



## General Assembly

Distr.  
GENERAL

A/HRC/1/SR.14  
6 July 2006

Original: ENGLISH

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### HUMAN RIGHTS COUNCIL

First session

General segment

#### SUMMARY RECORD OF THE 14th MEETING

Held at the Palais des Nations, Geneva,  
on Monday, 26 June 2006, at 3 p.m.

President: Mr. BURAYZAT (Jordan)  
(Vice-President)

later: Mr. DE ALBA (Mexico)  
(President)

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GE.06-12704 (E) 040706 060706

The meeting was called to order at 3.15 p.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF  
15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL” (agenda item 4)  
(continued)

Consideration of the report of the Intergovernmental Working Group on the  
effective implementation of the Durban Declaration and Programme of Action  
on its fourth session (continued) (E/CN.4/2006/18)

1. Mr. KADIRI (Morocco) said that his delegation supported the statement to be made by the delegation of Algeria on behalf of the African Group. Racism was an attack on human dignity that was assuming new forms because of the opportunities offered by new information and communication technologies. Universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination and the implementation of its provisions would contribute to efforts to combat racial discrimination in all its manifestations.
2. At its fourth session, the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action had identified gaps in international norms, and had agreed that five international experts should draw up a document recommending appropriate measures to address those gaps, particularly through the drafting of a new protocol to the International Convention on the Elimination of All Forms of Racial Discrimination. The five experts should begin their work as soon as possible. He hoped that the Council would be able to adopt the Intergovernmental Working Group's report by consensus.
3. Ms. RAMOS (Brazil), speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), said that the mandate of the Intergovernmental Working Group should be extended. The Working Group should focus its work on the effective application of the provisions of the Durban Declaration and Programme of Action and on the drafting of complementary international standards to combat racism. The recommendations made by the Working Group at its fourth session had been adopted by consensus and should be supported without reservation by all concerned. The Office of the United Nations High Commissioner for Human Rights (OHCHR) should without delay select a group of five highly qualified experts to study substantive gaps in international instruments, and should instruct the Committee on the Elimination of Racial Discrimination to conduct a further study on possible measures to strengthen implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. OHCHR should continue to provide technical assistance to Governments and others that required it. At its next session, the Council should consider the reports of the Special Rapporteur on contemporary forms of racism, of the Working Group of Experts on People of African Descent and of the independent eminent experts' group.
4. Speaking on behalf of the delegation of Brazil, she said that, as a multiracial country, Brazil attached great importance to fighting racism at both the national and international levels. The head of Brazil's Special Secretariat on Policies to Promote Racial Equality had attended the fourth session of the Intergovernmental Working Group, and the Special Secretariat had engaged in a constructive dialogue with Brazilian civil society, including a number of minorities and vulnerable groups. Its efforts had resulted in the implementation of many programmes aimed at

ensuring respect for such groups and defending their rights. In July, the Government would convene a regional conference of Governments and non-governmental organizations (NGOs) to consider progress and challenges in the implementation of the Durban Declaration and Programme of Action. Brazil also chaired a working group that was drafting an inter-American convention against racism.

5. The Committee on the Elimination of Racial Discrimination should undertake country visits and improve follow-up to its recommendations. The issue of multiple and aggravated forms of discrimination should receive due attention, since in many countries, women of African descent remained at the bottom of society, trapped in a vicious circle of poverty, racism and gender discrimination.

6. In addition to the adoption of complementary international standards, it was also important to focus on implementation. Without an effective plan for implementation, even well-designed standards were doomed to failure.

7. Ms. GÁLVEZ (Mexico) said that the vast majority of countries had adopted the Durban Declaration and Programme of Action, despite persistent opposition to the reference to reparation for historical damages inflicted on communities and peoples. The indigenous peoples, like the victims of apartheid and slavery, called for a clear commitment to deal with their claims. The Durban Declaration recognized that the indigenous peoples had been victims of discrimination for centuries and affirmed that they were free and equal in dignity and rights, and should not suffer any discrimination. She was confident that the proposal put forward by the Chairperson-Rapporteur of the Intergovernmental Working Group on the adoption of a declaration on the rights of indigenous peoples would make it possible to move forward.

