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Chair: Mr. Hilale (Morocco)

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The meeting was called to order at 3.10 p.m.

Agenda item 72: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

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(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)

(A/70/313, A/70/332, A/70/352, A/70/362, A/70/392, A/70/393, A/70/411, A/70/412, A/C.3/70/2, A/C.3/70/4, and A/C.3/70/5)

1. **Mr. Akram** (Chair-Rapporteur of the Working Group on the Right to Development) recalled that the General Assembly, in its annual resolutions on the right to development, had repeatedly underlined the importance of taking into account the need to promote the democratization of the system of international governance; promote effective partnerships with developing countries; strive for greater acceptance, operationalization and realization of the right to development at the international level; consider ways and means to operationalize the right to development as a priority; and mainstream the right to development in the policies and operational activities of the United Nations system and of the international financial and multilateral trading systems.

2. At its sixteenth session, the Working Group on the Right to Development had continued to consider, revise and refine the criteria and operational subcriteria of the right to development at its second reading. As that reading had not helped to bridge differences of opinion, he had proposed that the Working Group agree on a different future course of action to accomplish its mandate. He had then been tasked with elaborating a set of standards for the implementation of the right

to development, based on agreed language derived from the United Nations Declaration on the Right to Development and other relevant international instruments. He had begun the process of consulting with Member States, relevant international and regional organizations, civil society and other stakeholders, and his document would be based on an analysis of all relevant United Nations resolutions, international conventions and internationally agreed development goals. The Human Rights Council had requested that the Working Group convene a formal meeting after its next session to discuss the set of standards he would be proposing.

3. The Working Group had decided that the document would be without prejudice to its discussions on the draft criteria on the right to development and the operational subcriteria. It had agreed to take appropriate steps to ensure respect for and practical application of the standards, which could take various forms, including guidelines on implementing the right to development, and become a basis for consideration of a binding international legal standard through a collaborative process of engagement. The Working Group had also decided to discuss the post-2015 development agenda in the context of the right to development and would study the contributions of States at the national, regional and international levels to implement the right to development in accordance with the Sustainable Development Goals.

4. In order to commemorate the thirtieth anniversary of the United Nations Declaration on the Right to Development, the Working Group recommended that the United Nations High Commissioner for Human Rights should seek the views of Member States to prepare a report on the realization and implementation of the right to development and submit it to the Working Group at its seventeenth session; that the General Assembly should consider holding a high-level segment on the right to development during the general debate at its seventy-first session; that the Human Rights Council should dedicate its 2016 high-level panel discussion on human rights mainstreaming to the right to development; and that Member States should hold events individually and collectively to commemorate the anniversary. It was the shared responsibility of Member States to give practical and tangible shape to the Declaration, which was an essential component of universal human rights.

5. **Ms. Vadiati** (Islamic Republic of Iran), speaking on behalf of the Non-Aligned Movement (NAM), said that it was essential to ensure the realization of all human rights and fundamental freedoms, in particular the right to development. The 2030 Agenda for Sustainable Development was guided by the United Nations Declaration on the Right to Development and recognized the need to build peaceful, just and inclusive societies that upheld justice and were based on respect for human rights. NAM maintained that the right to development should be central to the implementation of the 2030 Agenda. The thirtieth anniversary of the Declaration presented a unique opportunity for the international community to demonstrate its commitment to the right to development and redouble its efforts in that regard, including through the organization of a high-level session of the General Assembly.

6. **Ms. Smaila** (Nigeria) said that the right to development was of vital importance, as development, peace and human rights were interwoven. Sustainable development could not be attained without respect for human rights and fundamental freedoms, and human rights could not be guaranteed without development. The right to development must therefore be considered integral to the implementation of the 2030 Agenda. Although international cooperation and solidarity were indispensable in that regard, States must take steps to establish, promote and sustain national and international arrangements allowing development to take root. Constructive and objective dialogue between Governments was necessary to create a favourable economic environment, share best practices, and enhance international economic cooperation and the effective development of policies at the national level. It was necessary to address the impact of international economic issues such as the debt burden, the transfer of technology, market access and the terms of trade. Her Government recognized its obligation to ensure that all citizens were given the opportunity to develop their potential to the full.

