**51st session of the Human Rights Council**

**Biennial panel discussion on the right to development**

***Theme: 35 years on: policy pathways to operationalizing the right to development***

*Concept note (as of 9 September 2022)*

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| **Date and venue:** | **Thursday, 15 September 2022, 10 a.m. to 12 p.m. (UTC+2)Room XX, Palais des Nations, Geneva, and online platform (Zoom)***(will be broadcast live and archived at* [*https://media.un.org/en/webtv*](https://media.un.org/en/webtv)*)* |
| **Objectives:** | The thirty-fifth anniversary of the 1986 United Nations Declaration on the Right to Development[[1]](#footnote-1) presents an opportunity for the international community to reaffirm its commitment to the right to development and redouble its efforts to implement it. In building up to the high-level anniversary meeting at the fifty-second session of the Human Rights Council, this panel discussion provides a space to reflect on the transformative vision of the Declaration to create an enabling environment through effective development policies at the national level, equitable international relations and a favourable economic environment at the international level. Realizing this vision is key to achieving the Sustainable Development Goals and post-pandemic recovery through enabling all human rights and fundamental freedoms for all people in all nations. By providing some initial reflections to this end, the panel will prepare the ground for further dialogue at the thirty-fifth anniversary event, in a mutually reinforcing manner.Article 2 (3) of the Declaration provides that States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being 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 the benefits resulting therefrom. Under Article 4 (1),States have the duty to take steps, individually and collectively, to formulate international development policies with a view to facilitating the full realization of the right to development. Article 10 reaffirms that steps should be taken to ensure the full exercise and progressive enhancement of the right to development, including the formulation, adoption and implementation of policy, legislative and other measures at the national and international levels.With a view to advancing the Sustainable Development Goals (SDGs) and building forward together against the backdrop of multiple interconnected challenges and crises at all levels, the panel will discuss the role of policies as primary tools of governance at all levels to operationalize the human right to development and remove obstacles to its realization. It will reflect on how policies at the national, regional and international levels provide pathways to operationalizing the right to development, especially of the most vulnerable and marginalized communities and populations. It will consider how States and all stakeholders, the United Nations system and its human rights mechanisms can operationalize the right to development to further clarify and harness the potential of this right and its process, to advance effective multilateralism, international solidarity and cooperation, global economic, social and environmental justice and human rights-based governance for present and future generations.**The objectives of this panel are:** * **To analyse the positive impacts of policies on the realization of the right to development of individuals and peoples,** through identifying data, concrete examples, patterns and trends
* **To raise awareness on the importance of human rights advancing policies** in promoting the realization of the right to development, which is indivisible, interdependent and interrelated with all other human rights
* **To consider ways to shape policies for realizing the right to development for all people in all nations especially the poor and vulnerable**, through operationalizing the duty of international cooperation, global solidarity and collective action
* **To mainstream the right to development among policy makers, promote its integration in policymaking** at national, regional and international levels, and **bridge policy gaps through applying the right to development framework** as enshrined in the Declaration and other instruments, and decisions and outcomes of right to development mechanisms
* **To share lessons learned, good practices and success stories** in operationalizing the right to development and the duty to cooperate through policymaking and implementation
* **To lay the foundations for the high-level commemorative event,** including with regard to recommendations thereto, and proposals for strengthening the role of States and other stakeholders, the United Nations system and its human rights mechanisms in operationalizing the right to development.
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| **Chair:** | **H.E. Mr. Federico Villegas**,President of the Human Rights Council |
| **Opening statements:** | **Ms. Nada Al-Nashif**, Acting United Nations High Commissioner for Human Rights**Mr. Martin Chungong**,Secretary-General of the Inter-Parliamentary Union**Mr. Saad Alfarargi**, Special Rapporteur on the right to development |
| **Panellists:** | * **Ms. Sakiko Fukuda-Parr**,Vice-Chairof the Committee for Development Policy and Professor of International Affairs at The New School *(Zoom)*
* **Mr. Mihir Kanade**, Chair of the Expert Mechanism on the Right to Development, Head of the Department of International Law and Director of the Human Rights Centre, University for Peace
* **Ms. Attiya Waris**, Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights
* **Mr.** **Ordukhan Gahramanzade**, Designated Chairperson of the Non-Aligned Movement Youth Organization
