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Forty years of the Declaration on the Right to Development: From normative commitments to implementation

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Abstract: *Enshrined in the Declaration on the Right to Development (1986), the right to development (RtD) has evolved over the past 40 years from a primarily normative construct to a significant point of reference in global development discourse and policies. The evolution of the RtD, from its theoretical underpinnings to its partial application in international development practice, is critically examined in this research. It draws attention to the RtD's assessment on the development and consolidation of human rights-based development strategies, as well as on their incorporation into international policy frameworks, most notably the Sustainable Development Goals. Furthermore, the chapter discusses contemporary aspects of the notion of intergenerational equity. In the same vein, the chapter argues that while the Declaration on the Right to Development and the Draft Convention on the Right to Development have made significant contributions to shaping normative conceptions of development, their effective implementation remains dependent on strengthened institutional frameworks, increased international cooperation and sustained political commitment. Only through such a system of measurement will it translate into concrete, measurable development outcomes.*

Résumé : *Consacré dans la Déclaration universelle sur le droit au développement (1986), le droit au développement a évolué au cours des 40 dernières années, passant d'un concept essentiellement normatif à un point de référence majeur dans le discours et les politiques mondiaux en matière de développement. Cette étude examine de manière critique l'évolution du droit au développement, depuis ses fondements théoriques jusqu'à son application partielle dans la pratique internationale du développement. Elle met en avant l'importance du droit au développement dans l'élaboration et la consolidation de stratégies de développement fondées sur les droits de l'homme, ainsi que dans leur intégration dans les cadres politiques internationaux, notamment les Objectifs de développement durable.*

En outre, cet article aborde également les aspects contemporains de la notion d'équité intergénérationnelle. Dans le même ordre d'idées, il soutient que, si la Déclaration sur le droit au développement et le projet de convention sur le droit au développement ont apporté des contributions significatives à l'élaboration des conceptions normatives du développement, leur mise en œuvre effective reste tributaire du renforcement des cadres institutionnels, d'une coopération internationale accrue et d'un engagement politique soutenu. Ce n'est qu'à travers un tel système de mesure que cela se traduira par des résultats de développement concrets et mesurables.

Key words: *Declaration on the Right to Development; right to development; human rights-based approach; sustainable development; artificial intelligence*

1 Introduction

The United Nations (UN) Declaration on the Right to Development (DRtD) is celebrating its fortieth anniversary in 2026, making it a crucial time for academics to consider the global conversation on human rights and development.[1] Economic globalisation, technological innovation and changing normative frameworks have all significantly transformed the global development landscape over the last 40 years.[2]

Since the adoption of the DRtD in 1986, significant progress has been made in poverty reduction, health, education and living standards both the Global North and the Global South, although progress remains uneven.[3] In Asia, the most dramatic transformation has occurred in poverty reduction: The number of people living in extreme poverty fell from more than 1,6 billion in 1990 to approximately 221 million in 2019, driven largely by rapid development in China and India; under revised World Bank estimates, extreme poverty in India declined from 431 million people in 1990 to 129 million in 2024, while more than 800

1 United Nations General Assembly 'Declaration on the Right to Development: Resolution adopted by the General Assembly' 4 December 1986, A/RES/41/128.
2 JA Scholte *Globalization: A critical introduction* (2005) 87-110.
3 United Nations Development Programme (UNDP) 'Human development report 2025: A matter of choice: People and possibilities in the age of AI' (6 May 2025) 1, https://ssrn.com/abstract=535326 (accessed 23 September 2026).