7. **Ms. Moreno Guerra** (Cuba) asked whether the outcome of the proposed special segment of the seventy-first session of the General Assembly to commemorate the anniversary of the United Nations Declaration on the Right to Development would be taken into account in the future deliberations of the Working Group and future discussions on the right to development in the context of the 2030 Agenda. She

also asked what actions could be taken by the United Nations to commemorate the anniversary of the Declaration; and how the United Nations could contribute to realizing the right to development so that it could be considered on an equal basis with all other human rights, particularly in the context of the 2030 Agenda.

8. **Ms. Moutchou** (Morocco) said that the right to development was central to the implementation of the 2030 Agenda, the Addis Ababa Action Agenda, and the adoption of a universal climate change agreement at the twenty-first Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC). The right to development was still far from being universally realized. The international community must use the anniversary of the Declaration to reflect on what had been achieved and what needed to be done. The right to development was more relevant than ever due to the global crises faced by the international community, which disproportionately affected developing countries and vulnerable populations. The international community must react responsibly and cooperate to create favourable conditions for development.

9. **Ms. Cedeño Rengifo** (Panama) said that the relationship between ethics and development was very important to her delegation and in the implementation of the 2030 Agenda. She asked the Chair-Rapporteur for his views on the subject.

10. **Ms. Le Shuang** (China) said that her country was concerned by the lack of progress made at the sixteenth session of the Working Group. The right to development meant that all individuals could actively, freely and meaningfully participate in political, economic, cultural and social development and equitably enjoy the benefits of such development. It went beyond the traditional concept of human rights, but could help promote the realization of other human rights. Realizing the right to development was important and urgent for developing countries. China regretted the increasing trend in the international field of human rights for giving greater emphasis to civil and political rights over economic, social and cultural rights. The status of the right to development was incompatible with its importance in international human rights fields and was not in conformity with the principles of the Declaration. China hoped that the Office of the High Commissioner for Human Rights (OHCHR) would give further support to the Working

Group and asked the Chair-Rapporteur to further elaborate on how the adoption of the 2030 Agenda could be used as an opportunity to promote the right to development.

11. **Ms. Naidoo** (South Africa) said that her country had consistently advocated the right to development approach. That approach had added value to the realization of the Millennium Development Goals and should be central to the implementation of the 2030 Agenda, especially as it provided an integrated, holistic and cohesive framework for achieving equitable international development for people everywhere. South Africa agreed that the second reading of the criteria and subcriteria had had limited impact. Despite the consensus reached on recognition of the right to development, South Africa was concerned that political discourse within the United Nations, including the Working Group on the Right to Development, was often characterized by predictable posturing rather than practical dialogue on implementing the right to development. There was a consequent lack of tangible results. Regarding the anniversary of the Declaration, South Africa looked forward to participating in specific activities, including those organized by OHCHR, to ensure that the realization of the right to development received due attention and was enjoyed by all.

12. **Mr. Khan** (Pakistan) said that there was a need to establish clearly the practical and operational components of the right to development so that it could be pursued under the 2030 Agenda. The Chair-Rapporteur's work was therefore particularly important in the emerging development scenario and Pakistan supported his undertaking to propose a set of standards. He suggested that the Chair-Rapporteur should review the reports of the Independent Expert on the promotion of a democratic and equitable international order and the Special Rapporteur in the field of cultural rights to establish any interlinkages with his own work.

13. **Mr. Akram** (Chair-Rapporteur of the Working Group on the Right to Development), responding to the representative of Cuba, said that it was primarily the responsibility of developing countries to ensure that the anniversary of the Declaration on the Right to Development was celebrated and observed in a fitting manner. It was not enough to hold a high-level segment of the General Assembly. The right to development must be observed within countries and in every possible forum, including the media, so that awareness

could be increased and the international community beyond the United Nations could be sensitized to the importance of that right. All Member States should cooperate and work together to ensure that the right to development was given the highest degree of awareness and publicity. The Sustainable Development Goals provided a major impetus to realization of the right to development. Indeed, the concept of sustainable development was integral to the right to development. An increased focus on a practical, realistic and pragmatic realization of the Sustainable Development Goals would enhance the ability to achieve the right to development.