8. Some 30 years ago, as an indigenous woman living in poverty, she had been a victim of triple discrimination, and in more than five years in government service she had visited hundreds of indigenous communities. The indigenous people's main claim was for full recognition of their rights. Her delegation strongly supported the adoption of the draft declaration, and hoped that the African Group would offer its backing.

9. Mr. JAZAIRY (Algeria), speaking on behalf of the African Group, said that, more than four years after the adoption of the Durban Declaration and Programme of Action, the practical implementation of those instruments was proceeding far too slowly. Combating racism required the adoption of legislative, legal, institutional and other measures, the strengthening of international cooperation, as well as the necessary funding. It also called for massive ratification and effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and other instruments in that field.

10. The African Group supported the renewal of the mandate of the Special Rapporteur on contemporary forms of racism. It was encouraged by the work of the Intergovernmental Working Group, the Working Group of Experts on People of African Descent and the five independent eminent experts. It supported the proposal that OHCHR should select five highly qualified experts to study gaps in international instruments and submit concrete recommendations on ways to address them. The African Group supported the extension for three years of the mandate of the Intergovernmental Working Group.

11. Mr. PETRITSCH (Observer for Austria), speaking on behalf of the European Union, the acceding countries Bulgaria and Romania, the candidate countries, Croatia, The former Yugoslav Republic of Macedonia and Turkey, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina and Serbia, and, in addition, Moldova and Ukraine, said that the European Union fully supported the conclusions and recommendations contained in the report submitted by the Chairperson-Rapporteur of the fourth session of the Intergovernmental Working Group. The fourth session had discussed the role of the Internet in hate speech, ways of using the Internet to combat racism, and the question of complementary standards. The Intergovernmental Working Group had stressed the need to strengthen existing instruments, including the International Convention on the Elimination of All Forms of Racial Discrimination, and had proposed several measures that could be taken to that end.

12. The five experts to be selected by OHCHR should take into consideration current developments in standards and the application of existing instruments, and should consider all options regarding measures to fill the gaps. The European Union was awaiting with interest the report of the Committee on the Elimination of Racial Discrimination on measures to strengthen the application of its concluding observations. The Intergovernmental Working Group should focus its attention on all the commitments made by States at the Durban Conference.

13. Mr. VIGNY (Switzerland) said that the Human Rights Council should adopt the report of the fourth session of the Intergovernmental Working Group, and should retain the subject of racism, racial discrimination, xenophobia and related intolerance on its agenda.

14. Ms. MTSHALI (South Africa) expressed concern that follow-up to the Durban Conference had been slow, and that the political will to implement commitments was sorely lacking. The mechanisms established to follow up on the Durban Declaration and Programme of Action set the tone for the international community to advance the global anti-racism and anti-discrimination agenda, and the work of all those mechanisms should continue to be supported by Member States. The Council should adopt the report of the fourth session of the Intergovernmental Working Group and should extend the Working Group's mandate for three years.

15. The expert study on gaps in international instruments to combat racism, racial discrimination, xenophobia and related intolerance should contain concrete recommendations on the drafting of a new protocol to the International Convention on the Elimination of All Forms of Racial Discrimination. The Government of South Africa welcomed the proposal by the independent eminent experts to develop a racial equality index to measure the strides that the international community was making in its anti-discrimination agenda, and commended their proposal to establish a "Durban + 5" review mechanism.

16. Mr. GOLTYAEV (Russian Federation) said that, in a relatively short time, the Intergovernmental Working Group had been able to consider extremely important matters and to issue recommendations to States, national human rights bodies and other civil society institutions, and United Nations agencies. The Russian Federation supported the Working Group's conclusions and recommendations. The work on racism and the Internet must continue, and OHCHR, including its independent experts and consultants, should be involved in such activities. The highly important efforts of OHCHR to combat racism must be funded accordingly.

17. With regard to complementary international standards, he said that efforts should be made both to increase the effectiveness of the Committee on the Elimination of Racial Discrimination and to carry out a further study on possible gaps in international standards. All existing procedures and mechanisms whose work was related to combating racism should take part in that effort. The Russian Federation was in favour of extending the mandate of the Intergovernmental Working Group.

