

## **Submission in follow-up to HRC resolution 19/34 “The right to development”**

### **The Democratic Socialist Republic of Sri Lanka**

In November 2011, at its 12<sup>th</sup> Annual session, the United Nations Working Group on the Right to Development invited Governments, groups of Governments, regional groups and other relevant stakeholders, including United Nations agencies, funds and programmes and institutions, as well as other relevant multilateral institutions and forums to submit further, detailed comments and proposals on the right-to-development criteria and operational sub-criteria. Pursuant of that recommendation, the Democratic Socialist Republic of Sri Lanka submits the following views;

Sri Lanka feels that it is imperative that the proposed criteria and sub-criteria be reviewed in accordance with, and in relation to, the provisions contained in the UN Declaration of the Right to Development (A RES/41/128 December 1986), and that this document be the guiding principle in relation to all work and discussions done on the proposed criteria and sub-criteria.

While Sri Lanka is appreciative of the efforts undertaken by the high-level task force in completing its mandate, it is noted that the task force went beyond this mandate, in redefining the right to development, focusing and emphasising on certain aspects of the Declaration, and ignoring other important elements, disregarding article 9.1 of the Declaration. While the Declaration stresses the National and International responsibility for creating an enabling environment for the realisation of the right to development, the criteria presented, does not reflect the international dimension in an equal manner. Instead, it overemphasises the area of National responsibility.

The criteria and sub-criteria should address the international obstacles to the realisation of the right to development, including unequal trade relations, unsustainable debt burdens, technology transfer, restrictions on labour-flow, aid and the lack of democracy in global governance, which excludes developing countries from full-participation within the international decision making framework. The

criteria and sub-criteria should accordingly take note that, as stated in Article 4 of the declaration, effective international cooperation is essential to eliminate these obstacles and create an international climate conducive to the realisation of the right to development.

Sri Lanka would also like to recall and draw importance to the fact that once the right to development criteria and operational sub-criteria are revised and endorsed, they should be used in the elaboration of a comprehensive and coherent set of standards on the right to development, as a basis for a legally binding instrument, in line with the road-map adopted by the Human Rights Council in its resolution 4/4 and subsequent resolutions. As discussed during the 12<sup>th</sup> Session of the Intergovernmental Working Group on the Right to Development, Sri Lanka supports the call for the full integration of the multidimensional aspects of the right to development, as elaborated in the Declaration on the Right to Development, into all areas of the work of the United Nations system and international financial and trade institutions, as well as in its major processes.

Sri Lanka takes note that the criteria and sub-criteria presented by the High-level task force, does not encompass all aspects of the Declaration and considers necessary for the Declaration on the Right to Development to be the basis for all further consideration, revision and refinement of the criteria and sub-criteria, in order to achieve any real progress.