14. Responding to the representative of Panama, he said that human rights could not be discussed without addressing human needs. There were different aspects to development, particularly in the least developed countries where core issues such as hunger and the availability of drinking water needed to be addressed. The right to development was a cross-cutting issue as it addressed ethical concerns, as well as development itself. In that regard, recognition of the right to development as a fundamental human right was the most critical step in recognizing the ethics of development.

15. Responding to the representative of China, he said that the right to development needed to be viewed as an integral component of the Sustainable Development Goals. Realization of those Goals would enable the right to development to be realized.

16. Responding to the representative of Pakistan, he said that there was an integral relationship between his mandate and those of the Special Rapporteurs and Independent Experts as the right to development covered a range of areas where development and progress were needed. Issues addressed in the Human Rights Council and in General Assembly resolutions on, inter alia, the right to food, water, sanitation, housing and employment, were part of the right to development. He would take a cross-cutting approach as he formulated the set of standards to be met in order to achieve the right to development.

17. **Ms. Elver** (Special Rapporteur on the Right to Food), introducing her second report (in document A/70/287), said that over the past year she had witnessed first-hand some of the many obstacles faced by States and individuals around the world in realizing the basic right to adequate food and nutrition. Climate

change represented one of the most significant challenges to global food security and was already adversely affecting approximately 1 billion of the world's poor. Visits to vulnerable communities had shown her the serious impact of climate change and extreme weather events. While climate change itself negatively impacted agriculture, current agricultural practices and food systems harmed the environment and accelerated human-induced climate change. Climate change was undermining the right to food, disproportionately impacting those who had contributed the least to global warming but were the most vulnerable to its harmful effects.

18. The threats posed by climate change to food security, including the availability, adequacy and sustainability of food, were poised to affect a huge number of people, potentially leaving an additional 600 million people at risk for malnutrition by 2080. The manifestations of climate change, such as the frequency and intensity of extreme weather events, had an overall negative effect on people's livelihoods. Failure to enact appropriate policies would pose a threat to global peace and security. Climate change and hunger could no longer be considered a problem that affected only people living in remote places. Instead, urgent action should be taken to prevent the intensification of climate change, to mitigate greenhouse gas emissions, and to adapt to its unavoidable effects. Climate change mitigation and adaptation policies should respect the right to food as well as other fundamental human rights. Shifting to clean energy to reduce greenhouse gas emissions should not compete with food security.

19. Feeding the world had resulted in a push for large-scale production-oriented agricultural models. However, it was proven that increased production did not necessarily bring about a reduction in the number of people suffering from hunger and malnutrition. Hunger and malnutrition were a function of economic and social inaccessibility, not production. Moreover, one third of all food produced was used to feed animals; nearly 5 per cent was used to produce biofuels; and as much as one third was wasted along the food chain. Agriculture and food systems needed to be reformed to ensure their responsiveness to the challenges of climate change and environmental degradation. More importantly, reforms should ensure that the right to adequate food, equitable access to food, and its fair distribution were protected.

20. Food security and adaptation to climate change could be mutually supportive. In many situations, strategies to reduce vulnerability to climate change would also increase food security. There was a need for a major shift from industrial agriculture to transformative activities such as the promotion of agroecology. Uneven capabilities and exposure to danger made climate change the biggest human rights and justice issue at the current time; solving the problem should therefore be obligatory. Whether there would be sufficient political will to implement that recommended shift in agricultural policy was the lingering uncertainty that cast a shadow over the future of food security and the realization of the right to food. It was necessary to encourage agroecological approaches to food security, and to integrate the commitment to climate justice and human rights within the climate change regime, neither of which could be realized without the support of civil society and Governments. The new climate agreement must include a reference to ensuring food security.

21. **Ms. Moreno Guerra** (Cuba) said that the Special Rapporteur's report was timely given the global impact of climate change. The draft resolution on the right to food that would be introduced by her delegation had already been updated to reflect the report's call for a new agreement to be reached at the twenty-first Conference of the Parties to UNFCCC that referred to the impact of climate change on realizing the right to food. There was an intrinsic relationship between Goal 2 of the Sustainable Development Goals and the right to food; she asked how that Goal could be implemented effectively by States and relevant bodies in the United Nations system to fully achieve the right to food.

