



Organización  
de las Naciones Unidas  
para la Educación,  
la Ciencia y la Cultura



Centro Internacional  
para la Promoción  
de los Derechos Humanos  
Categoría II UNESCO

September 23rd to 27th, 2019. Buenos Aires. Argentina



**INTERNATIONAL COURSE**  
ON HUMAN RIGHTS

**2019**

**DEVELOPMENT  
AND HUMAN RIGHTS**

Friends or Foes?

## PROGRAM

### MONDAY, SEPTEMBER 23

#### **Course Opening Ceremony and Keynote Speech.**

Activity open to the public

Location: Palermo University, Auditorium

Mario Bravo 1050, 6th floor, City of Buenos Aires.

#### **Welcome Remarks**

##### **Claudio Avruj**

President of the CIPDH-UNESCO, Secretary of Human Rights and Cultural Pluralism, Ministry of Justice of the Republic (Argentina)

##### **Lidia Brito**

Director of the UNESCO Office in Montevideo, Regional Bureau for Sciences in Latin America and the Caribbean (Uruguay)

##### **Daniel Tarnopolsky**

Representative of Human Rights Organizations before the Board of Directors of the CIPDH-UNESCO (Argentina)

##### **Patricia Tappatá Valdez**

Director of the CIPDH-UNESCO (Argentina)

#### **Keynote Speech: "Development and Human Rights: Tensions and Complementarities"**

##### **Rodrigo Uprimny Yepes**

Professor of the National University of Colombia

Member of the International Commission of Jurists and the UN CESCR Committee (2015-2018)

#### **Moderator**

##### **Roberto Saba**

Academic Director of the International Course on Human Rights, CIPDH-UNESCO (Argentina)

## TUESDAY, SEPTEMBER 24

Location: Villa Ocampo, Béccar, Buenos Aires

### Words by Lidia Brito

Director of the UNESCO Office in Montevideo, Regional Bureau for Sciences in Latin America and the Caribbean (Uruguay)

### Course Introduction and week overview

#### Patricia Tappatá Valdez

Director of the CIPDH-UNESCO (Argentina)

#### Roberto Saba

Academic Director of the International Course on Human Rights, CIPDH-UNESCO (Argentina)

### SESSION 1

#### Development and Human Rights: A necessary relationship or two extremes in tension?

The concept of development has been and still is a controversial subject. It has been built, historically, through different perspectives, being connected to the economy, democratic institutions and, more recently, to human rights. However, the relationship between human rights and development is not an easy one. On one hand, human rights have been identified with the preconditions of development as well as its consequence. They are also considered as two sides of the same phenomenon. On the other hand, development is also perceived in some specific circumstances as an obstacle to the exercise, validity or protection of human rights. This panel will explore both axes: the necessary relationship between development and human rights and the tensions and conflicts between both extremes.

Debates on development and human rights issues in the international realm, whether they involve States or take place between States and other actors, often present some misunderstandings that make dialogue between these two fields difficult. What does it mean for human rights that development has made the struggle against poverty its main priority? Do we look at poverty equally from a human rights perspective and from a development perspective? These questions are just two among many that should be resolved to make possible a joint construction between the two spaces.

### Panelists

#### Javier Surasky

Professor of Development and Human Rights, National University of La Plata (Argentina)

#### Rodrigo Uprimny Yepes

Professor of the National University of Colombia - Member of the International Commission of Jurists and the UN CESCR Committee (2015-2018) (Colombia)

#### Jackie Dugard

Socio-Economic Rights Institute of South Africa (South Africa)

### Moderator

#### Patricia Tappatá Valdez

Director of CIPDH-UNESCO (Argentina)

## SESSION 2

### Case study 1: Development and boundaries of the state action

Christian Curtis will present some theoretical premises of the discussion on development and human rights and will offer examples of contexts in which the language of human rights could avoid the negative consequences of adopting a reductionist conception of development.

Daniel Cerqueira will address the relationship between mega infrastructure, development and human rights. Specific cases will be discussed, such as the construction of Belo Monte's hydroelectric dam on the territory of the indigenous communities of the Xingú river basin, Brazil, and the adoption of precautionary measures by the Inter-American Commission on Human Rights.

