

Submission in follow-up to HRC resolution 19/34 “The right to development”

Norway

Norway is committed to the Right to Development, and we welcome all the efforts by the HLTF to bring the Right of Development from an academic and political discussion to the developing of operational criteria for implementation. We have compared the document with the Declaration on the Right to Development and find it in strict accordance with the declaration.

In particular, the Norwegian delegation appreciates the following strengths of the document:

1. A tool to strengthen the global partnership for the right to development;
2. An instrument to monitor the implementation of the right to development;
3. A means to promote the indivisibility and interdependence of human rights; and
4. Balance between national responsibility and international cooperation

A TOOL TO STRENGTHEN THE GLOBAL PARTNERSHIP FOR THE RIGHT TO DEVELOPMENT

- The effective implementation of the right to development requires meaningful global partnerships for development as well as human rights-based policy coherence and coordination at all levels. It requires the international community to create an enabling global environment free of structural impediments where developing countries have opportunities for active international economic activities.
- A rights-based development policy has a strong normative effect. Active use of human rights as a framework for development cooperation will raise awareness among both governments and the general population. The result will be stronger local ownership and greater sustainability. The implementation of the human rights conventions is therefore an objective in itself, as well as being an important tool that should be integrated into all development efforts.
- Poor countries must not be deprived of the right to govern or the instruments that have been important for the development of our own nation into a welfare state, and the WTO rules must give developing countries sufficient freedom of action to pursue a policy suited to their own level of development and circumstances. The Government considers that as a general rule, the multilateral trading rules and the multilateral environmental agreements should be mutually supportive.

- Norway thus appreciates that the HLTF document in accordance with the Right to Development Declaration, incorporates the principle of international cooperation along with the principles of transparency, equality, participation, accountability and non-discrimination.

A GOOD INSTRUMENT TO MONITOR THE IMPLEMENTATION OF THE RIGHT TO DEVELOPMENT

- a. The HLTF document on criteria and sub-criteria is a very useful tool in order to monitor the implementation of the right to development. Monitoring mechanisms are important, in order to be able to measure both the increased capacities of the duty bearers and rights holders' realization of the right to development.
- b. Norway wishes to stress the importance of investing in baselines in order to properly monitor the implementation of the right to development. Generating periodic baselines becomes a powerful tool in accurately assessing achievements. When a clear situational analysis is generated at the outset of a project, organizations can more accurately place the changes that have occurred in the course of their work – both positive and negative – against this baseline, identify what worked and what did not, and refine their strategies accordingly.
- c. The Task Force's recommendation to seek information on existing examples used in the UN system with regard to the appropriate form of standards to be developed based on the criteria is fruitful.

A FRUITFUL TOOL TO PROMOTE THE INDIVISIBILITY AND INTERDEPENDENCE OF HUMAN RIGHTS

- The mainstreaming of the right to development should be on par with other human rights and should be based on the indivisibility and interdependence of all human rights. Based on the HLTF's criteria document, the right-to-development agenda can strengthen efforts to bring human rights and development more closely together. In such an approach the fulfillment of social, economic and cultural rights as well as civil and political rights and women's and children's rights are key elements.
- Poverty reduction and development depend on principles of good governance in order to be sustainable. It is also important to ensure that the process of development is participatory and includes civil society actors. The right to development should incorporate principles of transparency, equality, participation, accountability, and non-

discrimination. Rule of law and freedom of expression are also essential components of good governance, which is bringing the development and human rights agenda together.

GOOD BALANCE BETWEEN NATIONAL RESPONSIBILITY AND INTERNATIONAL COOPERATION

- It is Norway's view that the HLTF has found a good balance between national responsibility and international cooperation in the formulation of criteria and sub-criteria. To Norway the important point is that this is not a question of either or. As the High Level Task Force has underscored, the realization of the Right of Development would be difficult without both national *and* international commitment to create an enabling environment.
- The sub-criteria from the MDG Summit explicitly states that “*development efforts at national level need to be supported by an enabling national and international environment that complements national actions and strategies.*” This should also include efforts on behalf of the industrialized countries to reach international ODA goals.
- The HLTF identifies 3 main levels of responsibility, namely:
 - States acting collectively in global and regional partnerships;
 - States acting individually as they adopt and implement policies that affect persons not strictly within their jurisdiction; and
 - States acting individually as they formulate national development policies and programmes affecting persons within their jurisdiction.
- Although States only have legally binding obligations with regard to persons falling under their national jurisdiction, several of the policy choices made in one country have some impact on development in other countries. The three levels are tightly connected and it is important that all three levels of responsibility are kept.

CONCRETE COMMENTS TO THE HLTF CRITERIA AND SUB-CRITERIA FRAMEWORK

Norway appreciates the work done by the Task Force in the process of developing the criteria and sub-criteria for the realization of the right to development.

Our first and foremost comment to the criteria and sub-criteria is an appreciation of the indicators. We find them highly valuable as they in a concrete and fruitful way operationalize the content of the criteria and sub-criteria.

We also have a few recommendations:

1. Some criteria are too narrowly defined in terms of criteria, sub-criteria and indicators and some too widely defined. More work could also be done in further exploring possible sources of data for monitoring progress where this is currently lacking. There is some lack of clarity in the three sub-levels. We would like to suggest adding and refining some of the criteria, sub-criteria and indicators, in order to be sure we measure what we *want* to measure. As an example, we could mention the sub-criteria food security and nutrition 1 (a) v, which has one single indicator only. We would like to add the Millennium Development Goals indicators on hunger reduction which reads: “Prevalence of underweight children under-five years of age” and “Proportion of population below minimum level of dietary energy consumption”.
2. The role of women’s rights and gender equality in the development process should be highlighted. On this point, there is room for some strengthening of the current set of sub-criteria and indicators. We would like to make more of them gender-sensitive. Data disaggregated for gender could be included to a larger extent than is the case in the current document.
3. The Working Group should consider to integrate more development policy discourse in terms of OECD DAC terminology. This would serve to bring the culture of human rights and development closer together. We have three concrete suggestions for how this can be done:
 - Firstly, we would like to use the concepts “desired impact” and “desired outcome” rather than “criteria” and “sub-criteria”, in order to ensure coherence with the OECD DAC terminology and thus ease our assessment of progress.
 - Secondly, we wish to see the sub-criteria more consistent. Some sub-criteria are formulated as processes, such as “reducing risks of domestic financial crises” whereas others are formulated as end products, such as “food security and nutrition”, “education” and “health”. We recommend that all desired criteria are formulated along the same line and recommend choosing the end products, in accordance with the OECD DAC guidelines. The sub-criteria “to promote constant improvement in socio-economic well-being” would thus read: “Improved socio-economic well-being”.
 - Thirdly, we would like to suggest that complex sub-criteria that consist of several reporting elements are split up, in order to be able to properly monitor the right to development. We also support the elaboration of baselines to monitor progress. These practical steps would obviously enhance the tools for implementation of the right to development.

Concrete suggestions for additions and changes are found in the attachment, marked as track changes in the Addendum to the Report of the HLTF on the implementation of the right to development on its sixth session (A/HRC/15/WG.2/TF/2/Add.2).

Please note that the proposals are not intended to represent an exhausted list of proposed amendments from Norway. Rather they should be read as our contribution to a substantive discussion of the work of the HLTF. Norway might present additional proposals or modify our own proposals in the course of the working group.