



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



The right to development

Commission on Human Rights resolution 2004/7

The Commission on Human Rights,

Recalling the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986, which confirmed the right to development as an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, and the individual as the central subject and beneficiary of development,

Recalling also all its previous resolutions on the right to development, in particular resolution 1998/72 of 22 April 1998 in which it referred to the urgent need to make further progress towards the realization of the right to development as set out in the Declaration,

Recognizing that the open-ended working group established to monitor and review progress made in the promotion and implementation of the right to development is the only global forum on the right to development mandated to monitor and review progress made in the promotion and implementation of the right to development as elaborated in the Declaration at the national and international levels, providing recommendations thereon and further analysing obstacles to its full enjoyment, focusing each year on specific commitments in the Declaration,

Recognizing also the valuable contribution made by the independent expert on the right to development in the course of the last six years, through his research and analytical work contained in the series of reports to the Working Group on the Right to Development, which constitute a valuable addition to the understanding of the right to development and approaches to its implementation both at the national and international levels,

Taking note of the report of the United Nations High Commissioner for Human Rights (E/CN.4/2004/22),

Reaffirming the agreed conclusions of the third session of the Working Group (see E/CN.4/2002/28/Rev.1) and the need for their follow-up and effective implementation,

Welcoming the convening of the high-level seminar on the right to development entitled “Global partnership for development” and appreciating the response of United Nations agencies and bodies and the international financial and multilateral trading institutions, which provided a unique opportunity to review and identify effective strategies for mainstreaming the right to development into the policies and operational activities of the major international organizations/institutions, thereby contributing to enhanced partnerships in realizing the right to development,

Recognizing the broad participation by States, international organizations and non-governmental organizations at the fifth session of the Working Group on the Right to Development and welcoming their active participation in enhancing the realization of the

Declaration on the Right to Development as well as the adoption by consensus of the Working Group's conclusions and recommendations,

1. *Recognizes* the importance of maintaining political will and commitment on the part of all members of the Working Group on the Right to Development and welcomes their ongoing cooperation towards the realization of its mandate;

2. *Takes note* of decision 2003/116 of 14 August 2003 of the Sub-Commission on the Promotion and Protection of Human Rights relating to the right to development;

3. *Looks forward* to the consideration at the sixty-first session of the concept document to be prepared by the Sub-Commission establishing options and their feasibility for the implementation of the right to development, inter alia, an international legal standard of a binding nature, guidelines on the implementation of the right to development and principles for development partnership, based on the Declaration on the Right to Development, including issues which any such instrument might address, for consideration and determination of the feasibility of these options;

4. *Requests* the Office of the United Nations High Commissioner for Human Rights to continue to provide all necessary administrative support and financial and human resources to the Sub-Commission in its work on the concept document;

5. *Endorses* the agreed conclusions and recommendations adopted by the Working Group on the Right to Development at its fifth session as reflected in its report (E/CN.4/2004/23 and Corr.1, paras. 41-51), and calls for their immediate, full and effective implementation by the Office of the High Commissioner and other relevant actors;

6. *Decides* to consider the renewal of the mandate of the independent expert on the right to development at its sixty-first session;

7. *Requests* the Office of the High Commissioner to provide all necessary administrative support and financial and human resources to the proposed high-level task force on the implementation of the right to development established within the framework of the Working Group on the Right to Development;

8. *Requests* the High Commissioner, in mainstreaming the right to development, to undertake effectively activities aimed at strengthening the global partnership for development between Member States, development agencies and the international development, financial and trade institutions, and to reflect these activities in detail in her report to the Commission at its sixty-first session;

9. *Decides* to renew the mandate of the Working Group on the Right to Development for one year and to convene its sixth session before the sixty-first session of the Commission on Human Rights for a period of 10 working days; of these 10 working days, five shall be allocated to the high-level task force established within the framework of the Working Group to hold its meetings and submit its findings and recommendations to the Working Group well in advance of its session; the Working Group in turn would meet for a period of five working days to consider the findings and recommendations of the task force and further initiatives in accordance with its mandate;

10. *Decides* to review the progress of the implementation of the present resolution as a matter of priority at its sixty-first session;

11. *Recommends* the following draft decision to the Economic and Social Council
for adoption:

[For the text, see chap. I, draft decision 3.]

45th meeting

13 April 2004

[Adopted by a recorded vote of 49 votes to 3.
See chap. VII. - E/2004/23 – E/CN.4/2004/127]