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| **Outcome:** | Through a discussion on how policies at all levels positively or negatively impact the realization of the human right to development of individuals and peoples, this panel will help to identify lessons learned and good practices, and consider ways to advance policies which operationalize this right, and to mainstream it in policymaking and implementation.**The anticipated outcomes of this discussion include:** * **Enhanced understanding of the positive impacts of policies at all levels on the realization of the right to development of individuals and peoples,** through illustrations with data, concrete examples, patterns and trends
* **Raised awareness on the importance of human rights advancing policies** in promoting the realization of the right to development, which is indivisible, interdependent and interrelated with all other human rights
* **Suggestions for ways to shape policies which advance the right to development at all levels** including through operationalizing the duty of international cooperation, global solidarity and collective action
* Deepened **consciousness of the right to development** among policymakers and other relevant stakeholders, **incorporation of the right to development into policymaking** at the national and international levels, and integration **of the right to development framework in bridging policy gaps** as outlined by the Declaration and other instruments, decisions and outcomes of right to development mechanisms
* **Dissemination of lessons learned, good practices and success stories** in operationalizing the right to development and the duty to cooperate through policymaking and implementation
* **Build up to the 2023 anniversary event and strengthened role of States and other key stakeholders, the United Nations system and its human rights mechanisms** in operationalizing the right to development, and reflections to prepare the ground for this event in a mutually reinforcing manner
* **A summary report** on the panel discussion to the Human Rights Council
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| **Mandate:** | In its resolution [42/23](https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F42%2F23&Language=E&DeviceType=Desktop&LangRequested=False) on the right to development, the Human Rights Council decided to organize a biennial panel discussion on the right to development, starting at its forty-fifth session, with the participation of Member States, relevant United Nations bodies, agencies and other relevant stakeholders. In its resolution [48/10](https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F48%2F10&Language=E&DeviceType=Desktop&LangRequested=False) on the right to development, the Human Rights Council took note of the report of the Office of the High Commissioner for Human Rights on the biennial panel discussion on the right to development held at its forty-fifth session, and requested the Office, in accordance with paragraph 27 of Council resolution [42/23](https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F42%2F23&Language=E&DeviceType=Desktop&LangRequested=False), to organize the biennial panel discussion on the right to development at the fifty-first session of the Council. The Council also requested conference services to make the biennial panel discussion fully accessible to persons with disabilities, including sign language interpretation, and requested the Office of the High Commissioner to prepare a report on the panel discussion and submit it to the Council at its fifty-second session. |
| **Format:**  | The panel discussion will be limited to two hours. The opening statements and initial presentations by the panellists will be followed by a two-part interactive discussion and conclusions from the panellists. A maximum of one hour will be set aside for the podium, which will cover the opening statements, panellists’ presentations, and their responses to questions and concluding remarks. The remaining hour will be reserved for two segments of interventions from the floor, with each segment consisting of interventions from 12 States or observers, 1 national human rights institution and 2 non-governmental organizations. Each speaker will have two minutes to raise issues and to ask panellists questions. Panellists will respond to questions and comments during the remaining time available.The list of speakers for the discussion will be established through the online inscription system and, as per practice, statements by high-level dignitaries and groups of States will be moved to the beginning of the list. Delegates unable to take the floor due to time constraints will be able to upload their statements on the online system to be posted on the HRC Extranet.  |
| **Accessibility:**  | In an effort to render the Human Rights Council more accessible to persons with disabilities and to promote their full participation in the work of the Council on an equal basis with others, the panel discussion will be made accessible. International sign interpretation and real-time captioning in English will be provided and webcast during the debate. Participants can access live English captioning on the StreamText web page (<https://www.streamtext.net/player?event=CFI-UNOG>) during the event itself. Hearing loops are available for collection from the Secretariat desk. Oral statements may be embossed in Braille from any of the six official languages of the United Nations, upon request and following the procedure described in *The accessibility guide to the Human Rights Council for persons with disabilities*(<https://www.ohchr.org/EN/HRBodies/HRC/Pages/Accessibility.aspx>). |
