

## **EMRTD interactive dialogue – HRC 51st session**

### **Statement by Mr. Mihir Kanade Chair-Rapporteur of the Expert Mechanism on the Right to Development**

16 September 2022, Geneva

Agenda Item 3: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

**Mr. Vice-President,  
Excellencies,  
Distinguished delegates,**

I have the honour to address this Council in my capacity as the current Chair-Rapporteur of the Expert Mechanism on the Right to Development and to present our Annual Report and our second thematic study, which was prepared by my fellow expert Bonny Ibhawoh.

The Expert Mechanism is a subsidiary body of the Human Rights Council and is distinct from the Special Procedures. It has a mandate to provide the Council with thematic expertise on the right to development in searching for, identifying and sharing best practices with Member States and to promote the implementation of the right to development worldwide.

In August this year, Ms. Liliana Valiña joined the Mechanism as the newly appointed member from the Latin America and the Caribbean region, following the resignation of Mr. Armando De Negri Filho earlier in 2022.

**Mr. Vice-President,**

Since our last report to the Council in September last year, we held two sessions, in hybrid and virtual format, due to COVID-19 constraints.

On behalf of the Expert Mechanism, I would like to thank the Chair of the Working Group on the Right to Development and the Special Rapporteur on the right to development who engaged in interactive dialogue with the Mechanism during our fourth session in November 2021. During the fifth session in March this year, we held focused discussions with the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, the Independent Expert on human rights and international solidarity, the Special Rapporteur on extreme poverty and human rights, and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. We are most grateful for their engagement and contributions.

We also appreciate the participation in both sessions of representatives of Member States, United Nations entities and independent experts, academics, national human rights institutions and non-governmental organizations.

During the reporting period, the Expert Mechanism invested considerable efforts to carry out country study visits to feed into its thematic studies, in discharge of the mandate entrusted to us by the Council – that is to search for, identify and share best practices with Member States and promote the implementation of the right to development worldwide.

While two of these study visits were successfully realized, two other visits did not take place: one Government postponed the visit at last minute and another Government insisted on specific requirements that could not be fulfilled by a United Nations body. In pursuit of our mandate, we continue our efforts in order for these study visits to take place to different countries in a time that allows for the findings to be incorporated in our thematic studies

**Mr. Vice-President,**

The Expert Mechanism has endeavored to elaborate commentaries on the articles of the Declaration on the Right to Development. The objective is to promote an evolutionary interpretation of the articles considering developments in international law, policy and practice since the adoption of the Declaration in 1986.

At its fifth session, the Expert Mechanism dedicated a meeting with non-governmental organizations to commemorate the 35th anniversary of the Declaration on the Right to Development and held a thematic discussion on the right to development and peace and security.

Also at the fifth session, the Expert Mechanism discussed the content of its third thematic study which examines inequality and social protection systems, identifying good practices and practices that are exclusionary or restrictive. The study places social protection systems within the context of State obligations, international cooperation, global partnerships, and the new social contract. It will make recommendations to States and other stakeholders to address the growing inequalities within and between States through the establishment of universal social protection systems as a fundamental human right understood through the principle of equality of opportunity for development. The study will be presented at the Council in September 2023.

**Mr. Vice-President,**

In 2021, the Expert Mechanism submitted to this Council its first thematic study which I authored, and which addressed the theme of “Operationalizing the right to development in achieving the Sustainable Development Goals.”

Today, I am pleased to present our second thematic study, which addresses “Racism, racial discrimination and the right to development”. This study was elaborated by expert member Bonny Ibhawoh and is contained in document A/HRC/51/37.

The study examines racism and racial discrimination as barriers to the operationalization of the right to development in the context of State obligations, international cooperation and global partnerships. It highlights the negative effects of racism at both the national and international level, including the fracture of the national social cohesion which affect the well-being of racialized

groups by denying them equitable access to social services, economic opportunities, justice, safety and security. At the international level, the study identifies that racism and racial discrimination can result in the loss of transnational economic opportunities for individuals and of foreign direct investment and relief from debt for developing countries.

Finally, the study provides a number of recommendations for Governments, civil society organizations, international organizations, members of the media, private sector organizations and development agencies in the areas of health, housing, employment, education, policing and justice, international cooperation, financing for development, as well as measurement and accountability.

We hope that this study will contribute to the deliberations of this Council and advance the right to development and the issue of racism as an “intersection of marginality” and that it will help to address racial discrimination and the obstacles it poses to social and economic development worldwide.

**Dear Delegates,**

I look forward to our interactive dialogue and guidance of the Council in the effective implementation of the mandate of our Mechanism.

I thank you for your attention.