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DEVELOPMENT, RIGHT TO

I. Introduction

[1] The right to development has been a matter of great controversy since its formulation in the 1970s and 1980s. As a third generation and solidarity right (→ generations of human rights; → international solidarity, right to), which provides legal entitlements to individuals and → peoples, scholars have disagreed about recognizing the right to development (for a good summary of the different positions see Alston [1988]; Orford [2005]). Despite the acknowledgement of the right in the 1986 UN Declaration on the Right to Development (the Declaration), the → soft law character, the open-endedness of several provisions, and the weak implementation mechanisms continue to provoke criticism. However, in practice, the → United Nations (UN) has integrated the right to development in its institutional architecture and in several international documents, on both human rights and other matters. Moreover, at least in the African regional human rights context, the right to development is → justiciable, particularly concerning peoples' collective right to participate in the development process and the benefits of development.

[2] This entry first analyses the history and purpose of the right to development in the United Nations context. Second, it analyses the text of the 1986 UN Declaration on the Right to Development (UNGA, *Res 41/128*). Third, it discusses the relevance of the right to development in different UN policy areas and the UN mechanisms dedicated to the right to development. Fourth, the entry briefly explores the regional human rights mechanisms that have included a right to development, focusing on the African human rights system and its case law. Lastly, the entry evaluates challenges and depicts trends concerning the right to development.

II. History and Purpose of the Right to Development

[3] The right to development evolved against the backdrop of decolonization in the 1960s and 1970s. In 1972, the former Senegalese Chief of Justice Kéba M'Baye elaborated a right to development as a human right in his groundbreaking speech on '*Le droit au développement comme un droit de l'homme*' (The right to development as a human right). Newly independent states challenged the asymmetry of economic relations and the high levels of inequality between the Global South and the Global North. In this vein, the UN General Assembly (UNGA) adopted the New International Economic Order (NIEO) in 1974 (UNGA, *Res 3201 (S-VI)*) and a Charter of Economic Rights and Duties of States in 1974/1975 (UNGA, *Res 3281*). These UNGA resolutions informed the adoption of the 1986 UN Declaration on the Right to Development more than a decade later. However, as Philip Alston (1991) observed, the right to development

was not shaped and promoted exclusively by one particular group of states [...]. Rather it provided the framework within which many of the claims that had been emerging since the late 1950s could be brought together and pursued in a more integrated and appealing fashion (at 220).

[4] In 1977, the → UN Commission on Human Rights held its first debates over the right to development and adopted a resolution (HRCComm, *Res 4 (XXXIII)* [1977] OP 4). In 1981, a Working Group of Governmental Experts on the Right to Development institutionalized the debate on the right to development at the UN level (Orford [2005] at 131). Moreover, in the same year, African states adopted the → African Charter on Human and Peoples' Rights,

including the right to development in Article 22 (see below at para 33). Five years later, the UNGA adopted the 1986 UN Declaration on the Right to Development as a soft law document, declaring the right to development an inalienable human right. 146 UN member states voted in favour, with only the United States voting against and eight member states abstaining. In 1993, the World Conference on Human Rights, as one of the most important global human rights conferences of our time, unequivocally reaffirmed the right to development. It highlighted that the right to development is a universal and inalienable human right and an integral part of fundamental human rights (see para 10 in the → Vienna Declaration and Programme of Action).

III. The UN Declaration of the Right to Development

1. Characterization of the Right to Development

[5] The Declaration consists of a Preamble that lays out the programmatic content of the right to development, nine substantive articles, and one article on implementation. The Declaration defines the right to development as a right on its own and as an inalienable human right. The different guarantees of the right to development are indivisible and interdependent; they comprise of civil, political, economic, social and cultural rights (Preamble, Arts 1, 6(2) and (3), and 9).

[6] The right to development is neither 'an all-encompassing super right', nor a highly restricted 'mini right'. Rather it is an equal right among all other human rights (OHCHR [2016]). Nonetheless, Surya P Subedi characterizes the Declaration as a 'blend of principles informed by international human rights instruments, and an aspirational political statement' ([2001] at 1). Alston sees strength in the 'unusually open-ended and indeterminate' character of some of the provisions of the Declaration, 'which enables the concept to evolve with the times and to be interpreted and applied with the degree of flexibility that is indispensable in such an area' ([1991] at 221).