million people in China escaped extreme poverty during 1990 to 2024.[4] In Africa, significant progress has been achieved in health care, although poverty remains a major development challenge. Maternal mortality in the African region declined by 40 per cent, from 727 deaths per 100 000 live births in 2000 to 442 in 2023; however, the number of people living in extreme poverty in sub-Saharan Africa increased from 282 million in 1990 to approximately 464 million in 2024, highlighting the uneven nature of development gains.[5] In the Global North, countries have generally maintained high levels of human development through extensive access to education, health care, social protection and technological infrastructure; the United Nations Development Programme (UNDP)'s Human Development Index (HDI) measures key dimensions of human development through health, education and standard of living, with Europe and Central Asia recording an average HDI of 0,818, compared with 0,568 in sub-Saharan Africa and 0,672 in South Asia.[6] These trends demonstrate that the four decades since 1986 have produced substantial advances in human development, particularly in Asia, while persistent poverty and inequality in Africa and disparities between and within countries show that translating the right to development from principle into equitable practice remains an unfinished task. Additionally, digital transformation opens up new prospects for diversification, innovation and service development in the Global South, yet it remains constrained by digital divides, infrastructure deficits and unequal access to technology and investment.[7] Furthermore, the creation of international policy frameworks, most notably the Sustainable Development Goals (SDGs), indicates a growing global consensus on the need for inclusive, equitable

4 World Bank 'September 2026 global poverty update from the World Bank: One in ten worldwide live in extreme poverty' (2026), https://blogs.worldbank.org/en/opendata/september-2026-global-poverty-update-from-the-world-bank--one-in (accessed 2 September 2026).

5 World Health Organisation, United Nations Children's Fund, United Nations Population Fund, World Bank Group & United Nations Department of Economic and Social Affairs, Population Division 'Trends in maternal mortality 2000 to 2023: Estimates by WHO, UNICEF, UNFPA, World Bank Group and UNDESA/Population Division' (2025), https://iris.who.int/server/api/core/bitstreams/29f43a3d-2228-489c-b1e7-b2f28e9101ce/content (accessed 23 September 2026).

6 UNDP (n 3).

7 UNCTAD 'Digital Economy Report 2024: Shaping an environmentally sustainable and inclusive digital future' (2024).

and sustainable development, which closely aligns with the right to development (RtD)'s normative principles.[8]

However, this progress is accompanied by persistent structural difficulties which, in some cases, are worsening. However, achieving equitable development outcomes is hampered by growing disparities, both within and between nations.[9] Those least responsible for environmental degradation are disproportionately affected by climate change, which poses a serious threat to vulnerable people.[10] Furthermore, political unrest and military conflict in several areas have exacerbated humanitarian problems and hampered earlier socio-economic development.[11] Many developing economies are unable to invest in critical public services such as education, health and climate change due to high levels of sovereign debt.[12] A new dimension of global inequality has emerged from unequal access to digital technologies and innovation, particularly between high-income countries and developing regions. In 2024, internet use reached 91 per cent in Europe compared with only 38 per cent in Africa and 66 per cent in the Asia-Pacific region.[13] At the same time, food insecurity remains widespread, particularly in sub-Saharan Africa, parts of South Asia and Western Asia, where conflict, poverty, climate change and economic shocks continue to undermine access to adequate food.[14] When taken as a whole, these dynamics reveal a complex and

8 K Arts & A Tamo 'The right to development in international law: New momentum thirty years down the line?' (2016) 63 *Netherlands International Law Review* 221-249.

9 UNDP 'Human Development Report 2019: Beyond income, beyond averages, beyond today: Inequalities in human development in the 21st century' (2019) 3-31.

10 H Lee and others 'Climate change 2023: Synthesis report: Contribution of Working Groups I, II and III to the sixth assessment report of the Intergovernmental Panel on Climate Change' (2023) 1-184, https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_FullVolume.pdf (accessed 27 June 2026).

11 S Gates and others 'Development consequences of armed conflict' (2012) 40 *World Development* 1713-1722, https://havardhegre.net/wp-content/uploads/2013/09/development-consequences-of-armed-conflict.pdf D(accessed 15 June 2026).

12 United Nations Conference on Trade and Development (UNCTAD) *A world of debt: A growing burden to global prosperity* (2024) 4-8.

13 International Telecommunication Union (ITU) 'Facts and figures 2024: Internet use' (2024), https://www.itu.int/itu-d/reports/statistics/2024/11/10/ff24-internet-use/ (accessed 23 September 2026).

