



PROGRAM ON HUMAN RIGHTS IN DEVELOPMENT
Harvard School of Public Health



Expert Meeting on legal perspectives involved in implementing the right to development

Chateau de Bossey, Geneva, Switzerland

4-6 January 2008

Friday, January 4, 2008

16:00 **Leave Geneva** for conference center

17:00 **Arrival** at conference center

Introduction and Welcome to the Expert Meeting

18.00 ***Tuerkan Karakurt*** (Friedrich-Ebert-Stiftung)

Stephen P. Marks (Program on Human Rights in Development)

19:00

Welcome Dinner

Keynote speaker: ***Arjun K. Sengupta***, former Independent Expert on the Right to Development, current Chair, Open-Ended Working Group on the Right to Development



Saturday, January 5, 2008

8:00 – 9:00

Breakfast

9:00 – 9:30

Introduction and objectives of the Expert Meeting *Stephen P. Marks*

Self-introduction of the participants

Theme I: THE RIGHT TO DEVELOPMENT AS A LEGAL NORM

Moderation Session 1: *Türkan Karakurt*

9:30 – 10:00

Nature and scope of the right to development as a legal norm

Presentation by *Margot Salomon*

Comment by *Georges Abi-Saab*

10:00 – 10:30

Discussion of the nature and scope of existing legal obligations

10:30 – 11:00

Coffee / Tea Break

11:00 – 11:30

Normative content of a treaty as opposed to a declaration on RTD:

How a treaty would differ from the Declaration

Presentation by *Michael Stein*

Comment by *Sabine von Schorlemer*

11:30 – 12:00

Discussion on Normative and substantive content of a treaty as opposed to a declaration on RTD

Theme II: EXPERIENCE WITH EXISTING TREATY NORMS RELATING TO THE RIGHT TO DEVELOPMENT

12:00 – 12:30

Relation of the right to development to existing substantive treaty regimes (human rights, trade, environment, development, labor, etc.)

Presentation by *Koen De Feyter*

Comment by *Beate Rudolf*

12:30 – 13:00

Discussion the relation of the right to development to existing treaty regimes

13:00 – 14:30

Buffet Lunch



Moderation Session 2: *Shadrack Gutto*

14:30 – 15:30 **Experience of the regional treaties containing explicit reference to the right to development**

a) Article 22 of the African Charter and relevant cases before the African Commission on Human and Peoples' Rights

Presentation by ***Obiora Chinedu Okafor***
Comment by ***Margaret Sekaggya***

b) Article 17 and Chapter VII of the revised OAS Charter and relevant experience of OAS institutions

Presentation by ***Dante M. Negro***

15:30 – 16:00 Discussion on the prospects for implementation of treaty norms on the right to development through the AU, the OAS and relevant intergovernmental processes in Asia

16:00 – 16:30 **Coffee / Tea Break**

Theme III: PRACTICAL ISSUES WITH A LEGAL FRAMEWORK FOR IMPLEMENTING THE RIGHT TO DEVELOPMENT

Moderation Session 3: *Asbjørn Eide*

16:30 – 17:00 **A legal perspective on the evolving criteria of the HLTF on the right to development**

Presentation by ***Stephen P. Marks***
Comments by ***Siobhan McInerney-Lankford*** (tbc) and ***Christiana Mutiu***

17:00 – 17:30 **Practical Application of the criteria of the HLTF / Experiences of OHCHR and FES**

Input by ***Susan Mathews, Felix Kirchmeier, Britt Kalla***

17:30 – 18:00 **Discussion** on emerging guidelines on RTD and their application

18:30 – 19:30 **Movie on Global Warming** – the need to consider new aspects in the RTD context – Introduced by ***Daniela Hinze***

19:30 **Dinner**



Sunday, January 6, 2008

Moderation Session 4: *Türkan Karakurt*

9:00 – 9:45 **Legal framework for implementing the right to development at the national level**

Presentations by *Shadrak Gutto* and *Xigen Wang*
Comment by *Abdulqawi A. Yusuf*

9:45 – 10:30 Discussion of the enforcement of a legal norm on the right to development at the national level

10:30 – 11:00 **Coffee / Tea Break**

11:00 – 11:30 **Approaches to complying with paragraph 2 (d) of Human Rights Council Resolution 4/4 and the meaning of “a collaborative process of engagement”**

Presentation by *Ibrahim Salama*
Comment by *Arjun Sengupta*

11:30 – 12:00 **Discussion on relative advantages of guidelines vs. a “legal standard of a binding nature”**

Discussion introduced by *Nicolaas Schrijver*

12:00 – 12:30 **Discussion of follow up with Human Rights Council and steps to be taken during the phases of the work plan in 2008-2009**

Discussion introduced by *Nicolaas Schrijver*

12:30 – 13:00 **Concluding observations**

13:00 – 14:30 **Buffet Lunch**

15:00 **Return to Geneva**