

Submission in follow-up to HRC resolution 19/34 “The Right to development”

UNCTAD

The United Nations Conference on Trade and Development (UNCTAD) is committed to the promotion and implementation of the right to development, as elaborated in the Declaration on the Right to Development (1986) and supports the work of the intergovernmental open-ended Working Group on the Right to Development.

As part of its active contribution to the work of the *High-Level Task Force on Implementation of the Right to Development* (HLTF), UNCTAD has provided substantive comments to assist the experts in their deliberations on the development of criteria and operational sub-criteria for the implementation of the right to development. UNCTAD reaffirms its commitment to contribute, as required, to the ongoing efforts of the open-ended Working Group on the Right to Development towards further consideration, revision and refinement of the right to development criteria and operational sub-criteria as set out in document A/HRC/15/WG.2/TF/2.Add.2

To this end, the present note highlights some specific aspects of UNCTAD’s mandate and work-programme that may be of particular relevance to the implementation of the right to development.

UNCTAD’s work and the right to development

UNCTAD is the focal point within the United Nations system for the integrated consideration of trade and development and interrelated issues in the areas of finance, technology, investment and sustainable development. As such, development is at the heart of UNCTAD’s mandate and of its work, which aims to help shape current policy debates and thinking on development, with a particular focus on ensuring that domestic policies and international action are mutually supportive in bringing about sustainable development. Within the larger UN context, UNCTAD contributes to efforts in respect of achievement of the Millennium Development Goals (MDGs),¹ as well as to key discussions on development under the auspices of ECOSOC and the UN General Assembly as they relate to trade, finance and development.² Over time, UNCTAD has proposed a broad range of policy measures and institutional reforms at the national and the international level to support rising living standards in developing countries, build their resilience to external shocks, and help them pursue a balanced integration with the global economy.³

¹ In particular MDG 8 on global partnerships for development), MDG 1 to end poverty and hunger, MDG 3 to promote gender equality and empower women and MDG 7 to ensure environmental sustainability.

² This includes, for instance, deliberations and discussion at the Review of the Monterrey Conference on Financing for Development as well as General Assembly discussions on the “International Trading System”.

³ Report of the UNCTAD SG to UNCTAD XIII, “Development-led globalization: Towards sustainable and inclusive development paths”, UNCTAD (XIII) 1.

In his report on the occasion of the 25th Anniversary of the Right to Development, the Secretary-General of the United Nations emphasized that development is a human right for all, which must be realized in a determined and coherent manner, moving from theory to action.⁴ In this context, he has called for the international community to reflect on the lessons learned, achievements made and the potential of the right to development in addressing contemporary global challenges in an increasingly interdependent and globalized world. The Secretary-General of UNCTAD, in his recent report to UNCTAD XIII has made a similar call for development-led globalization to describe the principles, priorities and policies that need to be pursued to turn tentative recovery into an inclusive and sustainable future.⁵

The organization works to implement its mandate by carrying out three key functions:

(a) UNCTAD functions as a forum for **intergovernmental deliberations**, supported by discussions with experts and exchanges of experience, aimed at consensus building. Through its intergovernmental machinery, UNCTAD provides a valuable platform for dialogue between developed and developing countries to address new global realities and development concerns as they evolve, consider ideas, and build consensus.

Key in this respect are quadrennial conferences at which member States make assessments of current trade and development issues, discuss policy options and formulate global policy responses. The texts of the final documents of the twelfth session of the United Nations Conference on Trade and Development (UNCTAD XII), held in Accra from 20 to 25 April 2008, the *Accra Declaration* and the *Accra Accord* provide analysis of a number of specific obstacles to development and, as such may be of assistance to further deliberations in respect of right to development criteria and operational sub-criteria. *Inter alia*, the *Accra Accord* recognizes that "good governance at all levels, freedom, peace and security, domestic stability, respect for human rights, including the right to development, the rule of law, transparency, gender equality, market-oriented policies and an overall commitment to just and democratic societies are essential to all countries to attain sustainable and equitable growth and development".⁶ The next quadrennial UNCTAD conference, UNCTAD XIII, will take place in Doha, Qatar, in April 2012 under the overall theme "*Development-led Globalization: Towards Sustainable and Inclusive Development Paths*".

Other intergovernmental meetings include the Trade and Development Board, the Trade and Development Commission and Investment, Enterprise and Development Commission, the ECOSOC Commission on Science and Technology, as well as Expert Meetings in substantive areas of UNCTAD's mandated work-programme.

(b) UNCTAD carries out **research, policy analysis and data collection** in a broad range of substantive areas of work and produces technical reports, policy briefs as

⁴ Report of the UN SG and the UN High Commission of Human Rights to the General Assembly, A/HRC/19/45, December 8, 2011.

⁵ Report of the UNCTAD SG to UNCTAD XIII, "Development led globalization: Towards sustainable and inclusive development paths", UNCTAD (XIII) 1.

