

The Seventh Session of the Expert Mechanism on the Right to Development
Concluding remarks by the Chair, Mr. Bonny Ibhawoh
5 April 2023, New York

Excellencies,
Distinguished delegates,
Colleagues and friends,

The Expert Mechanism concludes its seventh session and thanks Member States, civil society, UN experts, and academics for their substantive engagement and the productive discussions undertaken. The Expert Mechanism welcomes the questions, answers, and suggestions made during these three days. They will help formulate the conclusions, outcome and recommendations of its annual report which will give account of this session and the sixth session held in Geneva in October/November 2022. The annual report will be submitted to the 54th session of the Human Rights Council in September 2023.

The Expert Mechanism welcomes the support of Member States to the right to development and expresses its appreciation of their engagement with the Mechanism. The Mechanism notes the reiterated call from many Member States for operationalization of the right to development to address the multiple global crisis that are unfolding: geopolitical, financial, climate. The Mechanism appreciates the value they see in the mandate of the Mechanism and the value it adds. There were many contributions made on the topics of solidarity and international cooperation to overcome the multiple ongoing global crises. The Mechanism recognizes that the right to development is rooted in the universality, indivisibility, interrelation, and interdependence of all human rights. The Expert Mechanism reaffirms that the implementation of the Right to Development cannot be seen purely from an economic dimension but should rather consider the constant improvement of the well-being of all individuals and peoples everywhere, where all human rights and fundamental freedoms are fully realized.

The Expert Mechanism adopts ad referendum three studies on Inequality, social protection and the right to development (A/HRC/EMRTD/7/CRP.4), The right to development in international investment law (A/HRC/EMRTD/7/CRP.2), and The duty to cooperate and non-State actors (A/HRC/EMRTD/7/CRP.3). Subject to final amendments, the Mechanism decides to submit these three studies to the Human Rights Council at its fifty-fourth session for its consideration. The Expert Mechanism expresses its gratitude to Mr. Bonny Ibhawoh, Ms. Klentiana Mahmutaj, and Mr. Koen De Feyter who served as authors of these studies, and to all Member States and other stakeholders who submitted inputs and provided comments and expert reviews in the course of the preparation of the study.

The Expert Mechanism held five interactive dialogues on the right to development approach to the new agenda for peace, moving beyond GDP, reform of the international financial architecture, rights of future generations, and youth participation. The Mechanism deeply appreciates the engagement of all distinguished guest speakers at its different focused thematic discussions and valuable inputs from Member States, civil society, and academic experts. The Mechanism will consider their contributions and will formulate its own inputs and recommendations on these themes to assist Member States in the processes leading up to the SGD Summit in September 2023 and the Summit of the Future in 2024.

The Expert Mechanism held an interactive dialogue on the right to development approach to the New Agenda for Peace and deeply appreciates the engagement of H.E. Mr. Peter Mohan Maithri Pieris, Permanent Representative of Sri Lanka, Mr. Daniel Zavala Porras, Chargé d’Affaires, a.i. Permanent Mission of Costa Rica, General Birame Diop, Military Advisor, Department of Peace Operations, and Professor Azza Karam, Secretary-General of Religions for Peace and member of the High-Level Advisory Board on Effective Multilateralism. The Mechanism recognizes the alignment between the right to development and the right to peace and acknowledges the ongoing efforts to connect the three agendas of development, peace, and human rights. The Mechanism notes the emphasis on the responsibility of States as duty bearers to providing an enabling environment for equitable development, including the duty to cooperate to eliminate obstacles to development. The Mechanism appreciates the inputs that highlight the need to invest in peace to prevent and address the root causes of conflicts, as well as the role of religious actors and faith institutions. The Mechanism also appreciates the challenges of building and sustaining peace beyond, not only in conflict zones but also in context of high levels of violence.

The Expert Mechanism held an interactive dialogue on the right to development approach to moving beyond GDP and deeply appreciates the engagement of H.E. Dr. Agnes Chimbiri-Molande, Permanent Representative of Malawi, Ms. Anu Peltola, Acting Director of Statistics, UNCTAD, and Professor Sakiko Fukuda-Parr, The New School, Chair of Committee for Development Policy. The Mechanism notes the wide recognition of the serious limitations of the overreliance on the use of GDP as a measure for progress and cooperation, and particularly as criterium for concessional financing, development cooperation, and technological transfer. The Mechanism notes the urgent need to use multidimensional measures that are more adapted to reflect realities and concerns of peoples and countries at this critical juncture in human history. It particularly notes marginalized groups and countries in vulnerable situations including least developed countries, land-locked countries, small island developing states, countries in and at risk of debt distress. The Mechanism notes the need to contextualize achievement outcomes and States’ differentiated responsibilities based on the level of resources available. Participants pointed out the challenges of systemic changes including change of rule in the financial system, including access to finance. They also noted the challenges of moving beyond purely quantitative measures to include qualitative measures, utilizing the abundance of data and indicators in policy-setting and decision-making, and localizing indicators that can enable local actions. The Expert Mechanism notes the call for its further engagement with actors involved in ongoing processes, such as the High-level Panel on the MVI, to benefit from their perspectives and experience which could support the operationalization of the right to development. The Mechanism recalls the continued relevance of the Declaration of the Right to Development in this debate and in affecting norms and policy changes.

