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**THE RIGHT TO DEVELOPMENT AND PRACTICAL STRATEGIES FOR THE
IMPLEMENTATION OF THE MILLENIUM DEVELOPMENT GOALS,
PARTICULARLY GOAL 8**

Preliminary concept note

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Introduction

1. In its resolution 2005/4, the Commission on Human Rights endorsed the conclusions and recommendations adopted by the Working Group on the Right to Development at its sixth session, and noted that the high-level task force on the implementation of the right to development at its next meeting would “examine Millennium Development Goal 8 on a global partnership for development and suggest criteria for its periodic evaluation with the aim of improving the effectiveness of global partnerships with regard to the realization of the right to development”. The high-level task force, which was constituted in pursuance of Commission on Human Rights resolution 2004/7, comprises five experts nominated by the Chairperson of the Working Group in consultation with the regional groups of Member States, and representatives from the identified international trade, finance and development institutions.
2. The present note outlines some issues for the consideration of the high-level task force at its seventh session which it may wish to analyse and discuss with a view to making recommendations to the Working Group.

I. THE RIGHT TO DEVELOPMENT AND THE MILLENNIUM DEVELOPMENT GOALS

3. The Declaration on the Right to Development (art. 1 (1)) defines the right as “an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized”. It further points out that States have primary responsibility for the creation of the national and international conditions favourable to the realization of the right to development and that they have the duty to take steps, individually and collectively, to formulate development policies with a view to facilitating the full realization of the right to development.
4. The independent expert on the right to development accordingly approached the right to development as a right to a particular process of development in which all human rights and fundamental freedoms can be fully realized. He presented it as a right to outcomes that constitute improved realization of the different human rights, and at the same time as a right to a process of realizing outcomes, facilitated by the concerned duty holders through policies and interventions that conform to the internationally recognized human rights norms, standards and principles.
5. The Working Group on the Right to Development has identified principles, including accountability, transparency, non-discrimination, equity, participation, rule of law and good governance at all levels, as being critical to implementing the right to development. In addition to the human rights norms and these principles, there are at least two other aspects that are central in the conceptualization of the right to development and the policy framework that it supports. The first of these is the emphasis on the notion of the indivisibility of human rights - civil and political, as well as economic, social and cultural - and the second is the importance of international cooperation in the implementation of the right to development. The universal acceptance and the legal commitment of States to respect, protect and fulfil human rights and the recognition of the indivisibility of human rights, intrinsic to the notion of the right to development, create the framework for bringing greater coherence, coordination and

cooperation to the development process. The right to development emphasizes an international environment that facilitates development through a supportive and non-discriminatory trade regime, access to technology and capital, more participatory decision-making concerning the rules governing the process of economic globalization and, where required, adequate development assistance to developing countries. It requires the obstacles impeding the full realization of the right to development to be identified and addressed.

6. The Millennium Development Goals reflect some of the basic development imperatives and the international commitment to address them. They reflect the resolve of the world leaders to free all men, women and children from the abject and dehumanizing conditions of extreme poverty, “to making the right to development a reality for everyone and to freeing the entire human race from want”. The Working Group recognizes that “the Millennium Development Goals represent a measurable set of human development objectives the attainment of which is critical for building a more humane, inclusive, equitable and sustainable world, as envisaged in the United Nations Millennium Declaration. It agrees that a timely attainment of the Goals is critical for the progressive realization of the right to development” (E/CN.4/2005/25, para. 50).

7. The United Nations Millennium Declaration commits States to stronger global efforts to reduce poverty, improve health and promote peace, human rights and environmental sustainability. The eight Millennium Development Goals that emerged from the Declaration and the global commitment to achieve them have been reaffirmed in the Monterrey Consensus adopted at the International Conference on Financing for Development in 2002. The Monterrey Consensus stressed the mutual accountability of developing and developed countries in achieving the Goals. The Programme of Action for the Least Developed Countries for the Decade 2001-2010, the Johannesburg Declaration on Sustainable Development and the Plan of Implementation agreed at the World Summit on Sustainable Development in 2002, the launch of the Doha Round on international trade, the Declaration of Principles and Plan of Action adopted at the first phase of the World Summit on the Information Society 2003 and The Spirit of São Paulo adopted at UNCTAD-XI strengthened multilateral cooperation in establishing a road map of action, at the national and international levels, for creating the requisite environment for development and meeting the Goals.