14 Food and Agriculture Organisation of the United Nations, International Fund for Agricultural Development, United Nations Children's Fund, World Food Programme & World Health Organisation 'The state of food security and

uneven pattern of development. Even if the normative framework of the RtD has had a major impact on global discourse and policy directions, persistent structural inequities within the international political and economic system continue to impede its full realisation.[15] As a result, the fortieth anniversary emphasises the RtD's continued significance as a fundamental normative concept as well as the urgent need to close the gap between its idealistic goals and their effective implementation.

Therefore, the fortieth anniversary serves as both a historic milestone and a pivotal opportunity to critically assess the extent to which the principles articulated in the Declaration have been operationalised. It offers a foundation for reassessing the RtD's applicability to addressing current, more complex global issues and for investigating how improved international collaboration, national policy frameworks and the development of legal tools may reinforce its application. This anniversary emphasises the ongoing significance of the RtD as a normative framework for promoting human dignity, social justice, equity and sustainable development on a universal basis in a world characterised by interconnected, multifaceted development challenges.[16]

The fortieth anniversary of the DRtD offers a timely occasion to review progress attained since the adoption of the Declaration in 1986 and to critically assess its continued significance in advancing human dignity, social justice and equity. This chapter examines the extent to which the DRtD has shaped international human rights law, informed development policy, and influenced structures of global governance. This chapter's main goal is to assess the successes and shortcomings of the RtD and persistent structural barriers to its full realisation. Additionally, by examining the roles of governments, international organisations and other relevant stakeholders in advancing inclusive, equitable and sustainable development, the chapter seeks to identify practical pathways to successful implementation. Through this analysis, the chapter contributes to ongoing efforts by academics and policy makers to transform the RtD from a normative framework into an operational reality.

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nutrition in the world 2025: Addressing high food price inflation for food security and nutrition' (2025), https://data.unicef.org/wp-content/uploads/2025/08/SOFI-Report-2025.pdf (accessed 23 September 2026).

15 Arts & Tamo (n 8) 221-249.

16 Arts & Tamo (n 8).

The study is structured around three important research concerns, which are critically reviewed to determine their significance for the RtD. It first examines how the RtD has changed since the DRtD (1986) was adopted, with particular attention to its impact on global governance institutions, development strategy and international human rights law. Second, it assesses the extent to which it has been implemented at the national, regional and global levels, emphasising significant successes, ongoing challenges and persistent realisation gaps. Third, it examines the policy changes and reforms needed to put the Declaration's tenets into practice, focusing on strengthening accountability systems, fostering global collaboration, encouraging inclusive participation and advancing equitable development outcomes. When taken as a whole, the chapter offers a logical framework for evaluating advancements over the past 40 years and for determining future directions for more effective implementation of the RtD.

2 Conceptual and normative foundations

2.1 Understanding the right to development

The RtD, formally articulated in the DRtD (1986), conceptualises development not merely as economic expansion, but as a human right grounded in principles of people-centred development, equality and meaningful participation.[17]

2.1.1 Concept and core principles

The RtD conceptualises development as a comprehensive and multidimensional process in which all individuals are entitled to participate in, contribute to and equitably benefit from development outcomes.[18] Grounded in international human rights law, it underscores that development should enhance human well-being across economic, social, cultural and political spheres.[19] Recognising human dignity as the cornerstone of development and advocating fair opportunities for

17 A Sengupta 'On the theory and practice of the right to development' (2002) 24 *Human Rights Quarterly* 837-889.
18 Declaration on the Right to Development (n 1) Preamble & art 1(1).
19 SD Kamga & CM Fombad 'Actualising the right to development in Africa: Options and prospects' (2017) 47 *Africa Insight* 6-26.

all people and states are among the primary tenets of the RtD.[20] The RtD highlights the need for international cooperation to address and reduce global inequities, as well as nations' obligations to create enabling conditions for development. Furthermore, it promotes an inclusive and sustainable development paradigm, prioritising human well-being over narrowly defined economic growth objectives.[21]

2.1.2 People-centred development paradigm

The RtD's emphasis on a human-centred development approach, which views people as the primary beneficiaries rather than governmental organisations or economic systems, is one of its fundamental principles.[22] Instead of focusing only on gross domestic product (GDP) growth, this approach evaluates development in terms of gains in quality of life. As a result, it includes broader aspects, such as access to health care, education, decent housing, political freedom and cultural engagement.[23] This viewpoint ensures that economic progress yields significant gains in human well-being by aligning development processes with human rights values.