⁶ Paragraph 6 of the *Accra Accord*.

well as a number of flagship reports which are published annually. These include in particular

- the *Trade and Development Report*, which analyses current economic trends and major policy issues of international concern;
- the *World Investment Report*, which focuses on trends in foreign direct investment globally and at the regional and country levels, as well as emerging measures to improve FDI's contribution to development;
- the *Economic Development in Africa Report*, which focuses on Africa's development problems;
- the *Least Developed Countries Report*, which provides a comprehensive and authoritative source of socio-economic analysis and data on the world's most impoverished countries;
- the *Information Economy Report*, which focuses on trends in information and communications technologies, such as e-commerce and e-business, and on national and international policy and strategy options for improving the development impact of these technologies in developing countries; and
- the *Review of Maritime Transport*, which monitors and analyzes trends and reports on the worldwide evolution of international shipping, ports and multimodal transport from the operational, the economic as well as the legal and institutional perspectives. The performance of regions and countries are also examined.

(c) Finally UNCTAD provides **technical assistance**, tailored to the specific requirements of developing countries and of economies in transition, with special attention to the needs of the least developed countries (LDCs) and of geographically disadvantaged countries such as landlocked developing countries (LLDCs) and Small Island Developing States (SIDS).

In performing its functions, the secretariat works together with member Governments and interacts with organizations of the United Nations system and regional commissions, governmental institutions, non-governmental organizations, the private sector, including trade and industry associations, research institutes and universities, as well as other civil society stakeholders.

Specific programmes and areas of work carried out in UNCTAD's five substantive Divisions include the following:

Trade and commodities

Commodity diversification and development: Promotes the diversification of production and trade structures. Helps Governments to formulate and implement diversification policies and encourages enterprises to adapt their business strategies and become more competitive in the world market.

Competition and consumer policies: Provides analysis and capacity building in competition and consumer protection laws and policies in developing countries. Publishes regular updates of a Model Law on Competition.

Trade Negotiations and Commercial Diplomacy: Assists developing countries in all aspects of their trade negotiations.

Trade Analysis and Information System (TRAINS): Comprehensive computer-based information system on trade control measures that uses UNCTAD's database. The CD-ROM version includes 119 countries.

Trade and environment: Assesses the trade and development impact of environmental requirements and relevant multilateral agreements and provides capacity-building activities to help developing countries participate in and derive benefits from international negotiations on these matters.

Investment and enterprise development

International investment and technology arrangements: Helps developing countries to participate more actively in international investment rule making at the bilateral, regional and multilateral levels. These arrangements include the organization of capacity-building seminars and regional symposia and the preparation of a series of issues papers.

Investment Policy Reviews: Intended to familiarize Governments and the private sector with the investment environment and policies of a given country. Reviews have been carried out in a number of countries, including Ecuador, Egypt, Ethiopia, Mauritius, Peru, Uganda and Uzbekistan.

Investment guides and capacity building for the LDCs: Some of the countries involved are Bangladesh, Ethiopia, Mali, Mozambique and Uganda.

Empretec: Promotes entrepreneurship and the development of small and medium-sized enterprises. Empretec programmes have been initiated in 27 countries, assisting more than 70,000 entrepreneurs through local market-driven business support centres.

Macroeconomic policies, debt and development financing

Policy analysis and research on issues concerning global economic interdependence, the international monetary and financial system, and macroeconomic and development policy challenges.

Technical and advisory support to the G24 group of developing countries (the Intergovernmental Group of 24) in the World Bank and the International Monetary Fund; advisory services to developing countries for debt rescheduling negotiations under the Paris Club.

DMFAS programme: Computer-based debt management and financial analysis system specially designed to help countries manage their external debt. Started in 1982, and now installed in 62 countries.

Technology and Logistics

Technology: Services the UN Commission on Science and Technology for Development and administers the Science and Technology for Development Network; carries out case studies on best practices in transfer of technology; undertakes Science, Technology and Innovation Policy Reviews for interested countries, as well as capacity-building activities.

Transport and Trade Logistics: Helps developing countries address the challenges and capitalize on the opportunities arising from trade and cargo flows; activities include research and analytical work, support to the intergovernmental machinery and technical assistance in the fields of transport, trade facilitation, policy and legislation and customs automation.

ASYCUDA programme: Integrated customs system that speeds up customs clearance procedures and helps Governments to reform and modernize their customs procedures and management. Installed in over 80 countries, ASYCUDA has become the internationally accepted standard for customs automation.

TrainForTrade programme: Builds training networks and organizes training in all areas of international trade to enable developing countries to increase their competitiveness. Currently developing distance learning programmes focusing on the LDCs.

Africa, least developed countries, landlocked developing countries & small island developing States

Africa: Provides analytical work aimed at increasing the understanding of problems faced by African countries in their development efforts, and facilitating a better integration of Africa into the world economy. Particular emphasis is placed on supporting the New Partnership for Africa's Development (NEPAD).

Least developed countries (LDCs): Provides analytical work and technical assistance aimed at enabling relevant States to make the best possible use of LDC status in the framework of the Programme of Action for the Least Developed Countries for the Decade 2001-2010, and to better understand the policy-related issues that are specially relevant to LDCs, notably with a view to developing productive capacities and reducing poverty in these countries.

Landlocked developing countries (LLDCs): Provides analytical work and technical assistance to LLDCs in support of the implementation of the 2003 Almaty Programme of Action, which deals with the special needs of LLDCs within a new global framework for transit transport cooperation for landlocked and transit developing countries.

Small island developing states (SIDS): Provides analytical work and technical assistance to SIDS in support of the implementation of the 2005 Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, with particular emphasis on issues of economic vulnerability and specialization.