8. To implement the Millennium Declaration and meet the Goals, the United Nations has adopted a broad based strategy that includes the following initiatives. The Millennium Campaign aims to place the Goals in the forefront of public consciousness throughout the world and to ensure that they are the focus of global action. It supports citizens’ efforts to hold their Governments to account for the promises made in the Declaration. The Millennium Development Compact¹ has been proposed as the plan of action for the policy approach for achieving the Goals. It addresses the structural constraints that impede economic growth and human development in countries with the most dramatic development challenges and which need the most support. It brings all the stakeholders - the developed and the developing countries - together to orient their individual and collective efforts to attain the goals in a framework of shared responsibilities. The United Nations Millennium Project was established to put together a strategic framework for the implementation of the Goals. *Investing in Development: A Practical Plan to Achieve the Millennium Development Goals* brings together the core recommendations of the various task forces constituted to implement the Project. By outlining practical investment strategies and approaches to financing them, the report presents an

operational framework for achieving the Millennium Development Goals by 2015. In addition, the nodal agencies identified for the different Goals have been orienting their work in the direction of meeting the relevant Goal and monitoring the overall progress.

II. GOAL 8: A GLOBAL PARTNERSHIP FOR DEVELOPMENT

9. Goal 8 relates to developing a global partnership between the rich and the poor countries to implement the Millennium Declaration and the Goals. Indeed, progress in the implementation of Goal 8 has been recognized as being critical for the successful achievement of the other seven Goals. The three important aspects of Goal 8 relate to aid, trade and debt relief - all geared towards ensuring and sustaining an improved flow of resources to the developing countries engaged in addressing the challenges posed by a time-bound implementation of the Goals. These focus issues of Goal 8 have been addressed through the Monterrey Consensus, the Doha Round and the Heavily Indebted Poor Countries (HIPC) Initiative, respectively. An analysis of the current trend in commitments and implementation of improved aid, fairer trade, and debt reduction and sustainability and its periodic assessment would contribute to strengthening the global partnership for development based on mutual responsibility and accountability.

10. For some developing countries, domestic efforts at mobilizing resources, aligning the allocation of public spending with the implementation priorities of the Goals and creating a favourable policy environment for private-sector-led growth will help in meeting the Goals. For many others, meeting the Goals would critically depend on a significant step-up in international development cooperation to supplement the national efforts. Ultimately, the creation of an environment conducive to development at the national and international levels and a global partnership that supports it will determine how soon the Goals can be met and whether the strategies to implement them can be sustained.

11. The Working Group on the Right to Development agrees that the right to development enriches such strategies by systematically incorporating human rights standards and principles into the development processes, at both national and international levels. The Working Group “believes that mutual commitments, as part of the duty of international cooperation, can lead to specific binding arrangements between cooperating partners to meet the right to development requirements. Such arrangements can only be defined and agreed upon through genuine negotiations” (ibid., para. 44). The Working Group “welcomes the growing acceptance of the simultaneous levels of actions required at the national and international level in the implementation of the right to development. While the importance of the responsibility of States to implement the right to development cannot be overemphasized, this does not in any way reduce the importance of international cooperation in providing an enabling environment at the international level” (ibid., para. 49).

12. The Secretary General’s report “In larger freedom: towards development, security and human rights for all” echoes the approach of the Working Group in articulating the notion of global partnership for development. In recalling the terms of the compact underlying the partnership, it emphasizes that “Each developing country has a primary responsibility for its own development - strengthening governance, combating corruption and putting in place the policies and investments to drive private-sector-led growth and maximize domestic resources available to fund national development strategies. Developed countries, on their side, undertake that developing countries which adopt transparent, credible and properly costed development

strategies will receive the full support they need, in the form of increased development assistance, a more development-oriented trade system and wider and deeper debt relief” (A/59/2005, para. 32).

13. Goal 8 identifies a number of targets and corresponding indicators covering those aspects of the global partnership for development. While these targets and their indicators contribute to the periodic assessment of this Goal, it would be desirable to analyse whether they present an adequate framework to assess progress in the implementation of the right to development as well. The first target under Goal 8 relates to developing further an open, rule-based, predictable, non-discriminatory trading and financial system. This target includes a commitment to good governance, development and poverty reduction - both nationally and internationally. The second target relates to addressing the special needs of the least developed countries. It includes tariff- and quota-free access for least developed countries’ exports; an enhanced programme of debt relief for HIPC and cancellation of official bilateral debt; and more generous official development assistance (ODA) for countries committed to poverty reduction. The third target relates to addressing the special needs of landlocked countries and small island developing States. This seeks the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States and the outcome of the twenty-second special session of the General Assembly. The fourth target is to deal comprehensively with the debt problems of developing countries through national and international measures in order to make debt sustainable in the long term. The fifth target relates to developing and implementing, in cooperation with developing countries, strategies for decent and productive work for youth. The sixth target relates to providing, in cooperation with pharmaceutical companies, access to affordable essential drugs in developing countries. Finally, the seventh target relates to making available, in cooperation with the private sector, the benefits of new technologies, especially information and communications.

