Declaration at the national and international levels, providing recommendations thereon and further analyzing obstacles to its full enjoyment, focusing each year on specific commitments in the Declaration;

to review information submitted by States and other stakeholders on their activities related to RTD; and

to present to the Human Rights Council an annual report on its deliberations 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



Mr. Zamir Akram

**Chairperson of the
Inter-Governmental
Working Group on the
Right to Development**

The Role of the Special Rapporteur on the RTD

The Mandate was established by the Human Rights Council on 28 September 2016. It includes:

Contributing to the promotion, protection and fulfilment of the RTD in the context of the 2030 Agenda and SDGs, Addis Ababa Action Agenda, Paris Agreement and Sendai Framework for Disaster Risk Reduction 2015-2030

Engaging and supporting efforts to mainstream RTD among various stakeholders aimed at strengthening the revitalized global partnership for sustainable development from the perspective of the RTD;

Contributing to the work of the Working Group on RTD;

Submitting studies requested by the HRC;

Submitting an annual report to the HRC and to the GA



Mr. Saad Alfarargi

**Special Rapporteur
on the Right to
Development**

Main challenges for the realization of the RTD

Conceptual:

Disagreement on the nature of the duties of States and on relative emphasis to be placed on national and global responsibilities

Practical:

Failures in governance, absence of an enabling environment and a social and international order with conducive public, economic and development policies; inequalities, discrimination, unfair distribution and lack of participation; corruption, tax evasion, tax havens and illicit financial flows; unfair trade, investment, finance, intellectual property and other arrangements etc.

Political:

Lack of political will

Lack of consensus among Member States - Disagreement on criteria to measure RTD implementation

Disagreement among Member States on the way forward on the RTD

Politicization and polarization in intergovernmental debates

Inadequate understanding and constituency in support of the RTD

Lack of policy coherence and integration across the UN system

RTD and the 2030 Agenda for Sustainable Development



SUSTAINABLE DEVELOPMENT GOALS

1 NO POVERTY



2 ZERO HUNGER



3 GOOD HEALTH AND WELL-BEING



4 QUALITY EDUCATION



5 GENDER EQUALITY



6 CLEAN WATER AND SANITATION



7 AFFORDABLE AND CLEAN ENERGY



8 DECENT WORK AND ECONOMIC GROWTH



9 INDUSTRY, INNOVATION AND INFRASTRUCTURE



10 REDUCED INEQUALITIES



11 SUSTAINABLE CITIES AND COMMUNITIES



12 RESPONSIBLE CONSUMPTION AND PRODUCTION



13 CLIMATE ACTION



14 LIFE BELOW WATER



15 LIFE ON LAND



16 PEACE, JUSTICE AND STRONG INSTITUTIONS



17 PARTNERSHIPS FOR THE GOALS



SUSTAINABLE
DEVELOPMENT
GOALS

RTD and the 2030 Agenda for Sustainable Development



The relationship between the RTD and SDGs: Towards mutual reinforcement and synergy in action

- Great Strides Forward v. Uneven Progress:

For people in Africa, least developed countries, landlocked developing countries, small island developing States, and most other developing countries, as well as for vulnerable and disadvantaged communities in both the Global North and South.

- The 2030 Agenda aims “to leave no one behind” and commits to “reaching the furthest behind first” by ensuring that the SDGs and targets are met “for all nationals and peoples and for all segments of society.”

- “The 17 Sustainable Development Goals and 169 targets ... seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls.”
(A/RES/70/1, preamble)

- The new Agenda ... “is grounded in the Universal Declaration of Human Rights, international human rights treaties... It is informed by other instruments such as the Declaration on the Right to Development.”
(A/RES/70/1, para. 10)

- “The new Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights, including the right to development ...” (A/RES/70/1, para. 35)

RTD and the 2030 Agenda for Sustainable Development

“The 2030 Agenda is a child of the right to development (.....) But the right to development extends even beyond the massive global agenda of the Sustainable Development Goals. It offers a framework in which to address gaps and failures in responsibility, accountability and regulation in both national and global governance. At the international level, the right to development addresses multiple challenges which originate in our failure to adequately regulate globalization.”