18. Mr. MISZTAL (Poland) said the Intergovernmental Working Group had become the central forum for discussing international policies on racism. Despite the Working Group's remarkable progress, there was still a long way to go. Effective steps were needed at all stages, from prevention to assisting victims and combating impunity.

19. The Working Group's conclusions required systematic follow-up, and he stressed the need for integrating related challenges in all relevant programmes, not only those dealing specifically with human rights but also those addressing issues of peace and development. Particular attention should be paid to education, which was an essential tool for promoting mutual respect and tolerance between individuals and communities. Education also provided an opportunity for victims of discrimination to overcome disempowerment. Existing mechanisms in the area of racism and xenophobia could be strengthened through improved coordination.

20. Ms. JANJUA (Pakistan), speaking on behalf of the Organization of the Islamic Conference, said that the Intergovernmental Working Group should advise the Council on practical measures to combat all forms of racism and related discrimination, including religious discrimination based on defamation of religions. Firm action was needed to address the procedural and substantive gaps that had been identified by the Working Group.

21. The Council should appoint the five experts recommended by the Working Group to identify gaps in the existing normative framework; those gaps should be bridged through the development of complementary standards. In that context, she underlined the importance of drafting an instrument to combat religious intolerance.

22. Mr. HAIDARA (Senegal) said that, five years after the Durban Conference, racism was on the rise and was spreading to new areas, including sport. It was regrettable that the Internet should be used to propagate hatred, racism and intolerance.

23. Foreign communities in some countries were being subjected to racial attacks by extremist groups that appeared to be encouraged by the laxity of Governments and the leniency of the courts. It was important to adopt legislation to penalize racially motivated crimes and put an end to impunity for such offences.

24. His delegation noted with interest the proposal to establish a group of five international experts whose tasks would include the drafting of a new protocol to the International Convention on the Elimination of All Forms of Racial Discrimination.

25. Mr. AMIRBAYOV (Azerbaijan) said that the conclusions of the Working Group formed an ambitious set of measures that would contribute to the success of the strategy to combat racism at the global level. Two important elements of that strategy were the implementation of existing instruments and the elaboration of complementary standards.

26. Azerbaijan supported the establishment of an expert group and the proposal to study the expediency of drafting an instrument on combating religious intolerance and a new protocol to the International Convention on the Elimination of All Forms of Racial Discrimination. While all the substantive gaps identified by the Working Group deserved serious attention, it was of particular importance to address the gaps that affected specific groups or related to religious intolerance.

27. Mr. BELINGA EBOUTOU (Cameroon) said that Cameroon supported the establishment of an expert group. The Working Group's recommendations represented an important step towards a world without racism or racial discrimination. Any measures taken to implement those recommendations should be underpinned by a prevention policy based on human rights education. In that regard, new information technologies, including the Internet, could play a vital role in promoting positive values rather than disseminating hatred.

28. Mr. TICHENOR (Observer for the United States of America) urged the Human Rights Council, as a new institution, to focus on implementation rather than norm creation. His Government firmly believed that the goal of eliminating racial discrimination would be reached not through a new instrument like the proposed optional protocol to the International Convention on the Elimination of All Forms of Racial Discrimination, but through the full and effective implementation of the Convention. If there was a continued desire to discuss means of addressing gaps in international human rights law with respect to racism, the appropriate forum was the meeting of States parties to the Convention.

29. Ms. VADIATI (Observer for the Islamic Republic of Iran) expressed concern at the slow progress in implementing the Durban Declaration and Programme of Action, and alarm at increasing religious intolerance, discrimination and violence around the world. Recent provocative events and the upsurge in Islamophobia had highlighted the urgent need for an effective approach to combating the defamation of religions and promoting cultural diversity and dialogue among civilizations. She hoped that the Council would address the question of complementary standards on racial discrimination in its various forms, including defamation of religions.

