The Permanent Mission of India to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and has the honour to refer to the Note-Verbale of OHCHR of February 1, 2012 on the Report of the High-Level Task Force on the implementation of the Right to Development requesting for comments and proposals on the Right to Development criteria and operational sub-criteria from Member-States.

The Permanent Mission of India’s comments on the Report are given below:-

1. India is concerned about undue emphasis being placed on measuring national responsibilities and identifying national liabilities, including the proposal of indicators to measure performance of the countries on the proposed criteria and the sub-criteria. These indicators would not reveal the existing development differential and the present set of economic development impediments of a country, in implementing the Right to Development.

2. India is also concerned that the indicators, particularly in the areas of environment, do not acknowledge the principle of common but differential responsibilities of developing countries, in addressing environmental adaptation and mitigation.

3. India is concerned on the proposal of a common template of measurement for both the developed and developing countries that ignores the differences in economic development of countries while
measuring uniformly the Human Rights aspects of the Right to Development.

4. India is concerned on the core definition of the Right to Development that suffers from normative indeterminacy that are likely to weaken the global and international dimensions of Right to Development. While the use of indicators in the context of development would be useful for assessing with resource flows and resource allocation, in the domain of human rights, it would shift the entire burden of Right to Development onto the States, since human rights instruments demand State responsibility for both implementation and facilitation of human rights.

The Permanent Mission of India would like to further add that it would provide more detailed comments to the OHCHR on the Report of the High Level Task Force on the implementation of the Right to Development by March 23, 2012.

The Permanent Mission of India to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

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