#### Daniel Cerqueira

Due Process of Law Foundation -DPLF (Brazil)

#### Christian Curtis

Office of the High Commissioner for Human Rights -OHCHR-, UN (Argentina)

## SESSION 3

### Development and Economic, Social and Cultural Rights

#### Jackie Dugard

Socio-Economic Rights Institute of South Africa (South Africa)

#### Víctor Abramovich

Former Commissioner of the Inter-American Commission on Human Rights CIDH-OEA. Professor of the Faculty of Law of the University of Buenos Aires (Argentina)

## WEDNESDAY, SEPTEMBER 25

Location: Villa Ocampo, Béccar, Buenos Aires

## SESSION 4

### Class: 1: Development and human rights within the UN framework

The common understanding of a human rights approach to development: between theory and implementation. The 2030 Agenda, the SDGs and human rights: convergences and challenges.

#### Christian Curtis

Office of the High Commissioner for Human Rights -OHCHR-, UN (Argentina)

## SESSION 5

### Case of study 2: Development, Rights and Accountability

In 2001, the Interamerican Development Bank adopted a document titled "Strengthening of a Systemic Framework against Corruption". This document defined the work of the IADB Group (IADBG) in three related areas: i) make sure that the IDBG works according to the highest standards of integrity and that policies and internal procedures were oriented to this goal; ii) make sure that activities funded by the Bank are free of fraud and corruption and that they are executed in a control environment; and iii) support programs that help IDBG's member countries to strengthen good governance, sustain the rule of law and fight against corruption.

Roberto de Michele will focus on the third area and will present recent examples of IDBG's member countries. In particular, he will refer to the IADB Strategy Institutional Update approved in July 2019, which defines the issue of transparency and integrity as a crosscutting mandate for all sectors on which IADB works. He will also refer to the reports of the Latin American and the Caribbean Experts Group on Corruption, Transparency and integrity prepared for IADB in 2018.

Ernesto Cussianovich will work on the notion of governance, which has produced a rich debate about its scope and transforming role in Latin American countries. This notion includes a rights agenda and the factors for populations' material progress. In his presentation, Prof. Cussianovich will focus on some examples of public opinion surveys that show citizens' views about preservation, development and the future of natural resources, in particular, those related to the extracted industries.

**Roberto de Michele**

Inter-American Development Bank –IMDB- Washington DC (Argentina)

**Ernesto Cussianovich**

Associate Director of Poliarquía Consultores, Professor at Di Tella University (Argentina)

**THURSDAY, SEPTEMBER 26**

Location: Villa Ocampo, Béccar, Buenos Aires

**SESSION 6**

**Case study 3: Development and structural inequality**

Roberto Saba will refer to the concepts of structural inequality and equality as non-subordination of groups. Recognition of equality in constitutions and international human rights treaties provides not only important arguments to make claims before courts, but also the grounds for public development policies implementation. The usual view of equality as non-discrimination requires non-arbitrary treatment by the State. However, equality understood as non-subordination of groups requires the State to avoid implementing development policies that perpetuate the structural inequality of disadvantaged groups.

Gala Díaz Langou will refer to gender gaps in the labor market. Women face obstacles to the enjoyment of their rights in multiple dimensions. In recent years, the difficulty they face in accessing their physical autonomy was especially stressed, with movements such as #metoo or Ni Una menos. The need for more women in decision-making positions is also gaining visibility: peer cabinets in the public sector, gender quotas on large companies' boards, and electoral rules with a gender perspective have proliferated. However, gender gaps that exist in the enjoyment of economic rights still remain relatively hidden, as is also the case with their counterpart: the distribution of unpaid work within households. This presentation will focus on examining this topic. The relevance of these gaps will be addressed from different perspectives, their magnitude and characteristics, their implications for development and some policies that can be adopted to close them.