30. Mr. LÖNN (International Youth and Student Movement for the United Nations), speaking also on behalf of the Women's International League for Peace and Freedom, Interfaith International, the Movement against Racism and for Friendship among Peoples, and North-South XXI, said that implementation of the Durban agreements had been weak, and the Durban Declaration and Plan of Action were less widely known than any of the final documents of other United Nations world conferences. Despite the high priority that the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance had given to the issue of racist practices rooted in historical wrongs and injustices, countries had failed to address root causes and institutionalized racism, which had led to the current upsurge in increasingly violent forms of racism. The Council should hold a special session to review the Durban outcomes during 2006, in keeping with the practice of five-year reviews of major United Nations conferences.

31. Mr. KIRKYACHARIAN (Movement against Racism and for Friendship among Peoples) said that racism was an expression of hatred that took various forms. Whether interpersonal or

institutional, racism was capable of permeating all social relations. The elimination of racism was the international community's most important goal; however, judging by the slow pace of implementation of the Durban recommendations, it would be a long time before that goal was achieved.

32. Mr. MARTABIT (Chairperson-Rapporteur of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action) said that no progress in the elimination of racial discrimination could be made without greater commitment by States to implement the Durban Declaration and Programme of Action. States could attain that goal by adopting their own national plans to combat racism, with international cooperation and assistance where necessary, and also by improving and complementing international instruments in the ways recommended by the Working Group.

33. The Working Group's approach to the discussion of highly sensitive issues remained valid. Consensus-based agreement was fundamental, and he appreciated the way in which the members of the Working Group had engaged in constructive debate without losing sight of the need to reach conclusions.

34. Two important tasks lay ahead. First, States' involvement in the Working Group should be increased. Secondly, the five experts to study the gaps in existing international instruments should be appointed. He was confident that OHCHR would select highly qualified candidates, as requested in the Working Group's recommendation.

Consideration of the report of the Working Group on the Right to Development  
(E/CN.4/2006/26)

35. Mr. SALAMA (Chairperson-Rapporteur of the Working Group on the Right to Development) said that the Working Group had made considerable progress as a result of the constructive attitude of the regional groups. A new approach to the realization of the right to development had been established, based on the creation of an independent expert high-level task force and the opening of the Working Group's debates to relevant partners, including trade, development and financial institutions at the national and international levels. At its sixth session in 2005, the Working Group had set out the national and international action required for the implementation of the right to development; established the links between the right to development and a rights-based approach to development; and defined the scope of the Working Group in respect of issues considered in other forums.

36. At its sixth session, the Working Group had also established a new right to development standard on the human rights impact assessment of trade and development rules and policies at the national and international levels. At its seventh session in January 2006, the Working Group had established criteria for assessing global partnerships as identified in Millennium Development Goal No. 8. The Working Group had recommended that those criteria should be applied to existing development partnerships. The momentum gained in the process of realizing the right to development should be maintained, particularly during the transition from the Commission to the Council, through the timely implementation of the Working Group's recommendations.

37. Ms. BEE (Malaysia), speaking on behalf of the Movement of Non-Aligned Countries and China, said that the right to development served as a bridge between economic, social and cultural rights and civil and political rights. There should be a global partnership to adopt practical measures to realize that right in order to ensure economic growth and development for all. Efforts should be made to draft an international legal instrument on the right to development. In that regard, the Human Rights Council should build on the work carried out by the Sub-Commission on the Promotion and Protection of Human Rights.

38. She welcomed the establishment of the high-level task force on the implementation of the right to development. The Movement of Non-Aligned Countries and China had agreed that the task force's mandate should be extended for another year. In its future work, the task force should come up with action-oriented recommendations for the establishment of a coherent global partnership for eliminating obstacles to development.

39. Mr. LA Yifan (China) said that his delegation supported the proposal to extend the Working Group's mandate. The implementation of the right to development was essential for the realization of economic, social, cultural and political rights. The international community should recognize the importance of the right to development and should strive to strengthen cooperation on human rights, trade and finance at the regional and international levels. The Human Rights Council must work constantly to correct the imbalance between the attention given to civil and political rights, on one hand, and economic, social and cultural rights, on the other. Efforts should be made to increase cooperation with other United Nations bodies, specialized agencies, funds and programmes, multinational financial institutions and the World Trade Organization (WTO), in order to help the international community to take steps to ensure the full implementation of the right to development.

