TALKING POINTS: **Advancing non-discrimination, equality and development for all: 40 years of the right to development and 25 years of the Durban Declaration & Program of Action**

By: Chafi BAKARI
Founder/managing partner: International Assets recovery & collection services, LLP
Founder/CEO: African commodities LLC

INTRODUCTION

The DRTD is and has been a reminder to States about the commitments they have made under International and regional instruments: development encompasses the realization of all rights, in that, to be sustainable, it must leave NO ONE BEHIND.

The Durban Declaration provides specificities, nitty-gritties, to the effective implementation of the Declaration on the Right to Development particularly as regard the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant instruments. It also serves to remind all States of their commitment to promote universal respect for, and observance and protection of, all human rights, economic, social, cultural, civil and political, including the right to development, as a fundamental factor in the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance.

1. How can the DRTD 40th anniversary be leveraged to renew global political commitment against all forms of racism?

- **Continued emphasis to be put on development as people centered: how tangible results have been achieved at national, regional and international levels since the adoption of both Declarations? How many countries in Africa and Latin America have met sustainably the basic needs of their people? The answers to these questions would help identify and catalog achievements and best practices. For instance, in Africa, approximately 24% of citizens report experiencing severe lived poverty, which includes not being able to meet basic needs such as food, water, and healthcare. This statistic highligts the ongoing challenges in addressing the basic needs of citizens across the continent. Majorities report going without a cash income (81%), medicine or medical care (66%), and sufficient food (59%), clean water (57%), and cooking fuel (51%) at least once during the previous year.**

2. How to transform commitments into concrete change through meaningful and impactful actions and activities at local, national, regional, and international levels?

- **Need of a stocktaking and a SWOT analysis of programs and projects designed to give effect to commitments made at national, regional and international levels**
- **Reliance on self as well as alike countries to address challenges:**
  - **a) Less-developed or developing countries should look inward to overcome their challenges no matter what they are.**
  - **b) This entails strengthening south-south cooperation at all levels.**

- **Reliance on local resources:**
    a) **One of the main challenges in living up to commitments regarding the right to development is and will always be the lack of resources. In that, the solution should be found in the mobilization of local resources instead of reliance on so-called Official Development Assistance (ODA). For instance, in Article 28 of the 2001 Abuja Declaration AU Member States called on donor countries to complement the resources that Africa is putting to fight HIV-AIDs. Most African and Latin American countries must adopt better tax collection and resource management strategies to increase local resources. They should also increase Public-Private Partnership. The recent aides cut by the US should be a wake-up call to compels these countries to count on their own resources.**
    b) **Tackling corruption and other illicit financial outflows as the main obstacles to realizing the right to development. Corruption is a gangrene affecting all sectors of development programs and projects. The negative impacts of corruption in the realization of ESCR mainly the attainment of the right to basic needs are known in many developing countries. Therefore, all countries should engage in using human rights-based approach to prevent and fight corruption. As far as Africa is concerned, it is known that $90B are lost every year to corruption and other illicit financial outflows from the continent. Reducing this loss would increase resources to allocate to development programs.**
    c) **Necessity to put emphasis on tangible results: In its article 26, the 2001 Abuja Declaration, Heads of State of African Union made the commitment to allocate at least 15% of their annual budget to improve health care system. When COVID19 stroke, research demonstrated that only Two African countries lived up to this commitment.**

3. <u>What role should Member States, UN entities, regional organizations, civil society, NHRIs, the academia and private sector play in this process? How can these actors better integrate the DRTD and DDPA in practice?</u>

- **Member States, UN entities, regional organizations, civil society, NHRIs, the academia and private sector, play an important role in the implementation of both Declarations. In that they should:**

a) Promote cooperation and integration among member states.

b) Facilitate the sharing of best practices and successful development strategies.

c) Provide platform for dialogue and negotiation on development issues.

d) Mobilize resources and funding for development projects.

e) Monitor and evaluate progress towards development goals.

f) **Continue to advocate for the inclusion of marginalized groups in development processes**.

g) **Experts Mechanism on the RTD to continue the participation in the NGO forum preceding the sessions of the ACHPR and also make use of existing cooperation frameworks between the African Union in general and the specific framework of cooperation with the African Commission on Human and Peoples' Rights (MOU and the Addis Ababa Road Map); and that with the African Court on Human and Peoples' Rights; to conduct joint missions in African countries. Such missions would help speak with the same voice on issues relevant to the RTD.**

4. <u>What would a development agenda that truly centers on racially discriminated communities look like?</u>

- **Such a development agenda would be unrealistic as it would leave many behind in its concept. As a result, the implementation of such agenda would lead to unsustainable development.**