RTD and the 2030 Agenda for Sustainable Development

RTD and SDGs: Towards mutual reinforcement and synergy in action

RTD Principles and Elements

The 2030 Agenda

People-centered development

A Human Rights-based Approach

Participation, equality, non-discrimination, accountability and transparency

State as primary duty bearer

Means of implementation: national and international dimensions of development; global partnership

Promote international peace and security

Preamble: “realize human rights for all”, “People”
(A/RES/70/1)

Preamble, Paras. 3, 8, 13, 14, 20, 23, 25, 27, 35, 44
(A/RES/70/1)

Paras. 1, 18, 19, 21, 28, 30, 32, 58, 84, 90 (A/RES/70/1)

Preamble “Partnership”, Paras. 39, 40, 60-71, 78-91

Preamble “Peace”, Paras. 3, 17, 35, 37, 42, 49, 64

RTD and the 2030 Agenda for Sustainable Development

RTD and SDGs: Towards mutual reinforcement and synergy in action

RTD Principles and Elements

SDGs and targets

People-centered development

SDGs 1-16

Participation, equality, non-discrimination, accountability and transparency

SDGs 1, 2, 4, 5, 8, 10, 16

State as primary duty bearer

SDGs 1-16

Good governance & global partnership: national and international dimensions of development

SDGs 10, 16, 17, a, b, c targets under all SDGs

Promote international peace and security

SDGs 16

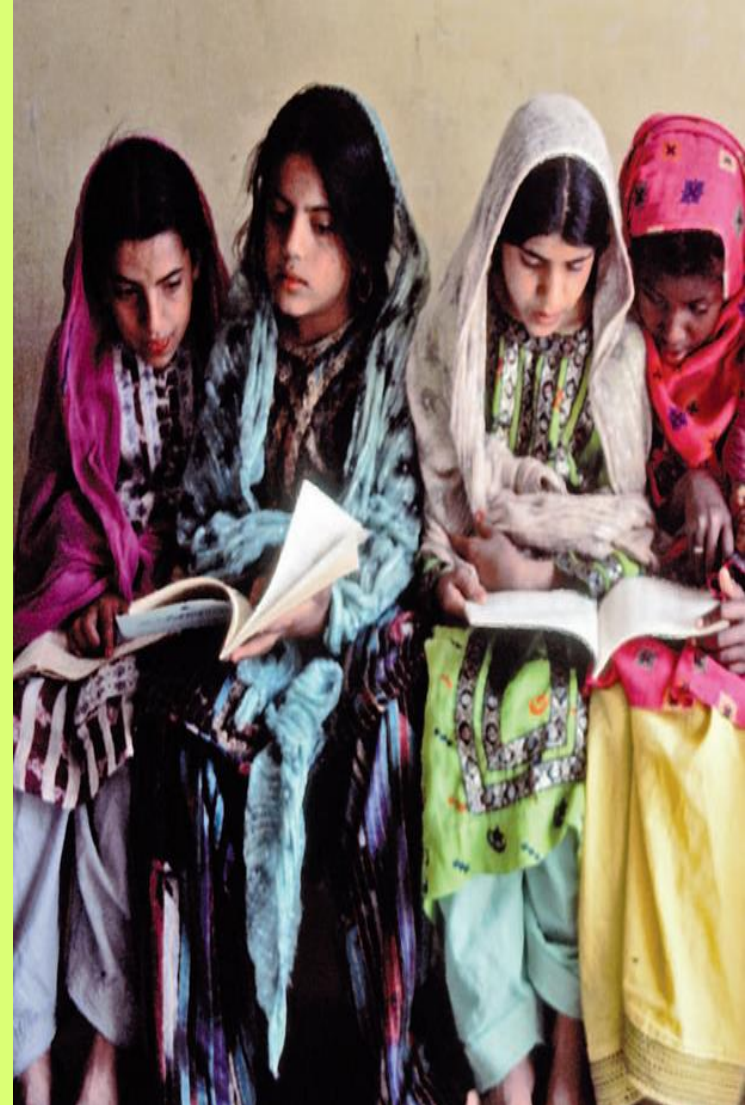
The RTD and the New Development Policy Framework

