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**Statement by Mr Surya Deva
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Panel Discussion on the interrelationship between the right to development and
the International Covenant on Economic, Social and Cultural Rights

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Dear Chair-Rapporteur, Excellencies, distinguished delegates, ladies and gentlemen,

It is my great pleasure to participate in this panel discussion on the interrelationship between the right to development and the International Covenant on Economic, Social and Cultural Rights.

In my remarks today, I would like to focus on two aspects. First, I will describe the common normative foundations of all human rights, including the right to development as well as economic, social and cultural rights. Second, I will highlight the relevance or the value-addition of the right to development to realising economic, social and cultural rights.

Mr Chair

One can trace the normative foundations of all human rights to the idea of recognising and preserving human dignity. Both the UN Charter and the Universal Declaration of Human Rights (UDHR) make a reference to the dignity and worth of human beings.

Article 55 of the UN Charter provides that the United Nations shall promote, among others, “higher standards of living, full employment, and conditions of economic and social progress and development” as well as “universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.”

The UDHR encapsulates a range of human rights and fundamental freedoms. Article 22 of the UDHR, for example, declares: “Everyone, as a member of society, has the right to social security and is entitled to realization ... of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.”

I will suggest that we should consider the right to development as one of the three “human rights siblings”, the other two being civil and political rights and economic, social and cultural rights. However, the right to development has been left behind for various political and historical reasons. While the UDHR treated all human rights together without any distinction, civil and political rights on the one hand and economic, social and cultural rights on the other got separated during subsequent elaboration and codification in two international covenants.

At the same time, the right to development is still waiting for its codification in an international covenant. It will therefore be critical for States to adopt an International Covenant on the Right to Development as soon as possible, so that the right to development is not left behind their other two human rights siblings.

Mr Chair

Let me now focus on what unique value the right to development brings to the realisation of economic, social and cultural rights. Like other siblings, these three human rights siblings also have their own unique strengths. What is crucial is their mutually reinforcing and complementary role in ensuring a dignified life for everyone.

I would like to highlight four unique values that the right to development add to international human rights law, including the International Covenant on Economic, Social and Cultural Rights.

First, the right to development underscores the importance of adopting a cumulative approach to human rights. Having a dignified life requires access not merely to education or food or housing or water – rather, human beings need the realisation of all human rights to create an enabling environment for their holistic development. In fact, by focusing on economic, social, cultural and political development, the right to development embodies the practical application of the principle that human rights are indivisible, interdependent and interrelated.

Second, the right to development highlights the agency of people. Human beings are not merely passive beneficiaries of rights. Article 1 of the Declaration on the Right to Development makes clear the three crucial elements of the right to development, that is, the ability of human beings to *participate in*, *contribute to* and *enjoy* economic, social, cultural and political development. In other words, people should have “active, free and meaningful participation” in decisions concerning the right to development. By recognising the agency of people, the right to development treats human beings as agents of positive change for achieving inclusive and sustainable development.

Third, the intergenerational equity is a key overarching principle of the right to development, as articulated in the Rio Declaration on Environment and Development, and the Vienna

Declaration and Programme of Action. Principle 3 of the Rio Declaration stresses that the right to development “must be fulfilled so as to meet equitably the developmental and environmental needs of present and future generations.” In other words, the right to development is not a licence to destroy the planetary ecosystem or undermine the ability of future generations to fulfil their development aspirations. That is why, in my vision report to the Human Rights Council in September 2023, I have suggested that the world community should embrace a new model of “planet-centred participatory development”.

Fourth, the right to development spotlights the interrelationship between the three pillars of the UN: peace and security, human rights and development. While development requires peace, lack of development may also trigger conflicts and long-lasting peace is unlikely unless all human rights of everyone are taken seriously. Moreover, development cannot be inclusive and sustainable if human rights are not embedded into all development policies, programmes and projects. Considering the devastating effects of conflicts that the world is currently witnessing, Article 7 of the Declaration on the Right to Development is quite instructive. It reminds all States to “do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries.”

I look forward to having a constructive dialogue on this important theme.

Thank you for your kind attention.