

Report on the Consultation Meeting on Right to Development held on 3rd March'2008 at India International Center, Delhi

Introduction

Right to Development (RTD) has been debated quite comprehensively within UN systems, and as a result the concept is backed by a number of declarations and other UN mechanisms. However, when it comes to the realization of RTD, still a lot of ground has to be covered. In spite of international community having acknowledged the RTD as a human right through a number of declarations and cannons, the RTD is neither justiciable nor enforceable. In fact, some other rights within the gamut of ESCR, such as right to Food, Right to Health, Right to Housing have got much more attention, and are regularly monitored at UN level as well as within countries. Right to Development, which could have provided a much more comprehensive framework especially in view of the increasing globalization, somehow escaped the attention of the world leaders and human rights defenders. Partly it had to do with the 'not so clear delineation' of the "right" and partly because within UN it was seen a victory of sorts for the developing countries and perhaps that is why not backed by developed countries and donors. However, over the past two decades the international real politic has undergone a sea change as a result of several processes happening simultaneously, which demands a serious relook at the concept of the Right to Development. It is against this background that IPAC-SDS decided to initiate a debate on the concept of Right to Development through a wide consultative process, and the first meeting in the series was the national consultation on the RTD held in Delhi on 3rd March 2008.

Invitations were sent to around 90 persons from various organizations, individual experts and stakeholders working on the issue at various levels. However, a total of 28 participants could attend the consultation. The list of the participants is enclosed in *Annexure I*.

Objective of the Meeting:

The purpose of the consultation was to initiate a debate on the need for Right to Development, an all encompassing right with all those who have been engaged in the "Rights" discourse and policy influencing processes at various levels.

Proceedings of the Meeting:

The meeting formally started with a Welcome Note by Mr. Narender Kumar, Executive Director-IPAC. He also explained the purpose of organizing the consultation and put forward the intentions of the organization behind such initiatives.

Following the inaugural address all the participants introduced themselves, which was followed by a reflection on the day's programme. It was suggested by some participants that if the speakers could be focused and business like, the meeting could be concluded at the lunch time which could be extended by half an hour or so. After some brainstorming, it was agreed that let the discussion take their own pace and flow, and if towards the end it is felt to wrap the consultation around lunch, it could be done.

SESSION-I

The first session was planned to focus on the Conceptual Framework and Positioning of RTD in the UN.

The first speaker, **Dr. Manoj Kr. Jha (Reader, Delhi School of Social Work, University of Delhi)** made an excellent presentation to explain the theoretical and conceptual framework of Development and then linked it to Right to Development. He mentioned the work of various theorists and historians to back his arguments. He stressed in his session that the role of the governing bodies and State is quite important in the area of Human Rights and the context of Development. While discussing the theoretical aspect he brought to the fore the role of government in the present context. He talked about the increasing tendency in the human right discourse to demonize the State, which he felt was neither legitimate nor appropriate from the pragmatic point of view. According to Dr. Jha Government is *not* the problem; it is actually at the centre of many *solutions* to most of the pressing problems we face as a nation – from global warming to our growing health care crisis. If we want an country that is healthy, secure, well-educated, unpolluted, compassionate, prosperous, just, and free, we need a strong, active, and well-funded public sector. Government allows us to pool our resources and to act collectively to address the serious social, economic, and environmental problems that we are unable to deal with as individuals.

The Second speaker in the first session, **Mr. Suhas Chakma (Asian Centre for Human Rights)** taking a very different approach, explained the positioning of Right to Development in a critical manner which was provided a lot of material to brainstorm, and ponder over the issue. He had quiet different opinion as compared to Dr. M. K. Jha. He actually almost ridiculed the concept and present status of Right to Development in UN. He lamented that the Declaration on the Right to Development is a piece of paper full of generalities and rhetoric, and in practical terms it does not mean anything to the human rights defenders. He believed that the international Covenant of Civil and Political Rights and International Covenant of Economic, Social and Cultural rights and other

international legal standards are far more clearly defined and effective. He also mentioned that it's more important to discuss and develop some strategies and to initiate campaigns in the provision of basic Human Rights like Right to Life, Right to Food, and Right to Education, etc. to benefit the maximum number of people rather than reinventing RTD. A lot of effort would be required to reach a better conceptual and practical understanding about the right to development.

After the tea-break, **Ms. Farida Vahedi, Secretary, Ext. Affairs, National Spiritual Assembly of Baha'i of India** made a presentation on the Alternative Paradigm in Development while stressing on spirituality as an important aspect of achieving development in all spheres of life and for all sections of society. She said that development initiatives alone would not lead to tangible and lasting improvements in physical well-being without drawing on those universal spiritual postulates that give directions and meaning to life. While science can offer the methods and tools for promoting social and economic advancements, it alone cannot set directions; the goal of development cannot come from within the process itself. A vision is needed, and the proper vision will never take shape if the spiritual heritage of the human race continues to be regarded as tangential to development policy and programs.

Points of Discussion: There was a mixed reaction of the group following the presentation in the first session, especially between the first two speakers. These presentations generated a lot of discussion, and the participants felt that while it was important to understand the politics behind RTD and be cautious how it is presented, it would be a pity if we lose sight of the overall purpose and potential value of the RTD. Though, the framework explained by Dr. Jha and stressing on the role of government was appreciable but the critical remarks given by Mr. Chakma were equally important to draw the attention of the group to think about the present practical status of the issue. There were also some clear disagreements on some of the remarks like devaluing the importance of Universal Declaration of Human Rights by some members of the group. The idea of spirituality to be an important tool in achieving development was well appreciated.

