

Inputs of the Egyptian Council for Foreign Affairs (ECFA) to a Draft Legally Binding Instrument on the Right to Development

Type of the Instrument:

The instrument should be principally a treaty modeled on existing human rights treaties, defining the rights of individuals and peoples and corresponding obligations of States and non-state actors, based on existing models of human rights treaties, with inter-state rights and obligations.

Content of the Instrument:

Previous instruments to be referenced in the preamble:

- 1948 Universal Declaration on Human Rights;
- 1966 International Covenant on the Political and Civil Rights;
- 1966 International Covenant on Economic, Social and Cultural Rights; and
- 1986 Declaration on the Right to Development.

Institutional Arrangements:

An expert body with the mandate to submit reports on its work to the General Assembly with views, comments and recommendations.

Which entity should serve as the Secretariat: the OHCHR.

Funding mechanism, UN regular budget together with extra-budgetary contribution.

Compliance, Monitoring and Enforcement Arrangements:

A reporting procedure with periodic reports, to be reviewed by an expert body, together with self-assessment with a peer review mechanism, combined with an Advisory opinion procedure.

Final Provisions Elements:

- a- UN member States.
- b- Desired number of ratifications for entry into force: 100 States.
- c- No reservations.
- d- Dispute resolutions should be included with a possibility to seek the ICJ Advisory Opinion.
- e- No possibility of denouncing the agreement.