

**The 8<sup>th</sup> session of the Expert Mechanism on the Right to Development**  
**Item 5 of the Provisional Agenda**  
**Implementation of the mandate and programme of work - Focused thematic discussion**  
Palais des Nations, Room XX, Geneva

**Presentation of upcoming studies and forum to collect suggestions for additional areas of study and research**

Tuesday 31 October 2023, 3:30 PM to 6:00 PM

**Concept Note**

**Presented by Bonny Ibhawoh**

**Introduction**

At the beginning of its first three-year tenure, the Expert Mechanism identified five themes on which the members would submit studies to the Human Rights Council. The first study on “Operationalizing the right to development in achieving the Sustainable Development Goals” ([A/HRC/48/63](#)) was presented to the Council at its forty-eighth session. The second study on ““Racism, racial discrimination and the right to development”” ([A/HRC/51/37](#)) was discussed at the fifty-first session of the Human Rights Council. The three remaining studies were presented at the Council’s fifty fourth session; these are “Right to development in international investment law” ([A/HRC/54/82](#)), “Inequality, social protection and the right to development” ([A/HRC/54/83](#)), and “Duty to cooperate and non-State actors” ([A/HRC/54/84](#)).

Following the completion of the five studies and in accordance with previous practice, the Expert Mechanism agreed on the five study themes to be elaborated during its next three-year tenure. The subject of the **first study** aims to address the issue of equal opportunities for women’s active and meaningful participation in the development process, including in decision-making. It intends to focus on an analysis of the relevance of women’s participation in development; the impact of discrimination against women and gender gaps on the realization of the right to development for all; and the ways in which best practices and relevant changes have affected the mainstreaming of indicators relating to the realization of the right to development for women and for the country.

The **second study** is expected to focus on the right to development in international development cooperation. While traditional development cooperation has been focused on North-South cooperation, South-South and triangular cooperation have emerged as potent supplements and have generated significant knowledge and experiences. The study aims to explore the ways in which the normative framework of the right to development can be mainstreamed and operationalized in the different forms of development cooperation practices. It plans to identify best practices across North-South, South-South and triangular cooperation and provide recommendations for measures to further enhance such cooperation by mainstreaming the right to development.

The **third study** seeks to address climate justice, namely, vulnerability and responsibility. It is expected to define, explore and elaborate various ideas, initiatives and practices that contribute to the adequate financing of climate transition and development at different levels. It aims to establish linkages between these processes, whether they are based on pluri- or multilateral cooperation, regional or domestic resource mobilization or the participation of international financial institutions. The study plans to explore, inter alia, the Bridgetown Initiative; the G20 International Financial Architecture Working Group; the Summit for a New Global Financing Pact; the Accra Marrakech

Agenda of the Vulnerable Twenty Group; the Global sovereign Debt Roundtable and the common but differentiated responsibilities.

The **fourth study** aims to address climate justice, sustainability and the right to development. Vulnerable communities, particularly in developing countries, which have contributed the least to the climate crisis, bear the brunt of its consequences. There is growing recognition that climate justice and just transition are key frameworks for mitigating the impacts of climate change and achieving sustainable development. The study plans to explore ideas, strategies and practices for upholding the right to development in climate action by means of climate justice and just transition.

The **fifth study** seeks to address artificial intelligence, regulation and the right to development. As artificial intelligence inevitably replaces many human jobs, arguably it also deprives people of meaningful and effective participation in their lives. High-risk artificial intelligence activity, far from benefiting humanity, can cause it serious physical harm. In such circumstances, the promotion of public participation, scientific integrity and reliable, robust and trustworthy artificial intelligence applications is fundamental to positive progress in artificial intelligence. In the absence of robust laws that go beyond ethical principles, there is a real risk that the right to development will be breached as a result of a lack of effective and meaningful participation through which individuals and peoples contribute to and enjoy economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realized.

### **Purpose**

To present the themes of the upcoming studies by the Expert Mechanism and to provide a forum for discussion and collection of ideas to enrich current topics and/or suggest additional areas of research.

### **Guiding questions for discussion**

1. Which additional elements/approaches should any of the five upcoming studies address/consider?
2. How can the upcoming studies help the current efforts of Member States, civil society organizations, grass-root organizations, academia, and other stakeholders in operationalising the right to development?
3. Which best practice(s) should the upcoming studies contemplate?
4. Which additional themes should the EMRTD consider for its future studies? and why?

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