[7] The right to development is part of the third generation of human rights (see Vašak [2013] at 1526). It entails the individual's and collectives' right to development (→ collective and group rights). It is a group and a solidarity right (see the section on rights holders below para 11).

[8] Moreover, the Declaration establishes a → human rights-based approach to development. When states exercise their right to development, they must respect the Bill of Human Rights (→ Universal Declaration of Human Rights and the → International Covenant on Civil and Political Rights (ICCPR) and → International Covenant on Economic, Social and Cultural Rights (ICESCR), see Art 9 of the Declaration). Moreover, states must pursue development in a manner 'in which all human rights and fundamental freedoms can be fully realized' (see Art 1(1) of the Declaration). The principles of equality, non-discrimination, participation, accountability, and transparency should guide this human rights-based approach to development. Consequently, when promoting a development agenda, states must never justify human rights violations against their population.

[9] The right to development integrates into the broader UN and human rights context. States must realize the right to development in accordance with the purposes of the UN and the principles of the UN Charter (see Preamble, Arts 3(2) and 9 of the Declaration; also see Arts 55-56 UN Charter).

2. Defining Development

[10] The Declaration broadly defines development as 'a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom' (Preamble). Article 1 states that human beings and peoples have a right to 'participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.' Hence, everyone is entitled to participate in, contribute to and enjoy development in its economic, social, cultural and political aspects.

3. Right Holders

[11] The Declaration mentions the human person, peoples, and nations as rights holders. Every human person has a right to development as the central subject, the main and active participant, and the beneficiary of development (Arts 1, 2, Preamble). Moreover, all peoples have a right to development (Art 1). Lastly, even though the Preamble of the Declaration states that nations should have the 'equality of opportunity for development' as 'a prerogative both of nations and of individuals who make up nations', states are primarily framed as duty bearers in the right to development context. The current discourse centres on the right to development of the human person and peoples rather than of states.

4. Non-Discrimination and Equality Principles

[12] The principles of non-discrimination and equality apply to the human person and peoples (→ discrimination, prohibition of). For instance, the Preamble and Article 6 require human rights protection 'without any distinction as to race, sex, language or religion.' Moreover, Article 8(1) pays attention to gender equality and provides that 'effective measures should be undertaken to ensure that women have an active role in the development process.' The 1979 → Convention on the Elimination of All Forms of Discrimination of Women (CEDAW) echoes the special protection of rural women's right to development in Article 14. However, Hilary Charlesworth considered the Declaration nonetheless unacceptable from a feminist perspective given that other provisions in the Declaration do not see discrimination against women as a major obstacle to development and to the fair distribution of their benefits. Moreover, the Declaration's model of development exacerbates the inequality of Third World Women ([1988-1989] at 196 ff).

[13] Since the adoption of the Declaration, international human rights law recognized further non-discrimination categories. A systemic interpretation of the Declaration would invite the addition of these to the protective scope, such as the right to development of → persons with disabilities or → children. In that context, the 1990 → Convention on the Rights of the Child (CRC, Preamble, Arts 6, 18, 23, 27, 29, 32) and the 2006 → Convention on the Rights of Persons with Disabilities (CRPD, Preamble, Arts 6, 24, 32) explicitly refer to a right to development.

[14] Regarding inequality among states, Article 4(2) requires 'sustained action [...] to promote more rapid development of developing countries' (→ intragenerational equity).

5. Rights

[15] The Declaration provides for a right to participate in development processes and their benefits. Participation must be active, free, and meaningful (Art 1(1), Art 2(1) and (3),

Preamble). Especially women must have an active role (Art 8(1)). Moreover, popular participation should take place in all spheres (Art 8(2)). Participation also entails the right to participate in development benefits, and it calls upon states to distribute them fairly (Art 1(1), Art 2(1) and (3)). The right to participate in the development process and the benefits of development are particularly important, giving rise to legal claims at least in the African human rights system (see the *Endorois* and the *Ogiek* cases below paras 39-41).