2.1.3 Participation, equity, non-discrimination and accountability

These four principles constitute the core of the RtD framework.

2.1.3.1 Participation

People have the right to actively participate in decisions that affect their own development, including those related to the creation of national development strategies, community planning and policy.[24]

20 Kamga & Fombad (n 19) 5-17.
21 Kamga & Fombad (n 19)16-18.
22 Sengupta (n 17).
23 United Nations Development Programme 'Human development report 1990: Concept and measurement of human development' (1990) 10.
24 Sengupta (n 17) 838-843.

2.1.3.2 Equity

Development outcomes should be distributed in a fair and just manner, with the aim of reducing inequalities both within and between states.[25]

2.1.3.3 Non-discrimination

Everyone must have equal access to development opportunities, regardless of their gender, race, socio-economic status, disability or place of residence. Everyone must have equal access to opportunities for development.[26]

2.1.3.4 Accountability

States and institutions must continue to be held accountable for development outcomes, guarantee openness in decision-making processes, take responsibility for addressing inequity, and provide redress when human rights are violated.[27]

The RtD sees development as a human right, centred on people rather than mere economic expansion. It is based on the tenets of accountability, equity, non-discrimination and participation, with the goal of ensuring that all people and communities may fully benefit from development in a just and inclusive manner.[28]

2.2 The right to development under international human rights law

One important integrative framework in international human rights law is the RtD, as set out in the DRtD.[29] It encompasses many types of rights, including both individual and collective rights, and has gradually evolved in response to changing international legal norms and policy frameworks.[30]

25 Sengupta (n 17) 845-848.
26 Sengupta (n 17).
27 Sengupta (n 17) 855-858.
28 United Nations Development Programme 'Human Development Report Office Human development report 2000: Human rights and human development' (2000) 19-24, https://hdr.undp.org/content/human-development-report-2000 (accessed 15 June 2026).
29 Sengupta (n 17).
30 As above.

2.2.1 Relationship with civil, political, economic, social and cultural rights

The RtD is frequently seen as an 'umbrella right' encompassing the full range of internationally recognised human rights, as it brings together and depends on the realisation of civil, political, economic, social and cultural rights.[31] To enable meaningful participation in development processes, civil and political rights such as freedom of expression, political inclusion and participation in governance are crucial. Improving living standards requires economic rights, including equitable access to productive resources, employment opportunities and economic security.[32] Access to social safety, housing, health care, education and other social rights is an important aspect of developmental outcomes. Developmental processes are kept inclusive and contextually appropriate by cultural rights, which protect identity, legacy and community values.[33] The RtD assumes the interdependence and social realisation of fundamental rights rather than replacing them. Development, therefore, is only considered successful when these many types of rights are gradually and concurrently realised.[34]

2.2.2 Collective and individual dimensions

Because of its unique place in international human rights law, the RtD addresses both individual and collective aspects.[35] It recognises everyone's right to participate in, contribute to and profit from development processes on an individual basis. It also highlights the idea that development should improve people's liberties, general quality of life and personal well-being, and that people should not be excluded from possibilities for growth due to prejudice or inequality.[36] The RtD

31 SAD Kamga & CM Fombad 'A critical review of the jurisprudence of the African Commission on the right to development' (2013) 57 *Journal of African Law* 205-207.
32 Declaration on the Right to Development (n 1) arts 1(1), 2(1) & 8(1)-(2).
33 W Logan 'Cultural diversity, cultural heritage and human rights: Towards heritage management as human rights-based cultural practice' (2012) 18 *International Journal of Heritage Studies* 231-244.
34 Kamga & Fombard (n 31) 196-214.
35 A Sengupta 'The human right to development' (2004) 32 *Oxford Development Studies* 179-203.
36 United Nations Development Programme (n 22); Declaration on the Right to Development (n 1) Preamble, arts 1(1) & 8(1).