22. **Mr. Cepeda** (Mexico) said that the Special Rapporteur's report was particularly relevant to countries such as Mexico, which had suffered as result of natural phenomena connected to climate change. Mexico was striving to ensure the provision of food for people living in extreme poverty and suffering food insecurity through an increase in production and in income for farmers and small agricultural producers. To that end, Mexico was promoting food security by encouraging small- and large-scale national production and the development of the technical and organizational capacities of the vulnerable rural population at the local level. However, it was necessary to strengthen the focus on prevention and

mitigation of climate change to ensure the right to food. He asked what structural components needed to be observed in policies in order to adapt to climate change while maintaining respect for human rights, including the right to food; how recommendations could be implemented while guaranteeing that land used for food production was not threatened; and how businesses and scientific research institutions could be involved in creating a vision of human rights in the production and sale of food which took into account the environment and the effects of climate change.

23. **Ms. Probst-Lopez** (Switzerland) said that her delegation welcomed the Special Rapporteur's emphasis on the importance of agroecology, as well as the focus on women, children and indigenous peoples, who were strongly exposed to the risks associated with climate change. Her Government was committed to the swift, effective and non-discriminatory implementation of the 2030 Agenda for Sustainable Development. It urged all States to adopt and apply a human-rights based approach in their efforts to reach a new agreement at the twenty-first Conference of the Parties to UNFCCC. She asked the Special Rapporteur what additional measures could be taken to ensure a human-rights based approach in international climate policy.

24. **Mr. Habib** (Indonesia) said that his Government's commitment to ensuring the availability of food to meet basic needs, both at the central and the regional levels, was reflected in the adoption of relevant regulations and policies. In 2013, his Government had received an award from the Food and Agriculture Organization of the United Nations in recognition of its consistent work to reduce hunger and malnutrition. His Government would remain steadfast in its commitment to building an environment that was conducive to the eradication of poverty and hunger, and to the reduction of food vulnerability and malnutrition. Indonesia was awaiting a response from the Special Rapporteur with regard to a country visit in 2016, and looked forward to constructive engagement with her.

25. **Ms. Al-Temimi** (Qatar) said that her delegation was concerned about the effects of malnutrition on all societies. The international community should endeavour to ensure adequate nutrition, including by assisting small farmers and women. Investments made in agriculture should take climate change into account, while agricultural practices should take into consideration such issues as deforestation and the improvement of soil conditions.

26. **Ms. Hjelde** (Norway) said that with over 800 million people suffering from hunger on a daily basis, the right to food should be central to any food security strategy. She asked the Special Rapporteur to share her views on the role of fisheries in the context of climate change and global food security. Land grabbing, of which there was no mention in the report, should be given more focus. Finally, as women had long been poorly represented among the professional ranks of agricultural organizations, priority should be given to the selection and development of gender-sensitive partners in developing countries.

27. **Ms. Seppäläinen** (Observer for the European Union) said that the European Union would continue to support the mandate and work of the Special Rapporteur. She asked how collaboration among international institutions could be enhanced to address the way in which climate-change-mitigation policies impacted the right to food. She also asked the Special Rapporteur what her views were on the implementation of 2030 Agenda for Sustainable Development, in particular Goal 2, and what the priority areas were with respect to the implementation of that Goal.

28. **Ms. Naidoo** (South Africa) asked the Special Rapporteur to explain how the application of a right-to-development-based approach could elevate the practical enjoyment of all human rights while simultaneously achieving human development. The need to ensure justiciability was relevant when determining how best to ensure the right to food at the national level. Respect for the principle of common but differentiated responsibilities and respect for the individual capabilities of States should be upheld in that regard. Furthermore, developed countries should provide the essential financial and other types of support to developing countries, thereby allowing them to address the climate challenge to the best of their ability.

29. **Ms. Pérez Gómez** (Colombia) said that risk-management policies should be promoted to aid communities impacted by climate change. It was essential to recognize the complex relationship between climate change and agriculture. It was also necessary to combat desertification, protect water reserves, and conserve biodiversity for food security. Countries, in particular the most developed countries, should review their consumer patterns, taking care to avoid food wastage. Colombia and the Independent Association of Latin America and the Caribbean hoped that the agreement reached at the twenty-first Conference

of the Parties to UNFCCC would allow for the differentiation of responsibilities that was not limited to the two traditional types of countries, developing and developed. Rather, all countries should make commitments based on their capacity. Colombia asked what measures could be implemented to assist small farmers to improve their food production.