40. Ms. HERRERA CASEIRO (Cuba) said that her delegation associated itself with the statement made on behalf of the Movement of Non-Aligned Countries and China. Although the right to development was universal and inalienable, there had recently been a growing tendency on the part of industrialized countries to redefine the scope and content of that right, to challenge the definition of who was a subject of the right and to confine responsibility for its realization to the national level. The motive of the countries concerned was to "justify" non-compliance with their obligations and to perpetuate the existing unfair international economic order.

41. The right to development was both an individual and a people's right and its full realization depended on the establishment of an enabling international environment and the promotion of genuine international cooperation. Neoliberal globalization, protectionist barriers, unequal terms of trade and non-fulfilment of official development assistance (ODA) commitments were some of the obstacles that thwarted the best efforts of developing countries and prevented their Governments from implementing independent development policies.

42. The Working Group on the Right to Development was one of the Commission's most important legacies, which must be preserved and reinvigorated by the Council. Cuba had played an active and constructive role in its proceedings and had supported the creation of the high-level task force on the right to development. Her delegation had reservations, however, regarding recent trends and opposed any attempt to reinterpret the right to development. It was not a matter of mainstreaming human rights in development but of mainstreaming the right to



development in the policies and activities of international organizations and institutions. Both the Working Group and the task force should focus on ways of realizing the specific human right to development. Some progress had nevertheless been made, particularly the recognition of such important notions as national policy space, and she hoped that those advances would not be lost in the transition from the Commission to the Council.

43. Mr. de Alba (Mexico), President, took the Chair.

44. Mr. PETRITSCH (Observer for Austria), speaking on behalf of the European Union, the acceding countries Bulgaria and Romania, the candidate countries Turkey, Croatia and The former Yugoslav Republic of Macedonia, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina and Serbia, said that the Working Group's criteria for assessing global partnership from the perspective of the right to development would help to achieve the implementation of the right to development for people around the world. At its second meeting, the high-level task force on the implementation of the right to development had demonstrated its ability to build dialogue and understanding, and had identified specific ways of assessing Millennium Development Goal No. 8 on global partnership in terms of the right to development.

45. The European Union did not consider that pursuing a legally binding instrument on the right to development would be useful or productive, since it was not the appropriate way to enhance partnerships. Such an instrument would address the obligations of a State towards its citizens, rather than obligations between States. The European Union maintained its support for the right to development and supported the extension of the mandates of both the Working Group and the high-level task force for another year.

46. Ms. SETYAWATI (Indonesia) said that her Government was committed to the promotion and protection of the right to development, and supported the work of the Working Group on the Right to Development, which was the only global forum to monitor and review the implementation of that right at the national and international levels, and to provide recommendations thereon. The Working Group should continue its work in the context of the Human Rights Council, and the Council should adopt the draft resolution on the extension of the Working Group's mandate for another year. Her delegation called on OHCHR to support that endeavour and to enhance the implementation of the right to development through the work of its Human Rights and Development Unit.

47. Mr. CERDA (Argentina) said that General Assembly resolution 60/251 referred to the right to development in its last preambular paragraph and that the High Commissioner for Human Rights had identified poverty as a cause of serious human rights violations. Among the recommendations adopted by the Working Group on the Right to Development at its seventh session (E/CN.4/2006/26), he stressed the importance of the criteria to be applied in the periodic evaluation of global partnerships in the context of Millennium Development Goal No. 8 from the perspective of the right to development.

48. He supported the idea of extending the mandate of the high-level task force for one year in recognition of the renewed vigour that it had instilled in the proceedings of the Working Group and its valuable substantive contribution.

49. As a number of international agencies and organizations had been involved in the substantive discussions and had provided useful technical input, he encouraged the Working Group to continue to encourage such participation. For the time being, the Working Group should leave aside the discussion of conceptual issues relating to the right to development.

50. A number of NGOs had devoted considerable time and effort to the sessions of the Working Group. Their action, which was aimed at involving civil society in an authentic partnership for development, had already had a tangible impact on the policies of some international organizations.