acknowledges that nations and peoples have the collective right to pursue their own developmental paths, guided by their objectives and circumstances. It emphasises the importance of state equality and the need to resolve structural inequalities in the international system that impede fair growth.[37] The RtD's dual nature sets it apart from many other human rights standards by protecting individual rights, while also recognising the rights and aspirations of communities, peoples and nations.[38]

2.2.3 International legal developments

The RtD has evolved significantly since its implementation in 1986, driven by several crucial international legal and policy developments. The RtD was reaffirmed as a universal and inalienable human right at the World Conference on Human Rights, thereby significantly strengthening its standing.[39] Global development frameworks, particularly the Sustainable Development Goals (SDGs), increasingly reflect the RtD's emphasis on inclusive development, most clearly through the Agenda 2030's commitment to 'leave no one behind' and to reach those furthest behind first.[40] In addition, the RtD has been acknowledged by the UN Human Rights Council in a number of resolutions, declarations and studies, and its reach has grown as a result of current debates on global inequality, climate justice and international economic reform.[41]

Despite these developments, the DRtD remains soft law. Article 22 of the African Charter on Human and Peoples' Rights (African Charter) imposes a binding obligation on state parties to uphold the right to development.[42] As a result, it lacks robust enforcement mechanisms and legally binding obligations under international law, despite significant

37 CC Ngang 'Poverty eradication through global partnerships and the question of the right to development under international law' (2017) 47 *Africa Insight* 39-58.
38 Kamga & Fombard (n 31) 205-207.
39 World Conference on Human Rights 'Vienna Declaration and Programme of Action' UN Doc A/CONF.157/23 (1993) para 10.
40 United Nations General Assembly 'Transforming our world: The 2030 Agenda for Sustainable Development' GA Res 70/1 (25 September 2015) paras 3-5.
41 Human Rights Council 'The right to development' UN Doc A/HRC/RES/54/18 (12 October 2023) paras 1-5; Human Rights Council 'Human rights and climate change' UN Doc A/HRC/RES/7/23 (28 March 2008) paras 1-3.
42 P Alston 'Making space for new human rights: The case of the right to development' (1988) 1 *Harvard Human Rights Yearbook* 3-40.

moral, political and normative authority within the international community. In conclusion, the RtD unifies civil, political, economic, social and cultural rights under a single vision of development, serving as a comprehensive framework within international human rights legislation.[43] It emphasises equality, global justice and human well-being, while incorporating both individual and collective aspects. In addition, the RtD combines economic, social, cultural, civil and political rights into a unified framework, emphasising their interconnectedness and their indivisibility.[44] Its non-binding nature and the scarcity of effective enforcement mechanisms continue to impede its implementation, despite significant international events and UN activities that have reinforced its normative significance.[45]

2.2.4 The right to development in international human rights law

The DRtD established the RtD, which holds a prominent place in international human rights law as a unifying framework that incorporates several categories of rights.[46] It encompasses both the individual and communal aspects of human rights and has evolved in tandem with advancements in global governance, policy frameworks and international legal standards.[47]

2.2.4.1 Right to development and civil, political, economic, social and cultural rights

Many people view the RtD as a comprehensive or 'umbrella' right that unifies all internationally recognised human rights under a single development framework. It acknowledges the indivisibility and

43 F Piovesan 'The right to development from a human rights approach: Conceptual bases, legal framework, and contemporary challenges' in L Minkler (ed) *The state of economic and social human rights: A global overview* (2013) 306-328, https://www.cambridge.org/core/books/state-of-economic-and-social-human-rights/8CE296D1B6A28C5FE4BDA68220A63262 (accessed 16 June 2026).
44 Piovesan (n 43).
45 Arts & Tamo (n 8).
46 F Viljoen *International human rights law in Africa* (2021) 294-296.
47 SP Subedi 'Introductory note: Declaration on the Right to Development' (2013) *United Nations Audiovisual Library of International Law* 1-2.

