## CONTRIBUTION FROM THE REPUBLIC OF THE PHILIPPINES ON THE DRAFT CONVENTION ON THE RIGHT TO DEVELOPMENT (pursuant to HRC resolution 39/9)

In response to the OHCHR´s call for comments and textual suggestions including commentaries on the Draft Convention on the Right to Development (RTD), and in addition to the Philippines’ general and specific comments delivered during the 21st Session of the Working Group on the Right to Development held from 17 to 21 May 2021 (copy attached), the Philippines conveys the following comments and suggestions as provided by the Presidential Human Rights Committee Secretariat, the overarching mechanism under the Office of the President that monitors and coordinates the implementation of the Philippines´ human rights policies in the Executive Department and human rights treaty obligations.

***General Comments on the Draft Convention on RTD***

* The Philippines recognizes that it is the duty of the State to promote, protect, and realize the rights and fundamental freedoms of claimholders, and this includes the right to development.
* The Philippines deems it necessary that the draft convention on RTD take into account the prevailing health and economic crisis caused by the COVID-19 pandemic, which has become an obstacle in the realization of the right to development.
* The draft should also ensure that everyone, especially those from low-income economies, will benefit from scientific and technological progress made in addressing COVID-19. Coordinative action from State Parties hence becomes imperative in this regard.

***Textual Suggestions on the Draft Convention on RTD***

* On paragraph (b), Article 3, Part I of the draft Convention on RTD, in addition to the principles of accountability, empowerment, participation, non-discrimination, equality, and equity, the Philippines proposes the inclusion/integration into the process of developing the draft Convention the **principle of transparency** to ensure clarity and openness in the decision-making processes, disclosing all interrelations and linkages of actions taken. This should guarantee that all claimholders are able to effectively “participate in, contribute to, and enjoy economic, social, cultural, and political development.[[1]](#footnote-1)
* On the second paragraph of Article 8, Part III, **private sector** should be included as among the duty bearers in advancing the right to development and in creating conditions favorable to the realization of development in accordance with the UN Guiding Principles on Business and Human Rights, wherein it provides that businesses have a responsibility to respect all human rights, and this includes the right to development.
* On Article 16, Part III on gender equality, apart from women and girls, the draft should consider the inclusion of lesbian, gay, bisexual, and transgender people in the text as they face deeply-rooted prejudices and discrimination in the exercise of their rights, including the right to development. END.
1. Article 1, Declaration on the Right to Development. [↑](#footnote-ref-1)