

HUMAN RIGHTS COUNCIL - 48th SESSION

Interactive dialogue with the Expert Mechanism on the right to development,
16-17 September 2021

- Annual report of the Expert Mechanism on the Right to Development [A/HRC/48/62](#)
- Operationalizing the right to development in achieving the Sustainable Development Goals – Thematic study by the Expert Mechanism on the Right to Development [A/HRC/48/63](#)

Ms. Klentiana Mahmutaj, Chair-Rapporteur of the Expert Mechanism on the Right to Development

Ms. Mahmutaj **presented second Annual Report** and the **first thematic report** of the Expert Mechanism. She underlined close cooperation with the Working Group on the Right to Development and the Special Rapporteur on the right to development, Member States, UN entities, academics, experts, NHRIs and NGOs. Expert Mechanism led a **statement on COVID-19 and vaccine nationalism** and **identified five topics for thematic studies**. First thematic report highlighted the need to operationalize the right to development across all three levels of obligations of States: in global and regional partnerships; in States' individual policies that affect persons not strictly within their jurisdiction; in States' individual policies affecting their persons within their jurisdiction. SDGs can be realized only through a universal commitment based on the duty of international cooperation. Failure to meet this obligation hampers the achievement of the 2030 Agenda targets. **The thematic report gives 11 recommendations**, and the Expert Mechanism is ready to provide expert advice and guidance to all stakeholders on operationalizing the right to development to implement the SDGs. **Expert Mechanism requested the HRC:** (1) the right to webcast its public sessions and to use international sign interpretation and real-time captioning in English to ensure outreach and to promote the right to development worldwide; (2) for the NGOs without consultative status with the ECOSOC to participate in the Expert Mechanism's public sessions.

Interactive dialogue

Delegations that took the floor during the Interactive Dialogue (29 statements):

EU, Pakistan *on behalf of the OIC*, China *on behalf a group of States*, Djibouti, State of Palestine, Indonesia, Egypt, Iraq, Venezuela, Angola, Kenya, Cuba, Russian Federation, India, Sri Lanka, Malaysia, UNDP, Mauritania, Iran, Sudan, South Africa, Nigeria, Tunisia, Malawi, Lao People's Democratic Republic, Tanzania, Suriname, Cambodia, Azerbaijan

The vast majority of the participating delegations supported the work of the Expert Mechanism, praised its work and underlined the need to prioritize the right to development and mainstream it in the UN system. Many delegations **highlighted the importance of recognition of vaccines as a global public good and the need to support innovations and technologies transfer**.

European Union did not support the creation of the Expert Mechanism, a third mechanism on the right to development, but in the constructive spirit engaged in its discussions. *Did the Expert Mechanism see ways in which it could help to depoliticise the discussions on the right to development?* **Pakistan on behalf of the OIC** agreed that there was a need to go beyond rhetoric regarding the commitments under the 2030 SD Agenda and Addis Ababa Action Plan. In line with the spirit of VDPA, the OIC called to work collectively to achieve SDGs including through debt relief, fulfilling commitments under ODA, promoting access to international financing for development. *How can repatriation of stolen assets to countries of origin and stemming illicit financial out flows from developing countries contribute to operationalizing the right to development?* **China on behalf of the group of 50 States** said it was important to pursue people-centered development, respect the development path independently chosen by each country, enhance international development cooperation, highlight innovation, pursue green development. **Djibouti** noted that in the review of the contributions to the Expert Mechanism, only 64 recommendations out of 190 mention women or gender issues. **State of Palestine** asked *what measures can be taken to ensure that states fulfil their obligation in eliminating obstacles to the right to development, and refrain*