Julissa Mantilla will begin with a case decided by the Constitutional Court of Peru involving two sisters who found impossible to study because the schools in their city, in a situation of extreme poverty, established an age limit they exceeded. From this case, Mantilla will comment on the Court's conclusions and will work on the importance of girls' education and how the regulation without a gender approach consolidates that poverty. She will also link this context with what she refers as a circle of violence according to which girls socialized in both traditional roles and unprotected childcare against sexual violence are placed in a situation of greater vulnerability and exposed to a greater risk of family violence and femicide. From her perspective, this problem is not limited to women and girls, but is a social problem that has an impact on the success or failure of public policies and development plans.

**Julissa Mantilla**

Elected Commissioner of the Inter-American Commission on Human Rights (Peru)

**Gala Díaz Langou**

Center for the Implementation of Public Policies towards Equity and Growth -CIPPEC (Argentina)

**Roberto Saba**

Professor at the School of Law of the Universities of Palermo and Buenos Aires. Academic Director of the International Course on Human Rights, CIPDH-UNESCO (Argentina)

## SESSION 7

### Class 2: Human Rights and Development in the future of the Universal Periodic Review before the UN Human Rights Council

Although controversial, the links between Human Rights and Development are undeniable. Whether we consider development as a human right or understand sustainable development as critical for people's self-realization, as the 2030 Agenda does, national reports that States present as part of the Universal Periodic Review (UPR) before the Human Rights Council are a useful instrument for achieving Sustainable Development Goals. The Voluntary National Reviews presented to the High Level Political Forum should provide us with elements on the Human Rights situation in a country. This is the dynamic that will be explored in this class.

#### Javier Surasky

Professor of Development and Human Rights, National University of La Plata (Argentina)

## SESSION 8

### Case of study 4: Cities, Development and Human Rights

The military dictatorship that ruled Argentina between 1976 and 1983 implemented a series of policies that had a profound impact on the urban structure of Buenos Aires city and on its inhabitants' human rights, particularly those of its popular sectors. Oscar Oszlak will analyze some policies that led to that population's expulsion from the city through programs to eradicate shanty towns, unfixed rentals, build highways, sanitary waste burial and industrial relocation. In addition to their impacts on the structure and physiognomy of the city, these policies produced the common effect of denying those displaced sectors what Oszlak has called the "right to urban space". Oszlak will develop this concept and carry out a comparative analysis of the cases presented, taking into account the power resources used by the military government, the affected sectors' organization and political action capacities, as well as the degree to which each of the adopted policies accurately distinguished the population that should be reached by the measures, all factors that would ultimately explain their respective results. Finally, he will present the bases of a theoretical-methodological proposal for the study of urban policies adopted in Buenos Aires by the governments that came after the restoration of democracy.

In this session, we will also focus on the right for everyone to adequate housing, which is a human right recognized by international law. Initially, in 1948, the Universal Declaration of Human Rights and more recently, in 1966, the International Covenant on Economic, Social and Cultural Rights, have recognized the right to adequate housing. The SDGs and the New Urban Agenda also devote significant efforts to put the housing issue in the agenda. Despite this, more than 1,000 million people do not have adequate housing. In this session, Mercedes de Virgilio invites us to ask some questions: What is the right to housing? What is the situation of Latin American countries in relation to the guarantees of the right to housing? How are housing and city rights related? What do the SDGs and the New Urban Agenda propose? Within this framework, a group of popular movements, non-governmental organizations, professional associations, forums and national and international civil society networks have been committed for years to social struggles for fair, democratic, human and sustainable cities. It is worth asking, then, what initiatives these organizations develop in Latin American countries and what's been the scope of their conquests.

#### Oscar Oszlak

Distinguished Senior Researcher for CONICET and Co-Founder of the Centre for the Study of State and Society, CEDES (Argentina)

#### María Mercedes Di Virgilio

Gino Germani Research Institute - CONICET (Argentina)

#### Moderator

#### Natalia Debandi

Program Director of CIPDH-UNESCO (Argentina)

**FRIDAY, SEPTEMBER 27**

Location: Villa Ocampo, Buenos Aires

**Authorities' greeting to the attendees**

**SESSION 9**

Simulation exercise (this experience will start on Tuesday, including activities during the week, and ends with this session)

**Guillermo Fernández Maldonado**

Deputy Representative of the Office in Colombia of the United Nations High Commissioner for Human Rights (Peru)