51. Mr. LOULICHKI (Morocco) said that the implementation of the right to development was particularly important in order to overcome economic and social problems, poverty and disparity in quality of life between certain countries. The time had come to move from the conceptualization of the right to development towards implementation, in order to make the enjoyment of that right a reality for all. Efforts were required to increase international cooperation and strengthen the position of developing countries and, where necessary, establish the rule of law. His delegation welcomed the work of the high-level task force and the Working Group in respect of the operationalization of Millennium Development Goal No. 8 from the perspective of the right to development.

52. Morocco attached particular importance to the right to development and had developed a national strategy for the economic, social, cultural, civil and political development of the Moroccan people. In the context of that strategy, it had established a national initiative for human development, which promoted respect for national and regional specificities and was based on good governance, goal-oriented projects and transparent budgetary management. Morocco was participating actively in regional efforts to promote the right to development, particularly in Africa, the Arab countries and the Mediterranean region. The Working Group should be considered as a fundamental part of the Human Rights Council, and its report and recommendations should be adopted by consensus.

53. Ms. RAMOS (Brazil), speaking on behalf of the Group of Latin American and Caribbean States, supported the extension of the mandate of the Working Group on the Right to Development within the framework of the Council. The high-level task force should also be given adequate institutional and financial support so that it could continue to discharge its mandate, which had resulted in useful dialogue and proposals.

54. The Declaration on the Right to Development, the 1993 World Conference on Human Rights, the Millennium Summit, the Monterrey Declaration, the outcome document of the high-level plenary meeting of the General Assembly in 2005, many Commission on Human Rights and General Assembly resolutions, as well as studies by other United Nations bodies and experts, had not only established a solid basis for the right to development as a universal, inalienable, indivisible and interdependent right but had also stressed the urgency of ensuring its effective implementation. Progress in realizing the right to development within the new framework for action that was being forged would depend on the awareness and political will of all actors involved. As the Working Group was the only official global forum dedicated to the discussion of human rights and development, the continuity of its work should be guaranteed.

55. Speaking on behalf of the delegation of Brazil, she said that development was conducive to political stability, civil liberties, economic prosperity, social inclusion and cultural expression. Brazil's history had proven that development did not go hand in hand with economic growth. Although there had been considerable economic growth and industrialization in Brazil in the 1960s, the problem of poverty had worsened.

56. The burden of external debt absorbed significant financial resources of developing countries. High tariffs and subsidies in developed countries hindered the export of agricultural goods from developing countries, and prevented those countries from financing their own development. Bilateral trade agreements with strict rules on intellectual property rights prevented developing countries from having access to medicines to treat HIV/AIDS, tuberculosis and malaria. Her delegation hoped that the Working Group would pursue its discussions of Millennium Development Goal No. 8.

57. Ms. KONDOLO (Zambia) commended the progress made by the Working Group and the contribution made by the high-level task force on the implementation of the right to development. She supported the proposal to extend the mandates of the Working Group and the high-level task force. The Working Group should conclude its mandate and proceed to the operationalization stage.

58. The cancellation of debt for poor countries was vital for the right to development and the realization of human rights. Her delegation was pleased to announce that, in July 2005, Zambia had reached its highly indebted poor countries completion point; since that time, most of Zambia's debt had been cancelled. Although, in order to attain the completion point, the Government of Zambia had adopted a series of measures that had had a negative impact on its citizens, the positive effects of the cancellation of Zambia's debt could be felt all over the country. Money that had previously been saved for debt servicing was being channelled into development programmes.

59. Ms. MTSHALI (South Africa) said that the Human Rights Council should adopt the conclusions and recommendations of the sixth session of the Working Group, and should extend its mandate for another year. Efforts should be made to expedite the development of a legally binding instrument on the right to development. Her delegation was concerned at the lack of progress in the operationalization of the right to development, and called for the mainstreaming of that right internationally and in the policies, activities and programmes of the United Nations and its specialized agencies. The right to development should also be mainstreamed further in the implementation of the Millennium Development Goals.

60. Mr. CHUMAREV (Russian Federation) welcomed the work of the representatives of States, financial and economic institutions and academic groups to define the right to development. His delegation supported the methods chosen by the Chairperson of the Working Group to establish constructive dialogue and ensure fulfilment of the Working Group's mandate. The Russian Federation attached particular importance to the practical implementation of cooperation models for donors and recipients, as had been agreed in the Working Group. Those mechanisms should not create additional obligations for donors and should not set undesirable precedents by linking the provision of ODA to developing States' implementation of additional obligations to promote democracy and human rights.