from adopting undermining policies? **Indonesia, Egypt, India** supported the request to webcast the Expert Mechanism's public sessions with the necessary tools to optimize its accessibility for all. **Indonesia:** international cooperation for development should include financing and non-financing tools, including support to innovation and transfer of technology, especially for local vaccine manufacturing. **Venezuela** celebrated the study topics selected by the Mechanism to focus on, particularly on inequalities and the right to development, and the effect of UCMs and indebtedness. **Kenya** spoke on the issue of vaccine nationalism. **Cuba** invited the Mechanism to favor the identification, compilation and exchange of good practices regarding its mandate. **Russian Federation** asked to conduct a study on how racism and racial discrimination affect the right to development. **Sri Lanka** spoke on lack of international co-operation and solidarity to fight the pandemic including lifting of UCMs, and debt reliefs. **China** said countries should put the implementation of the right to development at the core of the implementation of the SDGs; the US and other countries that do not fulfil their international obligations out of self-interest, should be primarily responsible for the lagging progress in the implementation of the 2030 Agenda. **Mauritania** said it had created, two years ago, the General Delegation for National Solidarity and the Fight against Exclusion to promote integrated development in favor of poor and vulnerable populations. **Iran, Syria:** UCMs and sanctions are principle obstacles for the implementation of the right to development. **South Africa:** operationalising the right to development requires a significant shift in current approaches to its implementation. **Nigeria:** addressing the issue of inequalities at a national level is crucial in operationalizing this right. **Suriname:** has adopted national recovery development plan for 2020-2022 and strengthened its Constitutional court. **Cambodia:** adopted National Strategic Development Plan in contribution to achieve SDG by 2030, and Post Covid economic development plan; conducted vaccination even for foreign residents as a motion of global solidarity.

UNDP: mentioned the **Secretary-Generals' report "Our Common Agenda"** regarding the vision of global cooperation; UNDP has deployed **nearly USD 1 billion to over 170 countries** as technical lead of the UN socio-economic response to the pandemic; UNDP has launched a [Global Dashboard for Vaccine Equity](#) developed with the WHO; UNDP framework for cooperation with countries in its [new strategic plan](#).

NHRI and NGOs that took the floor during the Interactive Dialogue (11):

National Human Rights Commission India, Youchange China Social Entrepreneur Foundation, Disability Association of Tavana, Centre du Commerce International pour le Développement (CECIDE), China Association for Preservation and Development of Tibetan Culture, Associazione Comunita Papa Giovanni XXIII (APG23), Rahbord Peimayesh Research & Educational Services Cooperative (Joint Statement), Jameh Ehyagaran Teb Sonnati Va Salamat Iranian, Asian-Pacific Resource and Research Centre for Women (ARROW) *on behalf of the Asian-Pacific Resource and Research Centre for Women, Right Here Right Now Consortium Member Rutgers and 76 advocates and NGOs*, Sikh Human Rights Group, Beijing Ngo Association for International Exchanges

All the NGOs welcomed the reports of the Expert Mechanism. National Human Rights Commission India looks forward to the other thematic study reports of the Expert Mechanism, including the guidance as to how the NHRIs can strengthen their role in realizing the right to development for all. **Youchange China Social Entrepreneur Foundation:** quality education is a fundamental human right and is critical in breaking the circle of rural poverty. With the help of mobile internet technology, they trained more than 80,000 rural teachers which benefited over five million students. **Disability Association of Tavana:** underlined severe effect of the UCMs. **CECIDE** asked about the recommendations on how to restore a real North - South as well as South-South dialogue to meet the challenges of the global partnership. **CAPDTC:** people in Tibet enjoy the best human rights in history. **Rahbord Peimayesh Research & Educational Services Cooperative:** developing countries encounter obstacles in achieving the SDGs because of the UCMs. **Jameh Ehyagaran Teb Sonnati Va Salamat Iranian:** request to study the negative effects of the UCMs on the right to health and access to medicine and vaccine in targeted countries. **ARROW:** advocated for the youth empowerment and leadership, safe space for human rights defenders as this is part of all States' obligation to ensure the right to development for all. **Sikh Human Rights Group:** WTO policies favor



developed countries and the big Transnational Corporations; urged to integrate the right to development in WTO, IMF and World Bank policies. **Beijing Ngo Association for International Exchanges** has established “Beijing Digital School”, invited the best teachers to make thousands of online lessons, as education is the key to eliminating poverty.

Final Remarks of the Chair of the Expert Mechanism on the Right to Development:

Ms. Mahmutaj agreed with all the critique of the vaccine nationalism and called for cancellation of all trip restrictions. She thanked the delegate of Russian Federation who raised the question of racism as an impediment to the right to development, and said that this issue will be examined in the future thematic report in the context of the three essential elements: state obligations, international cooperation, and global partnership. The Expert Mechanism will provide guidance on this issue. Invited to foster a better mutual understanding of the right to development. The Expert Mechanism will further **education on the right to development**. The Expert Mechanism is preparing **study of the right to development in the context of the international investment law**, where the issue of incorporation of sustainable development in investment treaties will be explored, e.g. EU-Canada trade agreement, Brazilian-India, and Morocco-Nigeria investment treaties refer to sustainable development and these are the examples of the increasing role of the sustainable development in the international law.

Watch this meeting on UN WebTV ([part 1](#) and [part 2](#))