interconnectedness of civil, political, economic, social and cultural rights as crucial elements of equitable and sustainable development.[48]

To ensure meaningful engagement in development decision-making processes, civil and political rights, such as political representation, freedom of expression and participation in governance, are essential.[49] These rights allow people to actively, freely and meaningfully shape development strategies and priorities.[50] Access to employment, productive resources and fair economic opportunities are examples of economic rights that allow people to raise their standard of living and enhance their livelihoods.[51] Social rights, which include housing, health care, education and social protection, are essential components of human welfare and advancement. In a similar vein, cultural rights ensure that development is inclusive, participative and sensitive to local circumstances by protecting identity, cultural diversity and community values.[52]

The RtD is based on the simultaneous and integrated realisation of fundamental rights rather than their replacement or superseding.[53] According to this viewpoint, growth is truly effective only when advancements are made across all areas of rights, demonstrating a comprehensive approach to societal progress and human development.

2.2.4.2 Collective and individual aspects of the right to development

In international human rights law, the RtD has both individual and collective dimensions, reflecting its unique nature.[54] At the individual

48 Sengupta (n 35); Kamga & Fombad (n 31)196-214.
49 SC Fobosi 'The protection of human rights in South Africa: Unpacking the duty of the state to realise the right to development' (2024) 27 *Potchefstroom Electronic Law Journal* 7-9, https://perjournal.co.za/article/view/17921/22948 (accessed 16 June 2026).
50 Fobosi (n 49).
51 DA Desierto 'The human right to development as a new foundation for international economic law' (2023) 31 *Tulane Journal of International and Comparative Law* 58-73, https://journals.tulane.edu/jicl/issue/view/430 (accessed 16 June 2026).
52 Fobosi (n 49) 1-20.
53 SP Marks 'The human right to development: Between rhetoric and reality' (2004) 17 *Harvard Human Rights Journal* 137-167, https://journals.law.harvard.edu/hrj/wp-content/uploads/sites/83/2020/06/17HHRJ137-Marks.pdf (accessed 16 June 2026).
54 SD Kamga *The right to development in the African human rights system* (2018) 1-192.

level, it promotes human flourishing, freedom and personal well-being while affirming everyone's right to participate in, contribute to and benefit from development processes without discrimination or exclusion.[55] At the collective level, it highlights the significance of national equality and the elimination of structural inequalities within the international system while acknowledging the rights of states and peoples to pursue self-determined growth.[56] The RtD is unique in that it simultaneously protects individual and collective human rights and advances the development goals of states, communities and peoples.[57]

2.2.4.3 International legal developments on the right to development

A number of important international legal and policy changes have gradually enhanced the RtD since its adoption in 1986. The World Conference on Human Rights reaffirmed the RtD's status as an inalienable and universal human right.[58] The RtD's tenets have also been incorporated into the SDGs, particularly the pledge to 'leave no one behind'.[59] Additionally, the UN Human Rights Council and other UN authorities have consistently supported the RtD in a number of resolutions and publications.[60] Discussions on global inequality, climate justice and reform of international economic governance have further broadened its scope. Within international human rights law, the RtD provides an integrated framework linking individual and collective rights to human well-being, global equity and justice.[61] Although its normative foundation has been strengthened by key milestones within the UN system, the RtD remains primarily a non-binding legal instrument, with limited and evolving enforcement mechanisms at both international and domestic levels.[62]

55 Kamga (n 54).
56 Kamga (n 54) 32-35.
57 Arts & Tamo (n 8).
58 World Conference on Human Rights (n 39).
59 P Alston 'The myopia of the handmaidens: International lawyers and globalization' (1997) 8 *European Journal of International Law* 435-448.
60 Arts & Tamo (n 8).
61 CC Ngang 'Right to development governance in the advent of the African Continental Free Trade Area' (2021) 65 *Journal of African Law* 153-178.
62 Kamga & Fombad (n 31).

