

**United Nations**



**Office of the High Commissioner for Human Rights**

**The Right to Development Approach  
to a New Global Partnership for Development  
for the Least Developed Countries**

**Contribution  
of the Office of the High Commissioner for Human Rights (OHCHR)  
to the Fourth United Nations Conference on the Least Developed Countries**

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For the millions of men, women and children living in the LDCs, development stands among the most urgent of human rights imperative. Development is a human right for all individuals and peoples. The formulation of development as a right is based on the idea that development is not merely an equivalent to economic growth. The Declaration on the Right to Development<sup>1</sup> describes it as “a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the wellbeing of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom [...]”.<sup>2</sup> Development is characterized by a diverse range of factors, such as the achievement of standards of health and education, economic growth, food security, gender equality, good governance, self-determination and disarmament, all of which are necessary for the wellbeing of people. The Declaration on the Right to Development describes the right to development as “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”.

The World Conference on Human Rights held in 1993 in Vienna “reaffirm[ed] the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights. It added that, while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights. States should cooperate with each other in ensuring development and eliminating obstacles to development. The international community should promote an effective international cooperation for the realization of the right to development and the elimination of obstacles to development. Lasting progress towards the realization of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level”.<sup>3</sup>

The outcome document of the 2010 United Nations Summit on the Millennium Development Goals reaffirms the importance of freedom, peace and security, respect for all human rights, including the right to development, the rule of law, gender equality and an overall commitment to just and democratic societies for development. It “recognize[s] the respect for and promotion and protection of human rights as an integral part of effective work towards achieving the Millennium Development Goals”<sup>4</sup> and “reaffirm[s] that our common fundamental values, including freedom, equality, solidarity, tolerance,

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<sup>1</sup> Declaration on the Right to Development, GA resolution 41/128 adopted on 4 December 1986

<sup>2</sup> Ibid., Preamble

<sup>3</sup> Vienna Declaration and Programme of Action, para. 10

<sup>4</sup> Keeping the promise: united to achieve the Millennium Development Goals, GA resolution 65/1, para. 53

respect for all human rights, respect for nature and shared responsibility, are essential for achieving the Millennium Development Goals.”<sup>5</sup>

The right to development requires an enabling environment, at both the national and international levels<sup>6</sup>. Such an enabling environment cannot be created without the incorporation of the human rights principles of accountability, equality, non-discrimination, participation and transparency in national policies and programmes and in bilateral, regional and global development partnerships, as well as capacity-building and technical assistance programmes. Moreover, an enabling environment for development cannot be sustained without equality of opportunity and policy space for all, as well as policy coherence between human rights and developmental activities.

At the national level, extending the rule of law, fighting corruption, and good governance practices, including transparent, responsible, accountable and participatory government which is responsive and appropriate to the needs and aspirations of people are essential factors in shaping an enabling environment for development. The popular uprisings in the Arab world show that violations of human rights, inequitable distribution of national resources and opportunities, corruption, exclusion and discrimination in the sharing of benefits from economic growth will not be tolerated in the long term.

At the international level, a commitment to human-rights-based approach and to mutually beneficial and effective international cooperation as well as solidarity between States are indispensable for an enabling environment for development. This concerns all spheres of cooperation at all levels including aid, trade, investment, debt relief, transfer of technology, access to medicines, financing for development as well as climate change responses. Reform for more democratic and inclusive global economic governance would be a significant factor in creating an environment conducive to LDCs’ development. At the heart of such reform must be more explicit linkages to human rights standards and the effective and meaningful participation of LDCs and of civil society in global decision-making.

In an era of globalization, 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 equitable and inclusive development in LDCs. The challenge facing the international community is to mobilize the political will to create an enabling environment which takes all these principles into consideration and eliminates the obstacles which face LDCs’ development needs and priorities, and, thus, the human rights of people living in those countries.

The LDCs hold a significant share of the world’s strategic resources – petrol, metals, minerals, crops and arable land – together with young workforces and growing buying power among consumers. These assets, coupled with recent reforms, are attracting private

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<sup>5</sup> Ibid., para. 13

<sup>6</sup> Article 28 of the Universal Declaration of Human Rights also states that “everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized”.

sector interest. From 2002 to 2007, the LDCs as a group grew by more than 7 per cent per annum. Continued strong growth in the LDCs would raise their status as emerging markets and potential competitors in support of the global economic recovery. However, this growing trend has been hampered by the economic slowdown, transmitted to LDCs mainly through trade channels, including a sharp fall in commodity prices and a decline in global demand leading to a rapid deterioration in export revenues. Food prices are on the increase again and could possibly lead to another food crisis with fears that this might eventually trigger a debt crisis as LDCs import a large share of their food requirements.<sup>7</sup> To overcome current global food, energy, climate, economic, financial and social challenges, LDCs need an international enabling environment based on a renewed global partnership for development that aims at building and strengthening their capacity to achieving the development goals.