30. **Ms. Vadiati** (Islamic Republic of Iran) said that the reduction of vulnerability to climate change should be prioritized, and that a rights-based approach was essential in that regard. She asked the Special Rapporteur how the right to food could be given a central place in the implementation of the 2030 Agenda for Sustainable Development; and encouraged the Special Rapporteur to analyse the relationship between the realization of the right to food and implementation of the 2030 Agenda for Sustainable Development in her next report.

31. **Ms. Garcia Gutierrez** (Costa Rica) said that her delegation endorsed the importance of mitigation and adaptation measures to enhance the ability of the most vulnerable populations to deal with the effects of climate change. She asked the Special Rapporteur to elaborate on how human rights principles could be better integrated into intergovernmental processes such as the elaboration of a new climate agreement at the Conference of the Parties to the United Nations Framework Convention on Climate Change.

32. **Ms. Mucaui** (Food and Agriculture Organization of the United Nations (FAO)) said that FAO commended the emphasis in the report on the most vulnerable people, including women, children, people with disabilities and those suffering socioeconomic discrimination.

33. FAO focused on the promotion and implementation of well-designed social protection programmes intended to break the vicious circle of poverty and hunger by reducing the gap between earned incomes and the poverty line. In the context of complex climatic shocks, public programmes, such as social protection and resilience building programmes, should be increasingly prioritized, in particular to ensure increased food and nutrition security for the most vulnerable and marginalized populations. Boosting both public and private investment, in particular for farmers, to raise rural and agricultural productivity and incomes, was important to the sustainable eradication of extreme poverty and hunger. Efforts should be made to address both adaptation and mitigation efforts to

combat climate change and ensure food security. Agroecological practices were one way to respond to the degradation of natural resources, climate change and food insecurity. Making agriculture and food systems more resilient, sustainable and resistant to climate change should be an overarching policy and development priority for all States in order to guarantee the full enjoyment of the human right to adequate food.

34. **Ms. Moutchou** (Morocco) said that Morocco was the first country in its region to have elaborated a national strategy for nutrition for the period 2011-2019. Government departments regularly conducted relevant studies to ensure that the necessary conditions for adequate nutrition were in place. The response to the challenges posed by climate change, in particular its effect on agriculture, would require the prioritization of those groups most vulnerable to the consequences of climate change. She asked how that reality could be incorporated in the upcoming climate change negotiations at the twenty-first Conference of the Parties to UNFCCC.

35. **Ms. Elver** (Special Rapporteur on the Right to Food) said that the issues of human rights and the right to food were often ignored in the context of climate change negotiations. The international community would have to change its approach if it wished to achieve the goals of the 2030 Agenda for Sustainable Development.

36. Close examination revealed the absence of a human-rights-based approach even in the Sustainable Development Goals; the same could be observed in article 2 of the United Nations Framework Convention on Climate Change, which did not distinguish between food production, food security and the right to food. It was now understood that increased food production could exacerbate environmental problems. The international community should take an environment- or climate-justice-centred approach. If the international community wished to incorporate the right to food or a human-rights-based approach in its efforts to combat the effects of climate change, it simply needed to include words to that effect in the agreement to be adopted at the twenty-first Conference of the Parties to UNFCCC.

37. Land grabbing, which should be the subject of a specific report, and which she had referenced in a previous report in connection with corporate

responsibility, often took place in the context of the production of biofuels, the unintended consequences of which had taken years to emerge.

38. With respect to the invitation from the Government of Indonesia, she said that her Office's workload had prevented it from responding earlier, but a response was forthcoming. In visits to the Philippines and Morocco, she had observed a number of interesting projects, although they were not without issues. Country visits made it possible to connect with local people and to gain an understanding of what went on at the local level, a valuable supplement to the preparation of reports.