| **Background:** | Adopted by the General Assembly in 1986, the Declaration on the Right to Development enshrined the universal and inalienable human right to development, which entitled all human beings to contribute to, participate in and enjoy development. It defined development as a comprehensive economic, social, cultural and political process aimed at the constant improvement of human well-being. The Declaration envisioned true freedom from want and from fear for all humanity, and equality of opportunity for development for both nations and individuals who make up nations. It recognized that all human rights and fundamental freedoms are indivisible and interdependent and acknowledged that failure to observe civil and political rights, as well as economic, social and cultural rights create obstacles to development and lead to violations of the right to development. The Declaration placed on States and on the international community, duties to make national and international development policies for the well-being of all. This calls inter alia for inclusive and human rights informed policies in peace and security, economics and finance, trade and investment, food and agriculture, and climate change and the environment. Under the Declaration on the Right to Development, States have obligations at three levels: (a) internally, through the formulation of national development policies and programmes affecting persons within their jurisdictions; (b) internationally, through the adoption and implementation of policies extending beyond their jurisdictions; and (c) collectively, through global and regional partnerships.[[2]](#footnote-2)Operationalizing the right to development is critical to advancing a social and international order wherein all human rights and fundamental freedoms can be fully realized for all people in all countries. As a vital component of international human rights law, the right to development framework must guide and inform the elaboration of international instruments, such as multilateral and bilateral trade and investment agreements and debt and financial agreements, which can have negative implications especially for people in developing countries. Likewise, operationalizing the right to development through national policies provides pathways to social justice, preventing conflict and sustaining peace, human rights and sustainable development. |
| **Background documents:** | * [1986 Declaration on the Right to Development](http://www.ohchr.org/Documents/Issues/Development/RTD_booklet_en.pdf)
* [1992 Rio Declaration on Environment and Development](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.151_26_Vol.I_Declaration.pdf)
* [1993 Vienna Declaration and Programme of Action](http://www.ohchr.org/EN/ProfessionalInterest/Pages/Vienna.aspx)
* Secretary-General’s Call to Action for Human Rights, <https://www.un.org/en/content/action-for-human-rights/index.shtml>
* Secretary-General’s Report - Our Common Agenda, <https://www.un.org/en/content/common-agenda-report/summary.shtml>
* Consolidated reports of the Secretary-General and the High Commissioner on the right to development ([A/HRC/39/18](https://undocs.org/A/HRC/39/18), [A/HRC/42/29](https://undocs.org/A/HRC/42/29), [A/HRC/45/21](https://undocs.org/A/HRC/45/21), [A /HRC/48/26](http://undocs.org/A/HRC/48/26), [A/HRC/51/22](http://undocs.org/A/HRC/51/22))
* Reports of the Working Group on the Right to Development on its 19th, 20th, 21st, 22nd and 23rd sessions ([A/HRC/39/56](http://undocs.org/A/HRC/39/56), [A/HRC/42/35](http://undocs.org/A/HRC/42/35) and [Corr.1](http://undocs.org/A/HRC/42/35/Corr.1), [A/HRC/45/17](https://www.ohchr.org/en/documents/reports/report-working-group-right-development-its-twenty-first-session-note-secretariat), [A/HRC/51/38](http://undocs.org/A/HRC/51/38), [A/HRC/51/39](https://undocs.org/A/HRC/51/39))
* Reports of the Expert Mechanism on the Right to Development on its first, second and third, and fourth and fifth sessions ([A/HRC/45/29](http://undocs.org/A/HRC/45/29), [A/HRC/48/62](https://undocs.org/A/HRC/48/62), [A/HRC/51/36](http://undocs.org/A/HRC/51/36))
* Thematic study by the Expert Mechanism on the Right to Development: Operationalizing the right to development in achieving the Sustainable Development Goals, 2021 ([A/HRC/48/63](http://undocs.org/A/HRC/48/63))
* Thematic study by the Expert Mechanism on the Right to Development: Racism, racial discrimination and the right to development, 2022 ([A/HRC/51/37](http://undocs.org/A/HRC/51/37))
* Thematic report of the Special Rapporteur on the right to development: Guidelines and recommendations on the practical implementation of the right to development, 2019 ([A/HRC/45/15](http://undocs.org/A/HRC/45/15))
* **Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity, Report of the Secretary-General (**[A/76/249](http://undocs.org/A/76/249)**)**
* **Implementation and enhancement of international cooperation in the field of human rights, Report of the United Nations High Commissioner for Human Rights (**[A/HRC/50/51](https://undocs.org/A/HRC/50/51)**)**
* [2015 Addis Ababa Action Agenda of the Third International Conference on Financing for Development](https://sustainabledevelopment.un.org/content/documents/2051AAAA_Outcome.pdf),

<https://sustainabledevelopment.un.org/frameworks/addisababaactionagenda>* Transforming our world: 2030 Agenda for Sustainable Development (General Assembly resolution [70/1](https://undocs.org/A/RES/70/1) of 25 September 2015)
* [The Paris Agreement](https://www.un.org/en/climatechange/paris-agreement)
* The Sendai Framework on Disaster Risk Reduction (General Assembly resolution [69/283](http://undocs.org/A/RES/69/283) of 3 June 2015)
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1. Available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-right-development> [↑](#footnote-ref-1)
2. Frequently Asked Questions on the Right to Development, <https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-37-frequently-asked-questions-right-development>, page 4. [↑](#footnote-ref-2)