[16] The Declaration also provides for collective rights, including the → right to self-determination and → permanent sovereignty over natural resources. The right to development and peoples' right to self-determination are mutually reinforcing (Art 1(2), Preamble). Moreover, the right to self-determination includes the permanent resource sovereignty of all peoples as an 'inalienable right to full sovereignty over all their natural wealth and resources' (Art 1(2), Preamble). Both collective rights have been particularly relevant in a context where developing states and formerly colonized people (re-)claimed their → sovereignty in the international sphere. However, states' permanent sovereignty over natural resources may not serve as a legitimization of human rights violations, including against their population.

6. Duty Bearers and Obligations

[17] The Declaration defines states as the primary duty bearers, but also the international community. It includes a mix of state duties with a specific character and some political aspirations. Moreover, state duties are divided between the national and international sphere. However, the realization of the right to development requires measures in both spheres.

[18] States must create favourable international and national conditions for realizing the right to development and pursue national and international development policies (Art 2(3), Art 3(1), Art 4(1), Preamble). Realizing the right to development demands from states to pursue friendly relations and → international cooperation (Art 3(2) and (3), Art 4(2)). States' duties also encompass two social justice provisions: ensuring 'equality of opportunity' to economic and social rights and eradicating social injustice through economic and social reforms (Art 8(1)). Most importantly, the overarching duty of states is to promote human rights and non-discrimination in the context of the right to development (Art 6).

[19] The political aspirations of the Declaration mirror the desires of countries in the Global South as a product of their decolonization and their struggles for self-determination. The Declaration stated that states should promote 'a new international economic order based on sovereign equality, interdependence, mutual interest and cooperation among all States' (Art 3(3)). Furthermore, the Declaration calls on all states to end human rights violations stemming from apartheid, racism, → colonialism, foreign domination, occupation, aggression, foreign interference and threats against national sovereignty, national unity and territorial integrity, threats of war, and refusal to recognize the fundamental right of peoples to self-determination (Art 5, Preamble). The Declaration also calls on states to promote → international peace, security, and effective disarmament (Art 7).

[20] While some of these provisions have lost momentum – such as the promotion of the NIEO in a traditional sense –, other legacies and ills such as racism or different forms of neo-colonialism persist.

[21] Lastly, Article 2(2) also defines an individual and collective responsibility for development of individual human beings and of collectives, and not only of states. While this provision fails to mention other private parties and → non-state actors like businesses (→ transnational corporations), a systemic interpretation of this provision would place at least a duty to respect

the right to development on private parties according to the → Guiding Principles of Business and Human Rights (2011) (OHCHR [2016]).

7. Implementation

[22] The Declaration chooses a unique formulation regarding the implementation of its provisions. Article 10 calls on duty bearers to take steps to ensure and progressively enhance the right to development. These steps should include formulating, adopting, and implementing policy, legislative and other measures at the national and international level. Thus, this formulation incorporates state obligations typical for civil and political rights but also economic, social, and cultural rights. In comparison, Article 2 ICCPR requires states to ensure their civil and political rights obligations immediately. Article 2 ICESCR requires states to realize economic, social, and cultural rights progressively (→ core obligations and progressive realization). Hence, the implementation provision of the Declaration is the result of political compromise. However, it comes at the cost of clarity because it fails to set a clear and specific implementation duty.

IV. Examples of the Right to Development in Different UN Policy Areas

1. The Right to Development of Indigenous Peoples and Peasants

[23] → Indigenous peoples, peasants, and other persons working in rural areas enjoy a right to development. As collectives and individuals, they enjoy the right to determine and develop priorities and strategies to exercise their right to development (see the Preamble and Art 23 of the UN → Declaration on the Rights of Indigenous Peoples, Article 7 ILO Convention No 169, and the Preamble and Art 3 of the → United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas).

2. The Right to Development, Environmental Protection and Climate Change

[24] The 1992 Rio Declaration on Environment and Development established the connection between development and the environment (→ international environmental law and human rights). Principle 3 of the Rio Declaration reaffirmed the right to development, which ‘must be fulfilled to equitably meet developmental and environmental needs of present and future generations.’

[25] More recently, the preamble of the Paris Agreement on Climate Change stated that the parties should, when taking action to address → climate change, respect, promote and consider their respective obligations on human rights, including the right to development.