39. **Mr. Alston** (Special Rapporteur on extreme poverty and human rights), introducing his report (A/70/274) on the human rights policy of the World Bank, said that the existing approach taken by the World Bank to human rights was incoherent, counterproductive and unsustainable. In its operational policies, in particular, the World Bank was a human rights-free zone. The biggest obstacle to an appropriate approach was its anachronistic and inconsistent interpretation of the provisions prohibiting political activity contained in its Articles of Agreement. Its bizarre position that human rights were quintessentially matters of politics and had no significant economic dimensions that it could legitimately address left it unable to engage meaningfully with the international human rights framework or assist its member countries in complying with their human rights obligations. That, in turn, inhibited the World Bank's ability to take adequate account of the social and political economy aspects of its work within countries, which ran counter to the international community's consistent recognition of the integral relationship between human rights and development and prevented the World Bank from acting on much of its own policy research and analysis. The Bank persisted in its refusal to engage in dialogue with its many stakeholders who argued that it should have an appropriate human rights policy. Instead, it refused to work with certain individuals, labelled prominent civil society groups as extremist and abruptly cancelled meetings following the publication of critical reports.

40. The World Bank had explicitly expressed its intention to continue in its role as a leader in the area of development, including through the implementation and promotion of the Sustainable Development Goals, yet it took the position that it was not legally able to

incorporate human rights issues into its work. The President of the World Bank had recently sought to underscore a newfound commitment to working with the United Nations and other stakeholders in a more integrated approach between political negotiations, humanitarian response and development in conflict and post-conflict situations, noting the weaknesses of its past strategies in the Middle East and North Africa. However, the World Bank could not aspire to be a central development actor or avoid its past mistakes unless it engaged meaningfully with human rights.

41. A recurring theme in the World Bank's internal evaluations was the need to take adequate account of the "political economy" of the contexts in which it worked, to mitigate risks and to identify systemic obstacles. There were therefore strong arguments that, in the interest of the effectiveness and sustainability of its efforts, it should systematically take account of human rights factors in the design and implementation of its projects and programmes. Such an approach should not be based on conditionality, and no actor should seek to prevent the World Bank from engaging with specific Governments; the World Bank's approach to human rights must be constructive, nuanced and proactive.

42. The Bank was an admirable leader on human rights issues, but its work remained purely theoretical because it refused to engage meaningfully with the relevant human rights framework. He hoped that the Secretary-General and the President of the World Bank would discuss, as a matter of priority, the need for the World Bank to adopt a human rights policy that was compatible with that of the United Nations.

43. **Ms. Pérez Gómez** (Colombia) said that financial institutions had to make a greater commitment to the achievement of sustainable development for all, in line with the 2030 Agenda for Sustainable Development. Action must be taken to implement the commitments to invest more in developing countries and increase their participation in the adoption of economic decisions and rules and in global economic governance. It was also important to recognize the significant impact that financial institutions had on the promotion of human rights when their work was aimed at improving the standard of living of the population. Increased efforts should be made to address current challenges, promote the exchange of experience and ensure better coordination and support between the United Nations development system and the international financial

institutions. She asked the Special Rapporteur to discuss further the coherence and interaction that must exist between humanitarian and development activities.

44. **Ms. Hjelde** (Norway) said that her delegation commended the World Bank for incorporating a human rights perspective in the current version of its vision statement for its environmental and social safeguard policies to a greater extent than it had in previous versions. It was not the World Bank's role to monitor countries' human rights performance, but it did have a responsibility to ensure that its projects did not violate human rights. Moreover, the World Bank must respect the obligations assumed by its member countries under international law, and she encouraged the World Bank to cooperate closely with the United Nations in that regard. The World Bank's twin goals of eliminating extreme poverty by 2030 and boosting shared prosperity undergirded the human rights agenda. In that connection, she asked the Special Rapporteur to elaborate on the statement in the report that Bank-financed projects and programmes went to great lengths to avoid any operational references to human rights.

45. **Mr. Ríos Sánchez** (Mexico) said that human rights should be mainstreamed across the United Nations system; in accordance with Economic and Social Council General Comment No. 2, United Nations organs and agencies should specifically recognize the intimate relationship which should be established between development activities and efforts to promote respect for human rights. In that regard, he asked whether independent assessments of the impact of the system's human rights efforts could be an effective way to develop an ad hoc framework enabling bodies that did not already have appropriate mechanisms in place to formally recognize human rights. He also asked what the first steps should be towards the development of a plan for conducting human rights impact assessments, what methodology could be used to establish a framework for cooperation between Human Rights Council mechanisms and other parts of the United Nations system, and what good practices had been identified in the mainstreaming of human rights by United Nations bodies and mechanisms, in particular those working in the area of development.