61. The Working Group should be included as a body of the Human Rights Council and its mandate should be extended for another year, without any substantive changes. In future, the Working Group should devote more attention to the practical application of criteria and standards to evaluate the extent to which financial cooperation was effective, including in the context of protecting the basic economic and social rights of the populations of developing countries on the basis of bilateral and multilateral cooperation projects.

62. Mr. HEMAYETUDDIN (Bangladesh) said that his delegation associated itself with the statements made on behalf of the Movement of Non-Aligned Countries and the Organization of the Islamic Conference.

63. In an increasingly globalized world, trade was a vehicle for economic development. However, the share of least developed countries (LDCs) in international trade had declined from 3 per cent in the 1960s to 0.6 per cent in 2004. Unless the multilateral trading system was made development-friendly, the right to development would remain a dead letter for LDCs. In 2004, LDCs had received only 1.7 per cent of world foreign direct investment (FDI) flows. The Governments of FDI-outflow countries should provide special incentives to their entrepreneurs to invest in LDCs and countries at similar levels of development.

64. The World Bank had estimated that additional ODA of \$50 billion annually would be required if countries were to achieve the Millennium Declaration target of halving poverty by 2015. The outstanding stock of debt was another matter of serious concern.

65. Referring to migration as the short-term movement of services providers, he pointed out that, if only 3 per cent of the labour market of Organization for Economic Cooperation and Development (OECD) countries was opened up to short-term service providers from abroad, the gains to receiving and sending States could amount to between \$158 billion and \$300 billion annually. A workable arrangement for such movements and at the same time for the eradication of labour trafficking, could be created through cooperation.

66. Serious consideration must be given to the drafting of an international instrument on the right to development, a proposal that had been made earlier by Bangladesh and endorsed by the Movement of Non-Aligned Countries. Moreover, the Commission on Human Rights had mandated the Sub-Commission to consider the matter.

67. Mr. ADEYANJU (Nigeria) commended the Working Group on the Right to Development on its successful translation of the norms contained in the Declaration on the Right to Development into result-oriented criteria. The international community should reaffirm its resolve to consolidate those gains.

68. There was growing recognition of the importance of mutually reinforcing linkages at the regional and international levels in promoting the implementation of the Declaration and, in particular, of the need for international cooperation to create an enabling environment. He fully endorsed the Working Group's conclusions and recommendations (E/CN.4/2006/26) and urged it to strengthen its cooperation with United Nations bodies, agencies, funds and programmes, and multilateral financial and development institutions, including WTO. It should also reinforce the links between the Declaration and the Millennium Development Goals, drawing inspiration from the goals of the New Partnership for Africa's Development and the African Peer Review Mechanism.

69. He welcomed the establishment of a unit in OHCHR on the human rights aspects of the Millennium Development Goals and expressed the hope that the Working Group and its task force would receive the logistical support, including funding, that they needed to discharge their mandates. To that end, he called for the adoption by consensus of the draft resolution that would be submitted on the right to development.

70. Ms. JANJUA (Pakistan), speaking on behalf of the Organization of the Islamic Conference, said that the Organization associated itself with the statement made on behalf of the Movement of Non-Aligned Countries.

71. The transition from the Commission to the Council afforded a historic opportunity to take practical steps towards the full realization of the right to development. The Council should build a firm structure on the foundations laid by the Working Group on the Right to Development. However, the Working Group's terms of reference should not be altered and key concepts should be preserved.

72. The right to development was a bridge between economic, social and cultural rights and civil and political rights. The Working Group should address imbalances in the international financial, monetary and trading systems, in technology and in global economic decision-making.

73. The high-level task force could facilitate movement from conceptualization to concrete action and should undertake exploratory and analytical work with a view to mainstreaming the concept of policy space, which was required to tailor development strategies to countries' specific needs and circumstances.

