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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Associazione Comunita Papa Giovanni XXIII, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 February 2023]

* Issued as received, in the language of submission only.



Time to Free The Right to Development From The Trap Of Political Games

At the opening of the World Economic Forum in Davos, Oxfam presented its inequality report (1) that states in its executive summary as follows: “We are living through an unprecedented moment of multiple crises. Tens of millions more people are facing hunger. Hundreds of millions more face impossible rises in the cost of basic goods or heating their homes. Climate breakdown is crippling economies and seeing droughts, cyclones and floods force people from their homes. Millions are still reeling from the continuing impact of COVID-19, which has already killed over 20 million people. Poverty has increased for the first time in 25 years. At the same time, these multiple crises all have winners. The very richest have become dramatically richer and corporate profits have hit record highs, driving an explosion of inequality”.

Indeed, inequality has worsened to the point of becoming a threat to our societies undermining progress in the fight against poverty, corroding politics and endangering the future of our planet. Crisis after crisis the long-term structural gaps have widened and consolidated. Governments have a strong responsibility, having largely failed to adopt structural policies that reduce inequalities, redistribute wealth and power, reject the interference and political conditioning by bearers of particular interests.

In this scenario, the implementation of the right to development and the embracing of the principle of international solidarity are very important and inescapable ways to reduce the many inequalities which threaten fundamental human rights, in particular of those who are marginalised and poor.

It is really time to free the right to development from the trap of the political games and let it fly.

The Declaration on the right to development calls for every member of society to be empowered to participate meaningfully, actively and freely in vital decisions. It demands equal opportunities, and the equitable distribution of economic resources - including for people who are traditionally disempowered and excluded from development. It calls for an enabling national and international environment to overcome the structural obstacles to the development of individuals and peoples, a development that must be person-people centred and holistic and it pleads for the progressive disarmament with the readdressing of resources towards the social sphere.

Associazione Comunita Papa Giovanni XXIII looks forward for the prompt finalisation and adoption of a convention on the right to development, being convinced that this will be a further important step for the implementation of such a vital right.

On the other hands, we are dismayed in acknowledging that some States that are traditionally great supporters of the right to development, are currently great violators of other human rights such as the right to life, the right to freedom of opinion and expression, the right to freedom of peaceful assembly and association, the right to freedom of thought, conscience and religion etc. etc. while other countries are still reluctant to fully recognise the right to development in all its dimension and to promote its realization.

As Prof. Mihir Kanade, the Chair of the Expert Mechanism on the right to development, remarked in his opening speech at the 6th session of EMRTD held in October 2022, and we quote: “The operationalization of the right to development requires that we also erase a-priori assumptions that the lack of development is solely the result of a given State’s lack of good governance... Development can be gravely impeded because of laws, policies or practices adopted at international levels that limit the governance space that the State needs to plan and implement its necessary self-determined development policies. These include those unilateral sanctions that are not in accordance with international law, or conditionalities on bilateral or multilateral aid and assistance that contradict or are harmful to national priorities or ownership. To operationalize the right to development, it is crucial that States embrace and discharge their duty to cooperate which permeates all dimensions of national and international law, policy and practice”.

The Declaration on the Right to Development provides an essential guide to the manner in which States, the international community and all organs of society must act and cooperate to ensure an enabling environment for development that is sustainable, just, equitable and inclusive. It recognizes that neither the right to development can be realized, nor can all States fulfil their responsibilities, without effective cooperation among States. To this end, the Declaration imposes on States and the international community, a duty to cooperate to achieve its transformative vision.

Article 3.3 of the Declaration on RTD calls clearly for a duty of cooperation and reinforces the obligations to international cooperation already affirmed by article 55 and 56 of the United Nations Charter, article 28 of the Universal Declaration on Human Rights and emphasized by the General Comment 3 of CESCR and other numerous GA resolutions.

International cooperation should not be intended, especially by the wealthiest and developed countries, as an option and/or a way to impose on developing countries their model of development, but rather should be considered as a form of reparation for the negative legacies of colonialism and to be applied without conditionalities. The commitment to effective international cooperation and solidarity among States should include, among others, to guarantee fair aid, trade and investments, to carry out debt cancellation and transfer of technology, to end unilateral coercive measures, to revise intellectual property rights protection to guarantee access to medicines, vaccines and health products for all, financing for development, to embark in institutional and financial reforms and to strengthen climate change responses. In addition, such commitment should include to implement once for all disarmament and reduction of military expenditure in favour of social and development policies in accordance with a human rights-based approach.

While we insist on saying that the implementation of the right to development is relevant nowadays for high-, middle- and low-income countries, we would like to underline that for the Least Developed Countries such implementation is of paramount urgency and is needed more than ever.

On 5-9 March, 2023, in Qatar, the Fifth United Nations Conference on the Least Developed Countries (LDC5) will be held to identify actions and partnerships at the highest possible level, including Heads of State and Government, to deliver on the Programme of Action for Least Developed Countries.

We do hope that such a conference will undertake a comprehensive appraisal of the implementation of the Instabul Programme of Action, mobilize additional international support measures and action in favour of LDCs and agree on a renewed partnership between LDCs and their development partners to overcome structural challenges, eradicate poverty, achieve internationally agreed development goals and enable graduation from the LDC category.

We also hope that the outcomes of the conference will have at its core the respect of all human rights and the person/people centred vision of the right to development. The commitments that will be taken at such conference should constitute a further step towards the implementation of the right to development.

(1)<https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621477/bp-survival-of-the-richest-160123-en.pdf>