- ✓ The Addis Ababa Action Agenda on Financing for Development
- ✓ The Paris Agreement on Climate Change
- ✓ The Sendai Framework for Disaster Risk Reduction 2015-2030
- ✓ Trade, investment, finance, aid, debt, technology, intellectual property and other such global arrangements must be addressed through the RTD's normative framework, to create an enabling international environment for development

The RTD is a Key to Sustainable Development

‘The right to development should be fulfilled so as to meet equitably the developmental and environmental needs of present and future generations’

- *Principle 3, 1992 Rio Declaration on Environment and Development;*
- *Article 11, 1993 Vienna Declaration and Programme of Action.*



The RTD is a Key to Sustainable Development



The Added value of RTD to SDGs:

- ✓ Human rights as an end: respect, protect and fulfill human rights
- ✓ The human rights-based approach: entitlements and stronger claims, emphasis on accountability
- ✓ States as primary duty-bearers
- ✓ States' duty to cooperate: international cooperation and partnership are obligations

SDGs as Renewed Opportunities to Operationalize RTD



Potential Contribution of SDGs to Operationalizing RTD:

- ✓ Consistent goals and targets
- ✓ Similar emphasis on Duties of States
- ✓ Universal adoption of SDGs: strong political will
- ✓ Enabling environment, policy space and policy coherence
- ✓ The international dimensions of the RtD: SDG 17 on strengthening the means of implementation, revitalizing the global partnership and AAAA

RTD and SDGs for Everyone, Everywhere!

The RTD addresses systemic and structural issues and root causes of poverty, inequality and conflict. Its effective implementation will help to reduce poverty and inequality, prevent conflict and promote progress, leaving no one behind, so that all individuals and peoples may live with freedom, equality and dignity, and enjoy lasting peace



The SDGs and targets, building upon the achievements of the Millennium Development Goals, involve the entire world, seek to address MDGs' unfinished business, and are integrated and indivisible and balance the three dimensions (economic, social and environmental) of sustainable development.

RTD and SDGs for Everyone, Everywhere!

Thank you!

The Declaration on the Right to Development provides a viable path to the Prevention of Conflict, Peacebuilding, Sustained Peace, Sustainable Development

The 2030 Agenda and SDGs, reflecting and integrating human rights principles and requirements, are a plan of action for people, planet and prosperity.



Resource Materials on the Right to Development

[A booklet containing the UN Declaration on the Right to Development](#)



[Frequently Asked Questions, OHCHR Fact sheet No. 37](#)



[A book – 'Realizing the Right to Development'](#)



[Landmarks in the recognition of development as a human right](#)

Landmarks in the recognition of development as a human right	
Chronology of major developments before and after the adoption of the UN Declaration on the Right to Development (after 'Human Rights: A Guide to the Right to Development' by John Ruggie)	
Year	Development
1945	Declaration of Philadelphia, Council on Economic Cooperation (CEC)
1948	UN Charter
1955	Declaration of the Independence of the Americas (OAS)
1958	Declaration of the Independence of the Americas (OAS)
1960	Declaration on the Granting of Independence to Colonial Countries and Peoples (UNGA)
1966	International Covenant on Economic, Social and Cultural Rights (ICESCR)
1971	Declaration on the Right to Development (UNGA)
1978	Declaration on the Right to Development (UNGA)
1985	Declaration on the Right to Development (UNGA)
1986	Declaration on the Right to Development (UNGA)
1987	Declaration on the Right to Development (UNGA)
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2017	Declaration on the Right to Development (UNGA)
2018	Declaration on the Right to Development (UNGA)
2019	Declaration on the Right to Development (UNGA)
2020	Declaration on the Right to Development (UNGA)
2021	Declaration on the Right to Development (UNGA)
2022	Declaration on the Right to Development (UNGA)
2023	Declaration on the Right to Development (UNGA)
2024	Declaration on the Right to Development (UNGA)

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[The Right to Development for everyone everywhere](#)



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