SESSION-II

The second session focused on understanding the Right to Development through different basic rights.

Ms. Shivani Bhardwaj (Sathi for All Partnerships) presented, albeit briefly, the efforts made by the Coalition on Women's land rights. The human rights based approach to land reform has not yet sunk in the ethos of the state. Its implications for land reform have not yet been addressed from a livelihood or a gender perspective. She elaborated the need to integrate the women rights over

land and resources by state government in the programs and rehabilitation policy for the displaced tribals.

Dr. Jyotsana Chatterjee (Joint Women's Programme) presented her views and experiences on the development issue of girl child in India. She mentioned the statistics related to female foeticide and the still prevailing inequality in the sex ratio in various parts of India. She mentioned about the traditions, customs and social practices that place greater value on sons than on daughters, who are often viewed as an economic burden, still stand in the way of the girl child being able to achieve her full potential. She put forward various evidences of trafficking and abuse of the girl child. She stressed on the basic needs and resources lacking like education and health both in urban and rural areas. She said that it is worthless to talk about Right to Development as a whole while ignoring such basic realities and rights.

Mr. Indu Prakash Singh (Action Aid International, India), started by saying that despite its slow progress, Right to Development could provide a useful and effective framework within which the basic needs of the poor and marginalized could be addressed. He explained the issue with Housing and Shelter rights as an example and provided useful statistics and examples from the field.

The Housing census in India is extremely poor as there are infinite numbers of people still living under sky without having proper housing facilities or in very poor habitual conditions. So many years after the tsunami, despite the outpouring of aid, living conditions of most tsunami survivors are abysmal. The failure of involved agencies and actors adequately to respond to the disaster is glaring in every tsunami-affected area, and is reason for much concern. Approaches that integrate livelihood, housing and health are lacking in rehabilitation activities, as are mechanisms for accountability and monitoring. The pervasive non-adherence to human rights standards across all relief and rehabilitation work, be it by government or international agencies, has been alarming. In all affected communities, the two overriding issues still demanding urgent consideration are housing and livelihood restoration. Seventy eight million people in India are homeless. This is despite the fact that Article 21 of the Constitution includes the right to shelter. Delhi's slum residents are bracing themselves for the city's makeover. The municipal corporation is demolishing their houses and clearing their colonies for new lawns, roads and stadiums. Urban poor in cities across the country are increasingly vulnerable as reforms focus on attracting investment rather than improving lives of poor citizens.

Summary remarks

The discussion was concluded by **Ms. Razia Ismail Abassi from Women's Coalition Trust**. She first of all praised the efforts of IPAC and also congratulated the Organization for developing such a platform for initiating the discussion and debate on the Right to Development where individuals and organizations can discuss their views and share their experiences in the Context of Development. She appreciated the contribution of the speakers in the consultation covering various aspects of Right to Development from theoretical framework to practical implementation. She stressed on the need that all the group members should be well connected and share the information and experiences of the related fields on the Right to Development in the future also.

Follow-Up Plan: At the conclusion, the group members suggested that the discussion needs to be carried forward by organizing such meetings in the near future periodically and to share the results and proceedings with all those involved and who are not present in the discussion. This continuous effort of initiating such debates and discussions could surely lead to a campaign in the near future.

ANNEXURE I

Meeting Participants: 3rd March'2008	
1. Mr. Suhas Chakma	Asian Centre for Human Right
2. Mr. Indu Prakash Singh	Action Aid India
3. Ms. Farida Vahedi	National Spiritual Assembly of Bahai's of India
4. Dr. Manoj Kr. Jha	Delhi School of Social Work, University of Delhi
5. Mr. Raaj Mangal Prasad	Pratidhi, Delhi
6. Ms. Neena Pandey	Aditi Mahavidalaya, University of Delhi
7. Ms. Razia Ismail Abassi	Women's Coalition Trust
8. Mr. Anup Kumar Srivastava	Human Rights Law Network
9. Dr. Jyotsana Chatterjee	Joint Women's Programme
10. Ms. Shabnam Sabetian	National Spiritual Assembly of Bahai's of India
11. Ms. Jeebanjyoti Mohanty	Deepalaya, Delhi
12. Mr. Jaison Chacko	Deepalaya, Delhi
13. Ms. M.K. Jabbi	Council for Social Development
14. Ms. Ravinder Kaur	Prayas Institute of Juvenile Justice
15. Mr. Vishal Verma	Dept. of Social Welfare, Delhi
16. De. Beena Anthony Reji	Aditi College, University of Delhi
17. Mr. Sub hash Chandra	Lok Vikas Sansthan, Jamui
18. Mr. Nawal Kishore Raj	Bikash Prava, Deogarh
19. Ms. Shivani Bhardwaj	Sathi for All Partnerships
20. Mr. Arun Kumar	ADHAAR, Delhi
21. Mr. Ramesh Swarankar	Asian Development Bank
22. Mr. N. Paul Divakar	NCDHR
23. Mr. Narender Kumar	Executive Director, IPAC
24. Ms. Sanvia Danish	Programme Coordinator, IPAC
25. Ms. Deepti Dutt	Programme Advisor, IPAC
26. Mr. Hanuman Sahay	Programme Coordinator, IPAC