**Human Rights Council – 45th session

Explanation of Vote**

 **Resolution on the** **right to development**

**Australia Statement**

**6 October 2020**

Australia cannot support the draft resolution L.23 on the Right to Development.

We acknowledge there are a range of views on the concept of a right to development, including the proposal to develop ‘an international legal standard of a binding nature on the right to development’.

We share the concern of many states that this text presents a legally binding instrument as the only way forward, leaving no room for alternatives. There is no international consensus on a potential legally binding instrument. Australia remains of the view that existing international human rights law treaties provide comprehensive protections for human rights, and there is no need for additional treaties.

We welcome Azerbaijan’s constructive approach to negotiations but call on the NAM to adopt a more consensual approach and consider alternatives.

Australia takes a human rights-based approach to sustainable development, emphasising the need for countries to respect, protect and promote human rights, in line with international human rights law, in the implementation of all Sustainable Development Goals (SDGs).

We are concerned by the way the resolution overstates the relationship between the concept of a right to development and the SDGs, including the suggestion that the right to development is vital for the realisation of the SDGs.

The SDGs represent the culmination of careful negotiations on the interrelationship between development and human rights.

Australia is committed to the SDGs as a universal, global approach to reduce poverty, promote sustainable development and ensure peace and prosperity. Through our development assistance program, we work in partnership to help countries throughout the Indo-Pacific and across the world to become more prosperous and secure.

In the spirit of constructive negotiations, Australia and other states raised our concerns in informal consultations. We regret that, once again, our suggestions have not been adopted.

For these reasons, Australia requests a vote on this resolution and will vote against it. We encourage other members of the Council to do the same.

***320 Words***