This year marks the 25<sup>th</sup> anniversary of the Declaration on the Right to Development<sup>8</sup>. Human aspirations for well-being can be realized only when there is a solid national and international framework for development that respects social justice and human rights. Let us return to the hopeful and principled message of the Declaration itself – in a spirit of reasoned compromise and with a sense of the vital mission at hand. It is time to act and move ahead: Let the Istanbul outcome document be built upon the Brussels Declaration and Programme of Action<sup>9</sup>, the Declaration on the Right to Development, and the United Nations Millennium Declaration, at which heads of State and Government “are committed to making the right to development a reality for everyone and to freeing the entire human race from want.”<sup>10</sup>

#### Background note: OHCHR, LDCs and human rights

The Office of the United Nations High Commissioner for Human Rights (OHCHR) is headquartered in Geneva, Switzerland. The Office is headed by the High Commissioner for Human Rights (currently Ms. Navy Pillay of South Africa). The High Commissioner has a mandate, *inter alia*, “to promote and protect the effective enjoyment by all of all civil, cultural, economic, political and social rights” and “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” (GA res. 48/141) as well as “... in mainstreaming the RTD, to undertake effectively activities aimed at strengthening the

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<sup>7</sup> UNCTAD, The Least Developed Countries Report 2010

<sup>8</sup> For more information on anniversary activities, please visit OHCHR’s webpage at <http://www.ohchr.org/EN/Issues/Development/Pages/DevelopmentIndex.aspx>

<sup>9</sup> The Brussels Declaration and Programme of Action for LDCs<sup>9</sup> for the decade 2001-2010 stressed good governance at national and international levels and respect for all internationally recognized human rights, gender equality, among others, in the context of the social, human and environmental dimensions of poverty eradication and the improvement of the quality of lives of people in LDCs. Commitment 2 (good governance at the national and international levels) highlighted human rights, including the right to development, as essential elements at all levels in the list of necessary actions by and for LDCs. Commitment 7 (mobilizing financial resources) emphasized an enabling environment with peaceful solution of conflicts and respect for internationally recognized human rights, including the right to development, as an ideal framework for domestic and international resource mobilization.

<sup>10</sup> United Nations Millennium Declaration, GA resolution 55/2, para. 11

global partnership for development between Member States, development agencies and the international development, financial and trade institutions.” (GA res. 65/219).

LDCs demonstrate increasing commitment to respecting and promoting human rights. Out of 48 LDCs, 37 ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR); 40 ratified the International Covenant on Civil and Political Rights (ICCPR); 39 ratified the Convention on the Elimination of Racial Discrimination (CERD); 46 ratified the Convention on the Elimination of Discrimination against Women (CEDAW); 47 ratified the Convention on the Right of the Child (CRC); and 29 ratified the Convention against Torture (CAT). Twenty-six LDCs ratified ICESCR, ICCPR, CERD, CEDAW, CAT and CRC: Afghanistan, Bangladesh, Benin, Burkina Faso, Burundi, Cambodia, Chad, Congo (DRC), Equatorial Guinea, Ethiopia, Guinea, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Nepal, Niger, Rwanda, Senegal, Sierra Leone, Timor-Leste, Togo, Yemen and Zambia.

There remain critical deficits in LDCs in the areas of human rights, democracy, the rule of law and citizen empowerment, particularly women and marginalized groups. OHCHR supports LDCs in various areas, including human rights monitoring, peace-building, democratic elections, transitional justice, conflict and post-conflict situations, protection of civilians and victims of sexual and gender-based violence, human and institutional capacity-building especially working with the army and police as well as civil society and national human rights institutions.

OHCHR has country offices in 6 LDCs: Uganda (set up in 2005), Togo (2006), Guinea (2009), Nepal (2005), Cambodia (1993) and Mauritania (2009). It supports human rights components in Peace Missions in 11 LDCs: Sudan, Burundi, Democratic Republic of the Congo, Liberia, Sierra Leone, Central African Republic, Guinea Bissau, Somalia, Haiti, Afghanistan, Timor-Leste. The Office also has Human Rights Advisors in UN Country Teams covering 6 LDCs: Niger, Rwanda and Great Lakes (Burundi, Democratic Republic of Congo, Rwanda, Tanzania, Uganda).

OHCHR delivered training on Human Rights Monitoring for National Human Rights Institutions (NHRIs), including civil society, in Djibouti (2008), Ethiopia (2008), Timor-Leste (2008) and Tanzania (2009).

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