46. **Ms. Seppäläinen** (Observer for the European Union) asked what strategies could be followed to ensure the effective participation of people living in extreme poverty, given that the reduction of poverty

must necessarily involve empowerment and the recognition of people living in poverty as full participants who aspired to exercise their human rights, assume their responsibilities and participate in decision-making in matters concerning them.

47. **Ms. Martins Yassine** (Brazil) said that her delegation welcomed all initiatives that shed light on a lack of consistent patterns within organizations that might have given rise to double standards and selectivity regarding the situation of human rights in certain countries. Improved dialogue between the World Bank and human rights experts and mechanisms could help address development and human rights challenges. The World Bank's mission to reduce poverty had a positive effect on all human rights, in particular economic, social and cultural rights. Care should be taken to ensure that any new safeguards or conditionalities did not place undue constraints on borrowers; the Bank should work with borrowers on means to prevent projects from having a negative impact on human rights while properly and actively fulfilling its mandate to promote sustainable development. Any new human rights policy developed by the World Bank should be discussed in an open and transparent manner by its Board of Directors, and any additional costs or requirements that would affect borrowers must be taken into consideration. Furthermore, steps must be taken to improve the representation of developing countries within the international financial institutions in order to enhance the legitimacy of any debate on a potential World Bank human rights policy. The promotion and protection of human rights would be greatly enhanced if donor countries made more effort to meet their official development aid responsibilities.

48. **Ms. Garcia Gutierrez** (Costa Rica) said that while human rights formed an integral part of policies and debates at the national and international levels, there was a worrying lack of focus on human rights in the policies and practices of the World Bank and other international development finance institutions. The commitment to future cooperation between the United Nations and the World Bank was a step forward, but she wondered whether it was sufficient, given the apparent lack of institutional will to bring about real change.

49. **Mr. Alston** (Special Rapporteur on extreme poverty and human rights) said that improving coordination between humanitarian and development efforts seemed

to be a major challenge because there was little communication between ministries of finance and Government human rights entities. Initiatives to improve communication would help demythologize human rights and help finance officials to understand that incorporating a human rights perspective in their work would be feasible and beneficial.

50. In his view, the current version of the World Bank's vision statement for the new version of its safeguards was deeply problematic, as it did not contain any real commitment to human rights. Moreover, it simply referred to the "aspirations" contained in the Universal Declaration of Human Rights, failing to take into account the legal obligations assumed by States since the adoption of the Declaration. The references to human rights in the vision statement would need to be significantly strengthened in the third round of the World Bank's consultations on the safeguard policies. He agreed that the World Bank should not monitor human rights, but there was no logic to the suggestion that if the Bank became involved in human rights it would take on a monitoring and enforcement role; agencies such as the United Nations Children's Fund and the United Nations Development Programme took human rights into account in their work without assuming any such functions. The sole responsibility for monitoring and evaluation lay with the human rights bodies.

51. The concerns expressed about the transparency of discussion on human rights policy and the need to ensure that safeguards were not overly restrictive were valid. However, the World Bank's Board of Directors had avoided any discussion of human rights policy and had engaged in political debates on human rights as they related to particular countries, which had inevitably been problematic. As a starting point for developing a human rights policy, the World Bank should undertake to endeavour to respect human rights in its work and to seek to assist borrowing countries to comply with their human rights obligations, where relevant.

52. The World Bank and other development actors had spoken for many years about the importance of the participation of beneficiaries in development projects, but participation was meaningless unless it was defined in terms of human rights. Those who recognized that development projects were unlikely to be successful unless potential beneficiaries were full participants must acknowledge that there would be a human rights

dimension to that participation, as the ability to associate and express ideas were all crucial for the establishment of an effective framework for development.

53. In conclusion, he said that future work should include a broader range of development finance institutions. The International Monetary Fund had long been in a similar position to the World Bank. On the other hand, most existing banks, in particular regional banks, had made much stronger commitments to human rights. The recently established New Development Bank and Asian Infrastructure Investment Bank should also be brought into the conversation.

54. **The Chair** said that the United Nations and the international financial system had a duty to contribute to development and respond to the need for technical assistance. The World Bank should provide States with the support they needed in order to implement their human rights commitments, as financial constraints currently forced many developing countries to choose between working towards their national development objectives or implementing the recommendations resulting from their universal periodic reviews.

The meeting rose at 5.10 p.m.