3. The Right to Development and Sustainable Development

[26] The → Millennium Declaration and the Agenda for Sustainable Development connected the UN development agenda and the right to development. In the Millennium Declaration, states expressed their commitment to ‘making the right to development a reality for everyone and to freeing the entire human race from want.’ The 2030 Agenda for Sustainable Development further connected the right to development with → sustainable development (paras 10 and 35 of the 2030 Agenda for Sustainable Development; → Sustainable Development Goals). According to the preamble of the 2030 Agenda for Sustainable Development, ‘the 17 Sustainable Development Goals [...] seek to realise the human rights of all.’ However, the 2030 Agenda for Sustainable Development has not (yet) led to an alone-standing human right to sustainable development (see in general on

the connectivity between the Sustainable Development Goals and human rights Kaltenborn, Krajewski and Kuhn [2020]).

V. United Nations Mechanisms Addressing the Right to Development

[27] The monitoring and implementation of the right to development is unique because the Declaration is not a human rights treaty with an attendant treaty body. However, different UN bodies mainstream the right to development into the larger UN architecture and implement it. For instance, the UN Secretary-General submits an annual report on the right to development to the UNGA. Furthermore, the UN High Commissioner for Human Rights must promote and protect the realization of the right to development. The → UN Human Rights Council (HRC) promotes and protects the right to development through annual resolutions and several implementing mechanisms.

[28] In addition, several UN institutions exclusively deal with the right to development. Currently, these are the Intergovernmental Open-Ended Working Group on the Right to Development (Working Group), the Special Rapporteur on the Right to Development (SR on Development) and the Expert Mechanism on the Right to Development (Expert Mechanism) (→ Working Groups (Special Procedure); → Independent Experts and Special Rapporteurs (Special Procedure)).

[29] Since 1998, the Working Group monitors and reviews the realization of the right to development at the national and international level. At the international level, the Working Group reports to the HRC and advises the → Office of the High Commissioner of Human Rights (OHCHR) on the right to development. Moreover, it reviews reports regarding the right to development by states, UN agencies and other relevant → international organizations. At the national level, it proposes technical assistance programs at the request of interested countries.

[30] In 2016, the HRC mandated the SR on Development to realize the right to development in different areas. For instance, the SR on Development implements the right to development in the context of the 2030 Agenda for Sustainable Development or the 2015 Paris Agreement on climate change. Moreover, the SR on Development mainstreams the right to development among various UN bodies and development, financial and trade institutions. The SR on Development annually reports to the HRC and UNGA, and provides additional studies to the HRC upon request.

[31] Since 2019, the Expert Mechanism operates as a subsidiary body of the HRC. A team of five independent experts provides thematic expertise to the HRC and best practices to UN member states on how to implement the right to development. The Expert Mechanism's mandate includes annual meetings, thematic studies, country visits, interactive discussions and consultations, outreach and communication, and reports to the UNGA and the HRC.

[32] Due to human rights mainstreaming efforts at the UN level, international financial institutions (IFIs) engage with the right to development (→ World Bank Group; → International Monetary Fund; → international financial law and human rights). However, in how far human rights bind IFIs as international organizations contributing to the economic development of developing countries constitutes a distinct debate exceeding the scope of this entry (→ development finance) (Darrow [2003] at 126-133; UNGA, *Report of the Special Rapporteur* [2015]).

VI. The Right to Development in Regional Human Rights Systems

1. The African Human Rights System and its Case Law

[33] The AfCHPR was the first international human rights treaty to include a right to development. Article 22(1) provides that '[a]ll peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind.' Moreover, 'States shall have the duty, individually or collectively, to ensure the exercise of the right to development' (Art 22(2)). Similar provisions are included in Article 10 of the → African Youth Charter and Article 19 of the → Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

[34] The → African Commission on Human and Peoples' Rights (ACHPR) and the → African Court on Human Rights and Peoples' Rights (ACtHPR) held the right to development to be justiciable in various cases. The following cases show the relevance of protecting the different aspects of development, namely economic, social and cultural development as well as the importance of protecting the right of peoples to development.

