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HUMAN RIGHTS COUNCIL
Twelfth session
Agenda item 3

PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

Resolution adopted by the Human Rights Council*

12/23. The right to development

The Human Rights Council,

Recalling the Charter of the United Nations and the core human rights instruments,

Reaffirming the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Reaffirming also its resolutions 4/4 of 30 March 2007 and 9/3 of 17 September 2008, and recalling all Commission on Human Rights, Council and General Assembly resolutions on the right to development,

Emphasizing the urgent need to make the right to development a reality for everyone,

Stressing the primary responsibility of States for the creation of national and international conditions favourable to the realization of the right to development,

* The resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its twelfth session (A/HRC/12/50), chap. I.

Taking note of the efforts under way in the framework of the Working Group on the Right to Development, with the support of the high-level task force on the implementation of the right to development, to develop a set of right to development criteria and corresponding operational subcriteria,

1. *Welcomes* the report of the Working Group on the Right to Development (A/HRC/12/28);

2. *Decides*:

(a) To continue to act to ensure that its agenda promotes and advances sustainable development and the achievements of the Millennium Development Goals and, in this regard, to lead to raising the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action, to the same level and on a par with all other human rights and fundamental freedoms;

(b) To endorse the recommendations of the Working Group, as outlined in paragraphs 44 to 46 of its report, which would ensure that the right to development criteria and corresponding operational subcriteria, to be submitted by the task force to the Working Group at its eleventh session in 2010, together with suggestions for further work, address, in a comprehensive and coherent manner, the essential features of the right to development, as defined in the Declaration on the Right to Development, and including the priority concerns of the international community beyond those enumerated in Millennium Development Goal 8;

(c) That, once considered, revised and endorsed by the Working Group, the above-mentioned criteria and corresponding operational subcriteria should be used, as appropriate, in the elaboration of a comprehensive and coherent set of standards for the implementation of the right to development;

(d) That, upon completion of the three phases of the 2008-2010 workplan of the high-level task force on the implementation of the right to development, endorsed by the Council in its resolution 9/3, the Working Group will take appropriate steps to ensure respect for and practical application of the above-mentioned standards, which could take various forms, including guidelines on the implementation of the right to development, and evolve into a basis for consideration of an international legal standard of a binding nature, through a collaborative process of engagement;

(e) To request the Office of the United Nations High Commissioner for Human Rights to continue to take all necessary measures and to allocate adequate resources for the effective implementation of the present resolution, taking into account the needs for the effective implementation of the recommendations of the Working Group referred to in paragraph 2 (b) above;

3. *Also decides* to review the progress of the implementation of the present resolution as a matter of priority at its future sessions.

[Adopted by a recorded vote of 33 to 0, with 14 abstentions. The voting was as follows:

- In favour:* Angola, Argentina, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Kyrgyzstan, Madagascar, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Uruguay, Zambia;
- Abstaining:* Belgium, Bosnia and Herzegovina, France, Hungary, Italy, Japan, Netherlands, Norway, Republic of Korea, Slovakia, Slovenia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.]