74. Full realization of the right to development depended on international cooperation and should not be impeded by States' limited ability to finance, build and sustain the necessary infrastructure. A rights-based approach to development could serve as a catalyst for the achievement of internationally agreed development objectives, including the Millennium Development Goals. The establishment of the Human Rights Council must be seen as an opportunity to right the historic wrongs committed in the process of lopsided development.

75. Mr. JAZAIRY (Algeria) said that the right to development was an inalienable right recognized in the Declaration on the Rights to Development and in subsequent United Nations resolutions. It served to bridge the gap between economic, social and cultural rights and civil and political rights and its realization called for a global partnership aimed at adopting practical measures to ensure economic development for all and eradicate poverty.

76. Steps should be taken to draft a convention on the right to development. While rapid progress was being made in drafting treaties on civil and political rights, no progress had been made in adopting, enforcing and mainstreaming the right to development, which was ultimately the right to life.

77. He supported the extension of the mandate of the high-level task force for one year in order to enable it to develop action-oriented recommendations aimed at integrating the different partnerships into one coherent and global partnership for development, as envisaged in Millennium Development Goal No. 8. He supported the draft resolution that would extend the Working Group's mandate for another year.

78. Ms. GAYE (Senegal) said that the Working Group's conclusions and recommendations demonstrated the possibility of making progress towards the effective implementation of the right to development. While individual States certainly had a role to play, within the limits of their means, in guaranteeing the right to development, the international community had a duty to build strong partnerships to that end. Globalization had created new opportunities and challenges, but it had also impeded development by making many economies more vulnerable. The former Commission had consistently recognized the need for an enabling international environment to realize the right to development. The Council should build on the Commission's achievements, working to translate into practice the principles of universality, independence and indivisibility of all human rights.

79. Mr. MISZTAL (Poland) said that, since the holding of an OHCHR high-level seminar on the right to development and the establishment of the high-level task force two years earlier, the discussion of the right to development had become more cooperative and less confrontational. The practical approach adopted by stakeholders had proved more productive than the previous ideological or political approach. The Working Group and task force had focused on the links between human rights and development, addressing issues ranging from international development cooperation to a rights-based approach to development and the interrelatedness of all human rights.

80. He commended the work of the independent experts in the task force, the substantive and organizational contribution of OHCHR, and the willingness of relevant partners, including the international financial institutions, to become involved in the process. The Working Group and task force should give more attention to the relationship between good governance and human rights.

81. Mr. PAZ (Observer for the United States of America) said that the United States had voted against the 1986 Declaration on the Right to Development, which defined two sets of rights: the right to development of individuals and the right to development of groups (in other words, peoples). It was at best confusing to use the same term to mean two entirely different things. The right to development could be recognized for individuals but not for groups.

82. The United States interpreted the right to development as each individual's right to develop his or her own intellectual or other capabilities to the fullest through the exercise of civil and political rights. It urged the Council to undertake a review of all mandates, including that of the Working Group on the Right to Development, within its first year.

83. Mr. SATJIPANON (Observer for Thailand) said that his delegation associated itself with the statement made on behalf of the Movement of Non-Aligned Countries. The criteria for periodic evaluation of global partnerships identified in the Millennium Development Goals would greatly contribute to the full realization of the right to development.

84. General Assembly resolution 60/251 had mandated the Human Rights Council to enhance the promotion and protection of all human rights, including the right to development. The discussion of the right to development by the Working Group on the Right to Development and the high-level task force should be continued and further developed in the Council in order to identify specific ways and means of realizing that right, achieving the Millennium Development Goals and carrying out social impact assessments in the areas of trade and development.

85. He welcomed the establishment of a Millennium Development Goals and rights-based approaches unit within OHCHR to support national and United Nations partners in implementing the Goals and strengthening national development policies and poverty-reduction strategies.

86. Mr. FEYDER (Observer for Luxembourg) said that the High Commissioner for Human Rights had been right when she had said that poverty was the most serious and most widespread human rights violation and that, unless that problem was addressed, Governments' response to other human rights challenges would in all likelihood remain little more than stopgap measures. It was therefore essential to keep up the momentum created in 2005 towards the achievement of the Millennium Development Goals and to undertake continuous and regularly updated assessments of progress, especially towards realizing Goal No. 8.

The meeting rose at 6.05 p.m.