[35] Even though the *Ogoni* case (2001) did not directly concern a violation of the right to development, it showed for the first time that economic, social, and cultural rights are justiciable as peoples' collective rights. The Ogoni people suffered from several human rights violations due to the spills of an oil company and human rights violations committed by the Nigerian security forces. Nigerian state authorities and the oil company authorized to operate did not consult the Ogoni people regarding the oil activities affecting the Ogoniland, health and environment of the Ogoni people. Nigeria failed to provide them with an opportunity to participate actively in the economic activities. However, while the facts of the case would suggest a violation of the right to development under Article 22, the only collective rights violation claimed was the violation of the Ogoni peoples' right to dispose freely of their wealth and natural resources under Article 21 AfCHPR.

[36] In the *DRC* case (2003), the ACHPR found that Burundi, Rwanda and Uganda committed a series of human rights violations against DRC, among others, a violation of the right to development. Two sets of facts were found to be in breach of the right to development: (1) The mass burial of victims of massacres and killings, violating the peoples' right to cultural development. (2) The illegal exploitation and looting committed by rebels, violating peoples' right to freely dispose of their resources and their right to economic, social and cultural development (Arts 21, 22 ACHPR).

[37] In *Kevin Mgwanga Gunme et al v Cameroon* (2009), Southern Cameroonian people claimed that Cameroon violated their right to development. They claimed that Cameroon denied them basic economic infrastructure causing economic marginalization. However, the ACHPR held that the failure to distribute resources in all regions of the country fairly and equally does not violate the right to development (paras 9, 205-6).

[38] In *Sudan Human Rights Organisation & Centre on Housing Rights and Evictions (COHRE) v Sudan* (2009), the ACHPR held that Sudan violated the Darfurian peoples' right to development. The ACHPR conceived the people of Darfur as a collective whose right to development the Republic of Sudan violated. The Republic of Sudan collectively punished the civilian population in Darfur through marginalizing them in the conflict as well as causing their underdevelopment. Furthermore, the ACHPR saw their rights violated because of the 'nature and magnitude of the violations'. Not only did Sudan fail to deploy its resources to Darfur to avoid the conflict. Sudan even launched a 'punitive military campaign which constituted a massive violation of not only the economic, social and cultural rights, but other individual rights of the Darfurian people' (para 224).

[39] In *Endorois v Kenya* (2010), the ACHPR found that Kenya violated the Endorois people's right to development. Kenya displaced them from their ancestral lands when creating a tourism game reserve without effective and meaningful participation. Moreover, Kenya evicted the Endorois people without → free, prior, and informed consent. The loss of their land meant a loss of self-determination of the Endorois people; they could no longer dispose of their natural resources (paras 290-292). In its reasoning, the ACHPR drew attention to Article 2(3) of the 1986 UN Declaration on the Right to Development requiring 'active, free and meaningful participation in development' (para 283). It also held that Kenya violated the Endorois peoples' right to benefit from the development process given the lack of 'just compensation' for the eviction from their land as well as the restrictions on the use and the enjoyment of their traditional lands and natural resources (para 296).

[40] Furthermore, the ACtHPR has made pronouncements on the right to development. In *Ogiek v Kenya* (2017), the ACtHPR was concerned with a tourism project in Kenya harming the Ogiek community. The Ogieks relied on their ancestral land for gathering and hunting as pastoralists, which they needed for survival. Nonetheless, the Kenyan government evicted them from their ancestral land without consulting them. The ACtHPR held that the Ogiek population was 'entitled to social, economic and cultural development being part of the peoples of a State' (para 208). Kenya violated the Ogiek peoples' right to development by evicting them from their ancestral land without effective consultation. The Ogieks had also not been actively involved in developing and determining health, housing and other economic and social programmes affecting them. This amounted to a violation of Article 22 of the Charter (paras 207-211).

[41] The variety of these cases evidence that all elements of the right to development are justiciable. Not only are peoples holders of the right to development as collectives, including as minorities and population groups within States. Moreover, all three dimensions of the right to development – namely the cultural, economic, and social – have given rise to successful claims. Especially, the right to participate in the development process and in the benefits of development have proven significant (see Art 2(1) and (3) of the Declaration).

2. Other Regional Human Rights Mechanisms

[42] The Inter-American, the Arab and the Asian human rights systems protect a right to development in differing forms and with different levels of binding character. However, unlike the Declaration and the AfCHPR, the Inter-American and the Arab human rights systems only provide for a right to development of individuals, but not of peoples. Nevertheless, similar to the Declaration and the Banjul Charter, all three regional human rights systems consider state and multilateral cooperation essential.