The Expert Mechanism held an interactive dialogue on the right to development approach to the reform of the international financial architecture and deeply appreciates the engagement of H.E. Mr. Munir Akram, Permanent Representative of Pakistan, H.E. Mr. Hernán Pérez Loose, Permanent Representative of Ecuador, and Mr. Juan Pablo Bohoslavsky, National Council for Scientific and Technical Research of Argentina. The Mechanism recognizes the urgent calls for reform of the international financial architecture to address debt issues which impact both current and future generations, including the realization of their fundamental human rights. Among others, the participants pointed out multiple concerns over weak and unequal governance structures in the international financial architecture, short-sighted lending policies and practices, including surcharges, that compound vulnerability, their inadequacy in providing relief to countries that are confronted with a multitude of crisis. The Mechanism recognizes the

inputs that highlight the importance of political will, the collective dimensions of solutions, and the potential of collective bargaining of in-debt countries.

The Expert Mechanism held an interactive dialogue on the right to development approach to the rights of future generations and deeply appreciates the engagement of H.E. Mr. Brian Wallace, Permanent Representative of Jamaica, Ms. Michèle Griffin, Director of the Common Agenda Team, EOSG, and Mr. Carroll Muffet, President and CEO of Center for International Environmental Law. The Mechanism appreciates the inputs that highlight the importance of embedding long-term intergenerational thinking and investing in current generations especially in youth and their initiatives. The Mechanism recognizes that there is no inherent contradiction between the short-term and long-term actions. What needs changing are not existing multilateral agreements but the arrangements that enable their delivery and implementation. Addressing existing deep-seated intragenerational inequalities, including racism, poverty, environmental and climate injustices, will also address the question of intergenerational justice and equality. Notwithstanding the potential gaps between what is promised and what can be realized regarding the rights of future generations, the Mechanism recognizes the importance of setting principles and integrating them into existing processes and regimes that can enforce greater duties and responsibilities of current generations. It also notes the implications of various areas that are yet to be legislated but will have unavoidable impacts on future generations, including technology development and the use of artificial intelligence. The Expert Mechanism recognizes the non-temporal character of international human rights law, inclusive of the right to development, which allows for their progressive interpretation with regards to the rights of future generations.

The Expert Mechanism held an interactive dialogue on the right to development approach to youth participation and deeply appreciates the engagement of H.E. Mr. Osama Abdelkhalek, Permanent Representative of Egypt, Ms. Marija Vasileva-Blazev, Officer-in-Charge and Special Advisor to the Secretary General's Envoy on Youth, and two youth participants Ms. Srruthi Lekha Raaja Elango, and Ms. Rosario Diaz Garavito. The Mechanism recognizes the creation of the UN Youth Office to reflect the global priority to increase participation of youth and their central role in development. The Mechanism appreciates the inputs that highlight the disproportionate impacts and burden on youth, the need for efforts at both national and inter-governmental levels. The Expert Mechanism recognizes that exclusion of youth from decision-making processes is a violation of their human rights and that structural barriers for participation must be removed. The Mechanism recognizes the calls for investing in youth, their expertise and their capacity, including through financing and mobilization of resources, to enable their participation in mainstream and not parallel decision-making processes. Suggestions from several Member States include fair and equitable professional development opportunities at the UN for youth from the Global South. Similarly, youth participants pointed to the urgent need for structural changes so that youth have a leading role in development projects implemented in their locations. The Expert Mechanism acknowledges the distinct needs of children and of youth. The Mechanism notes the recommendation to better connect youth with the right to development agenda, including through its operationalization.

As the Mechanism finishes its first 3-year term, it discusses lessons learned and way forward.

The Expert Mechanism finds this session to have been remarkably productive and enriching. The Mechanism thanks once again the support of Member States which facilitated the organization of this in-person session in New York, where most development-focused intergovernmental processes are negotiated and where key development actors are based. This

deepens the Expert Mechanism's interaction with stakeholders and adds richness to the discussion, which was also appreciated by Member States and civil society representatives during the seventh session. The Mechanism looks forward to continuing engagement with Member States, United Nations entities, Intergovernmental organizations; Regional organizations and mechanisms in the field of human rights; National human rights institutions and other relevant national bodies; Academics and experts on development issues as well as, with civil society organizations.

The Expert Mechanism will hold its eighth session in Geneva from 30 October to 1 November 2023.

Thank you.