



EUROPEAN UNION

Permanent Delegation to the United Nations Office
and other international organisations in Geneva

The Delegation of the European Union presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to deliver this answer on behalf of the European Union and its Member States to the request of 24 May 2019 made on behalf of the Chair-Rapporteur of the Intergovernmental Working Group on the Rights to Development to communicate our views on a draft legally binding instrument on the right to development.

As also stated on the first day of the 20th session of the IGWG, the European Union remains strongly committed to eradicating poverty and achieving sustainable development, to promoting the full and equal enjoyment of all human rights and fundamental freedoms; working towards ensuring security and stability, conflict prevention and resolution; and strengthening good governance and democratic processes, equality for all, human development, accountability and equitable globalisation.

As in previous years, we have continued to engage in the Working Group. We must however recognize that divergent views in the understanding of the implementation of the right to development persist. We reiterate our support for the right to development, as based on the indivisibility and interdependence of all human rights, the multidimensional nature of development strategies and the individual as the central subject of the development process.

The right to development requires the full and non-discriminatory realisation of all human rights, be they civil, political, economic, social or cultural; and requires a mix of policies, which will create an enabling environment for individuals, involving a wide range of actors, at different levels. Indeed, any development policy should make the individual human being the main participant and beneficiary of development. We would like to emphasize that, while national development efforts should be supported, States, acting individually and collectively, have the primary responsibility for realising the right to development and ensuring that their citizens can benefit.

We have to re-state our position that we are not in favour of the elaboration of an international legal standard of a binding nature as we do not believe that this is the appropriate mechanism to realise the right to development. However, we remain open to consider the criteria and operational sub-criteria and the elaboration of standards, on the understanding that how they will be applied is not yet agreed and could take various forms, including the elaboration of guidelines on the implementation of the right to development.

We stand ready within these parameters to engage constructively with the Intergovernmental Working Group on the Right to Development. We reiterate that we see consensus as the only way to move the deliberations forward, and we express our willingness to pursue a consensual approach. In keeping with our views as stated in various human rights forums and discussions, we have, however, not contributed to the non-consensual "Discussions to elaborate a draft legally binding instrument" at the 20th session of the IGWG, as we continue to be of the opinion that such an instrument is not the appropriate mechanism to realise the right to development.

The Delegation of the European Union avails itself of this opportunity to renew the assurance of its highest consideration to the Office of the High Commissioner for Human Rights.

Geneva, 25 July 2019