The 12th session of the Expert Mechanism on the Right to Development

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The role of civil society organizations in realizing the right to development at the grassroots level

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Transcript of statement by Mr. Youssouf Elbak,
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Chair,
Ladies and Gentlemen,
Experts,
Distinguished Representatives of States and Civil Society Organizations,

First and foremost, I thank the Expert Mechanism for having invited me and allowing me to make my own input to these debates.

From the outset, the right to development is enshrined in the 1986 Declaration, recognizes that every human being and people has the right to fully, freely and actively participate in the development process and develop therefrom equitably, and it is locally that this right becomes really meaningful, where public policies meet human experiences, where the aspirations of communities are translated in concrete actions, and there also locally, that civil society organizations play an irreplaceable role, namely that of translating the right to development into reality on a daily basis.

First of all civil society organizations enable people to participate and to exercise advocacy. They give a voice to people we don't hear, women, children, people living in disabilities, people living in rural areas or indigenous peoples, the example of the inclusive or participatory budget, which some towns have experimented with in Senegal or France, attest to the fact that citizens can have a direct influence on local realities. And in my view, that is what RTD is all about, namely. It is about ensuring that everybody is really involved and significantly involved.

Secondly, civil society organizations between citizens and institutions translate the very complicated language enshrined in international instruments into a language that can be understood by grassroots, which also creates an arena in which there is accountability and a constructive dialogue between governments and those they govern.

Thirdly, civil society organizations also produce or come up with local solutions, they are not merely content with warning about things. They innovate. They experiment. They build. In Sahel, for example, we have communities involved in the Great Green Wall Project, a reforestation and a number of other aspects. Also in Brazil with the indigenous peoples, they see real ones who have launched community reforestation projects today, recognized as a sustainable development project. These experiences show one thing, namely that human rights based development is a concrete reality carried by communities and often by the youth of these communities.

Despite these successes, civil society organizations have to face several structural challenges. The first of which is the lack of institutional recognition. In many contexts, their role is perceived as

secondary, and they sometimes consulted, sometimes listened to, but very rarely involved in decisions. Second, lack of resources. That is financial and technical resources which seriously jeopardize the sustainability or continuity of what they do.

Third, restrictions to fundamental freedoms that we are seeing increasingly over the last few years, over the last few months worldwide. I'm speaking here about freedom of expression, freedom of peaceful assembly and association. In some countries, some associations have been disbanded or eliminated on the grounds of national security. Some established democracies, even therein we have witnessed, how can I put it, tensions between security imperatives of demands and exercise of fundamental freedoms. For example, in France, freedom expression is enshrined in the Declaration of human rights and of the citizen. And yet in the last few years, several organizations have been disbanded, be on national security grounds or public security grounds or public order grounds, some pro-Palestinian organizations or demonstrations have been outlawed on those grounds. Several civil human rights defense organizations have deemed these grounds to be disproportionate.

However, in some environmental areas still remaining in France, we note several mechanisms favoring citizen participation. And here I could list the right to access to environmental information enshrined in the environmental charter and also another tool created in France, CNDP, National Commission for Public Debate, organizing consultations on major projects. These tools have made it possible to strengthen the involvement of the public associations, but their participation all too often is just as an advisory role, final decisions out of the grasp of the of citizens.

Let me give you an example, however, of something positive that happened in 2023. A company in France fell foul of the law, did not respect the right to participation. Several associations denounced this as did a governmental body, the CNDP I was referring to, was apprised of the situation. The company had to suspend what it was doing to engage in public consultation under the aegis of the CNDP. And that was the first time it was happening in France. And yet the project was already underway, led by this corporation. They gathered around 200 questions put to the public that led to a new environmental assessment and this proves that real participation, active and transparent participation, can happen when institutions fully play their roles, which leads me to a key point.

Indigenous peoples amongst the first affected by development inequalities and policies designed to grab their lands and resources without free, prior and informed consent. Very often these projects, be they economic or public in nature, replicate foreign interference, neocolonial patterns totally out of the control of the communities. The Afar community in Horn of Africa, their pastoralist way of life based on mobility and community management of resources, is today threatened by infrastructure projects and mega projects. These initiatives give rise to forced displacement, the reification of water resources and pastureland and the ancestral way of life is therefore threatened. The Afar communities in Djibouti and Ethiopia and Eritrea prove that there is ongoing marginalization, often of people who are illiterate or at least haven't been given the chance to become literate and excluded from decision making processes, and their land, cultural and spiritual rights are shunned by national legislations. In some cases, only some appointed people are consulted, but not in the context of community consultation. Development can only be sustainable if only if it involves peoples and respects their land rights, then their local knowledge and collective sovereignty.

The right to development cannot be separated from the right to self-determination. In this context, civil society organizations play a key role. They defend collective rights. They protect land and resources. They document violations, and they speak on behalf of communities on international and national stages.

In the faces of this, there are a number of levels we can action. First, all strengthening national legal frameworks by recognizing civil society organizations as fully fledged partners. Second, to set up a

dialogue which would make it possible to States and to civil society and to the private sector and to donors and to the youth, and all of these together to include all groups. Third, guarantee sustainable and transparent financing of local communities, making changes on the ground. Fourth, to raise the visibility of local practices, feed it up to the international right to development mechanisms. And finally, promote South-South or triangular corporation, where in civil society organizations, including those led by the youth, but also those led by indigenous peoples, can become true partners and not remain mere beneficiaries. Finally, we absolutely must create international monitoring and follow up mechanisms and accountability mechanisms, which have binding powers to ensure that States do not shirk their responsibilities.

To conclude without civil society organizations, without a committed youth, which is the driving force behind all of this, RTD will remain the pipe dream.

Thanks for the daily commitment, the closeness to grassroots and their capacity to innovate. It's thanks to all of this. This has become a reality today. Everyday civil society organizations therefore contribute to the building of fairer, more inclusive and truly sustainable societies wherein each human being, regardless of their age or origin, can fully participate in their own development.

Thank you very much, Mr. Chair.

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