[43] In the Inter-American human rights system, the 1948 Charter of the → Organization of American States (OAS Charter) establishes a concept of 'integral development.' Article 33 OAS Charter defines development as 'an integral and continuous process for the establishment of a more just economic and social order that will make possible and contribute to the fulfilment of the individual.' The OAS member states carry the primary responsibility to ensure an integral development of the individual, but international cooperation and multilateral organizations are critical to achieve the right to development in all fields (Arts 31-33). In addition, Article 26 of the 1969 → American Convention on Human Rights (ACHR) established a right to 'progressive development' founded on the concept of integral development.

[44] The → Arab Charter on Human Rights (1994) includes the right to development as a fundamental human right in Article 37. The main objective is to eliminate → poverty and to

achieve economic, social, cultural, and political development. Every citizen shall have the right to participate in the development, and contribute to and enjoy the benefits, of their goods and fruits of their labour. States shall establish development policies and take measures to ensure this right. International solidarity and cooperation are key values.

[45] The ASEAN Human Rights Declaration (2012) includes the right to development as a political aspiration: → ASEAN member states should implement effective development policies at the national level, pursue international cooperation, and mainstream the right to development in different policy areas (para 37).

[46] Lastly, in the European human rights system, the → European Social Charter (1961, revised in 1996) alludes to the family's right to full development as the fundamental unit of society. However, it does not engage with the right to development at the global scale and the duties of European states to cooperate at the international level.

[47] The uptake of a right to development in the different regional human rights systems demonstrates universal acceptance, even if the understanding of development and the character of right holders varies.

VII. Challenges and Trends

[48] The right to development has been criticized for its soft law character, its vagueness, and lack of implementation. In response to the soft law critique, in 2018, the HRC commended the Working Group to develop a Draft Convention on the Right to Development (HRC, *Draft Convention* [2020]). The hope is that a legally binding instrument in the form of a Convention would make the right to development a reality for all. The discussion on the Draft Convention on the Right to Development and commentaries thereto are still ongoing. However, independent of the fact of whether the adoption of the Draft Convention on the Right to Development is successful, the report containing the proposal for a Draft Convention on the Right to Development states that 'No concepts, norms, rights or obligations have been created de novo' (HRC, *Draft Convention* [2020] para 2). As also observed by Schrijver, 'the draft Convention builds upon the UDHR, the nine core human rights treaties, and as a matter of course the 1986 Declaration on the Right to Development' (Schrijver [2020] at 89). Hence, states already have a duty to implement many of the guarantees included in the Declaration despite its soft law character.

[49] Furthermore, the open-endedness of some provisions allows for some flexibility in the application of the Declaration in new contexts. For instance, in the technology and human rights debate, the use of big data for development can be an important mean to an end (see the United Nations website on 'Big Data for Sustainable Development'). However, some human rights advocates and scholars also voice concern about the lack of inclusivity regarding data use and the 'scramble for Africa's data', evoking familiar resource grab conflicts in new forms (→ data protection) (see Gurumurthy and Bharthur [2018]; Coleman [2019]). The Declaration could offer people a framework to demand active and meaningful participation in the digital sphere and the permanent sovereignty of their digital resources (→ digital rights).

[50] Lastly, a right to development perspective will continue to greatly matter concerning climate change. In his latest reports, the Special Rapporteur on Development addressed how climate change affects the right to development and the most vulnerable and developing states disproportionately. Moreover, he emphasized that climate action requires placing right-holders at the centre of decision-making respecting the principles of the right to development (see UNGA, *Report by the Special Rapporteur* [2021]; and HRC, *Report of the Special Rapporteur* [2021]). In a joint Press Statement on the 35th anniversary of the 1986 UN Declaration on the

Right to Development (OHCHR, *35th Anniversary* [2021]), UN human rights special rapporteurs and independent experts called on states to move from promise to action in the face of the climate emergency of unprecedented scale.

VIII. Conclusion

[51] The right to development provides a practical human rights framework despite its weaknesses. It matters for individuals and people around the world who claim that they have a right to participate in development and to benefit from it. Moreover, it impedes states from advocating for forms of development in contravention of individual's and peoples' human rights, and most importantly their right to development.

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