

(The contribution)

General Comments

By

The Islamic Republic of Iran

Questionnaire concerning “A consultancy study on the contribution of development to the enjoyment of human rights:” (A/HRC/RES/41/19, para. 13)

Subject: The contribution of development to the enjoyment of all human rights

REFERENCE: BEA/DVVN dated 04 January 2021

Human Right is a collective of interrelated and interdependent rights which violation in one right consequence in violation of other rights. Thereupon, precluding one right over another might not represent the internal interdependency adequately. Human Rights require wholesome address while considering the complexities and detail at the same time. The right to development is no exception.

Realization of the rights to economic, social and cultural rights is the ground for enjoyment of civic and political freedom and the relief from dread and poverty. It is as stipulated in preambles of ICCPR and ICESCR. Accordingly, realization of the right to development is as crucial as the realization of other human rights and shall not be regarded as a consequence for other rights; otherwise, it would wrongfully propagate development as the prize for adherence to other human rights and is a right rewarded by other countries, fearing that violate its inherent and undeniable nature. Furthermore, the top-down approach of the topic poses further ambiguity: in order to realize one of human rights, must all human rights be realized in the first stage?

The misleading presupposition might have derived from superficial distinction between ICCPR and ICESCR. Yet, in 1968 Proclamation of Tehran solidified the indivisible, interrelated and interdependent nature of ICCPR and ICESCR, affirming that the full realization of Civic and Political Rights are not divorced from realization of Economic, Social and cultural rights. The fact accompanied the 1969 Declaration on Social Progress and Development in providing the ground for international recognition of the Right to Development as

one of human rights and orderly dismissed the wrong and misleading presupposition. Thereupon, the posed question is advised to be revised as it only undoes the progress made in orchestrating international efforts for realization of the Right to Development.

The international consensus on recognition of the Right to Development put an end to the arbitrary approach of precluding one human right over another. In fact, all Human Rights enjoy equal value and shall be addressed in equal footing, and violation of one would violate other rights equally. Therefore, the question should be looked as whether realization of the Right to Development contributes to the realization of other human rights? This approach would also remove the ambiguity of the top-down approach. Moreover, the realization of the Right to Development fertilizes the society for natural cultivation of other human rights.

The international agreed walkthroughs are the 2030 agenda for sustainable development goals and preamble, Articles 1 and 8 of Declaration on the Right to Development. In other words, the Right to Development is the infrastructure for realization of all human rights, without which, the prospect for realization of Civic and Political Rights are not promising. Not to mention that, in case the Right to Development occasionally violates civic and political rights, in fact violates the Right to Development as well. The balance is derived from the interrelatedness and interdependency of all human rights and not precluding one right over another.

The arguments about the internal and external realization or contribution to realization of the Right to Development are all about the Right to Self-Determination and international obligation. From internal perspective, Islamic Republic of Iran stresses over the realization of development and thereupon introduced several orderly development plans to ensure the full realization of all human rights as the result and believe the equal development would bring peace and stability all around the geography. Yet, the external factor impeded the efforts.

Generally, the “Right” means the possibility of demanding something valuable from people, institutions, government or international community, to whom they are also committed to provide it or to assist in its realization. The reminder is that the development shall not be regarded as externally derived or gifted. According to Article 1 of the Declaration on the Right to Development, the

right to development is natural and undeniable right based on human dignity, that a society attributes it itself and not been attributed externally or gifted as per superiority. Accordingly, the Right to Development is not demandable from outside but other countries have moral responsibility to assist less developed countries a dignified development.

In this line, the 1993 Vienna Declaration and Program of Action not only reaffirm the Right according to the responsibilities of States, but also the commitment under Article 56 of the United Nations Charter channelized it through the joint and separate actions.

Unfortunate, the Right to Development is under violation of external factors, and in respect to the interrelatedness and interdependency of all human rights, for sure violates the other human rights and undermine peace and stability. The most prominent sources of violation are the unilateral coercive measures and their negative impacts on the enjoyment of all Human rights including the Right to Development, despite international obligations, and prevention of the transfer of knowledge despite repeatedly stipulation in different General Assembly and Human Right Council resolutions and 2030 agenda for sustainable development goals important for realization of the Right to Development.

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