14. In all 15 indicators have been identified for assessing progress in meeting the seven targets under Goal 8. The indicators related to ODA are:

- Net ODA, total and to the least developed countries, as a percentage of the gross national income of the donors belonging to the Development Assistance Committee of the Organization for Economic Cooperation for Development (OECD/DAC)
- Proportion of total bilateral, sector-allocable ODA of OECD/DAC donors to basic social services
- Proportion of bilateral ODA of OECD/DAC donors that is untied; ODA received in landlocked countries as a proportion of gross national income
- ODA received in small island developing States as a proportion of gross national income

15. The indicators related to market access are:

- Proportion of total developed countries’ imports (by value and excluding arms) from developing countries and from the least developed countries, admitted free of duty

- Average tariffs imposed by developed countries on agricultural products and textiles and clothing from developing countries
- Agriculture support estimate for OECD countries as a percentage of their gross domestic product
- Proportion of ODA provided to help build trade capacity

16. The indicators on debt sustainability include:

- Total number of countries that have reached their HIPC decision points and number that have reached their HIPC completion points (cumulative)
- Debt relief committed under the HIPC Initiative
- Debt service as a percentage of exports of goods and services of low- and middle-income countries
- Unemployment rate of young people aged 15 to 24 years, each sex and total

17. Other identified indicators are:

- Proportion of population with access to affordable essential drugs on a sustainable basis
- Telephone lines and cellular subscribers per 100 population
- Personal computers in use per 100 population and Internet users per 100 population

18. In addition to this framework of targets and indicators for assessing the progress in the implementation of Goal 8, there have been some initiatives, notably by some civil society organizations, that seek to evaluate the contributions of the developed countries, particularly the donors, in building and strengthening the global partnership for development. One such initiative is by the Center for Global Development, based in New York, which has been producing a "Commitment to Development Index".² This index ranks 21 of the world's richest countries based on their dedication to policies that benefit the 5 billion people living in poorer nations worldwide. Besides making a comparison of the foreign aid volumes, the index also rates the quality of foreign aid, openness to developing-country exports, policies that influence investment, migration policies, support for creation of new technologies, security policies and environmental policies. An analysis of such initiatives could be useful to the work of the high-level task force.

19. In pursuing its mandate, the high-level task force may wish to examine Goal 8 as articulated in terms of its focus and targets, for its appropriateness in addressing concerns related to the nature of the development cooperation required for furthering the implementation of the right to development. In this regard, there could be an analysis and assessment of criteria and specific indicators listed under Goal 8 in terms of their suitability in assessing progress in the realization of the right to development. More specifically, the task force may wish to consider

other criteria, including indicators that improve the effectiveness of global partnerships from the perspective of the right to development. It may also be useful to highlight the issues and inputs that the human rights framework in general, and the right to development in particular, brings to strengthening the framework for building global partnerships for development.

20. The issues identified in the present note may be summarized as follows:

- What is the nature of the global partnership for development envisaged under Goal 8? How does it relate to the vision of such a partnership from the perspective of the right to development?
- Is the right to development a suitable approach to strengthen the global partnership for development at the national and the international levels?
- What do country strategies for the implementation of the Millennium Development Goals reveal in this regard?
- Is it useful to examine existing partnership agreements to analyse their features and effectiveness in order to draw lessons for future partnership frameworks for implementing the right to development?
- From the perspective of the right to development, what kind of criteria are relevant for monitoring Goal 8? What additional indicators do we need to supplement the existing list of indicators for periodic evaluation of Goal 8 with the aim of improving the effectiveness of the global partnership for the realization of the right to development?
- How can the principle of mutual commitments be used in evaluating development partnerships?
- How can the international development, trade and financial institutions contribute to the assessment framework for the implementation of Goal 8 from the perspective of the right to development?
- Is there a need for a dedicated institutional arrangement for undertaking a periodic assessment of progress in the implementation of Goal 8?

Notes

¹ United Nations Development Programme, *Human Development Report 2003: Millennium Development Goals: A compact among nations to end human poverty* (New York and Oxford: Oxford University Press, 2003).

² www.cgdev.org/section/initiatives/_active/cdi.
