



42nd Session of the Human Rights Council (9 September - 27 September 2019)

ITEM 3: Clustered Interactive Dialogue with the IE on the rights of older persons and the SR on the right to development

Joint Oral Statement delivered by Associazione Comunità Papa Giovanni XXIII (APG23)

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Mr President,

APG23 and the co-signing NGOs welcome the report of the Special Rapporteur on the right to development, Mr Saad Alfaragi, and are very grateful to him for the finalisation of a set of useful guidelines that may contribute to the practical implementation of the right to development.

We consider it to be a great success after many years of deadlock in the debate especially within the Open Ended Intergovernmental Working Group where the discussion carried out on the criteria and operational sub-criteria and the set of standards for the implementation of this right were not finalised because of the high polarisation and politicisation among States and coalitions.

The guidelines are timely delivered in a crucial moment when the discussion on a legally binding instrument has began and the Chair rapporteur of the Open Ended Intergovernmental Working Group has been given the mandate to formulate a first draft of such an instrument and the Advisory Committee has been mandated to provide a study on the relevance of a legally binding instrument on RTD.

We support the idea of elaborating a legally binding instrument on the right to development because a legal approach is necessary to contribute to the realization of this right so as to leave no one behind and to enable individuals and communities to meaningfully pursue their right to development and to hold accountable the duty bearers. Moreover, a treaty on RTD will be a further important step towards the realisation of a new more humane and responsible social and international order.

We are glad that the guidelines presented by the Special Rapporteur on the right to development emphasize that the affected communities must have ownership over development agendas, budgets and processes, that States, in formulating development policies, should first conduct a human rights impact assessment and in the monitoring and evaluation of development projects should collect disaggregated data with a human rights based approach and that participation can only be effective if it is institutionalized and continuous.

Finally, we appreciate the fact that the guidelines tackle with clarity the responsibilities of development banks and investors, those non-state actors that have a key role in influencing whether the right to development is realized, given their power and resources. Thank you!