2.3 Theoretical approaches to the right to development

Interdependent theoretical approaches regarding the right to development provide the study's conceptual framework, illuminating the subsequent analysis of its legal evolution, implementation and contribution to international human rights law and development practices.[63]

2.3.1 A human rights-based approach to development

Instead of focusing solely on economic growth, the human rights-based approach views development as the process of realising human rights. It guarantees that development policies and programmes are created to promote human dignity and fundamental freedoms by emphasising participation, accountability, non-discrimination, empowerment and the rule of law.[64]

2.3.2 Development justice

The idea of development justice emphasises the necessity of equitable distribution of resources, opportunities and development outcomes.[65] It aims to provide fair access to the advantages of development both within and between nations by addressing structural injustices that fuel poverty, marginalisation and exclusion.

2.3.3 Global solidarity and international cooperation

The idea that development is a shared global duty is a fundamental tenet of the RtD. To address global imbalances, this viewpoint emphasises the importance of international cooperation, collective action and solidarity among states. It acknowledges that international frameworks that support fair economic relations, technology transfer, development

63 S Randolph & M Green 'Theory into practice: A new framework and proposed assessment criteria' in SP Marks (ed) *Realizing the right to development* (2013) 405-408.

64 M Broberg & HO Sano 'Strengths and weaknesses in a human rights-based approach to international development – An analysis of a rights-based approach to development assistance based on practical experiences' (2018) 22 *The International Journal of Human Rights* 664-680.

65 United Nations Human Rights Council A/HRC/58/71 (2025).

financing and the mitigation of global inequality are just as important to the realisation of development rights as national initiatives.[66]

3 Forty years of progress and achievements

3.1 Global development gains

Significant progress has been made in a number of important areas of global development since the UN Nations adopted the DRtD in 1986; however, the advantages have not been equally shared across all areas and populations.

3.1.1 Poverty reduction

The remarkable reduction in extreme poverty worldwide, particularly in East and South Asia, represents one of the most significant achievements of the past four decades. This progress has been especially pronounced in China and India: Between 1990 and 2024, more than 800 million people in China and approximately 302 million people in India moved out of extreme poverty, while in South Asia, excluding India, the number of people living in extreme poverty fell from 141 million to 20 million.[67] These gains reflect the rapid economic and social transformation experienced across countries such as China, India, Indonesia and other parts of East and South Asia, although poverty reduction has slowed in recent years.[68] However, the inclusiveness of these development gains remains constrained by persistent income and wealth inequalities within countries. In South Africa, for example, the richest 10 per cent received 66,3 per cent of national income and owned 85,6 per cent of household wealth in 2024, while the bottom 50 per cent received only 5,6 per cent of income and held -2,5 per cent of wealth. Globally, the richest 10 per cent owned 75 per cent of wealth in 2025, demonstrating that improvements in aggregate development do not necessarily translate into equitable distribution.[69]

66 Sengupta (n 17) 869-874.
67 World Bank 'September 2026 global poverty update from the World Bank: One in ten worldwide live in extreme poverty' (2026).
68 As above.
69 World Inequality Lab 'World inequality report 2026' (2026), https://wir2026.wid.world/www-site/uploads/2026/09/World_Inequality_Report_2026.pdf

3.1.2 Advancements in education and health

Additionally, progress towards the RtD is evident in Ethiopia, where expanded access to primary education and improvements in maternal and child health care have contributed to broader human development. These advances illustrate how investment in social services can promote substantive aspects of the right, while persistent inequalities in access highlight the gap between normative commitments and their practical realisation.[70] Significant gains in health outcomes, such as lower child mortality rates, longer life expectancies and greater access to critical healthcare services, have been observed concurrently. Global health and well-being have been further improved by the growth of immunisation programmes and public health campaigns.[71]

3.1.3 Expansion of social protection systems

Another significant area of advancement is the expansion of social protection measures. Since 2015, social protection systems have expanded in several developing regions, particularly in Asia and the Pacific and the Americas, through cash transfers, social assistance and other income-support measures. According to the International Labour Organisation (ILO), effective social protection coverage in Asia and the Pacific increased from 38,7 per cent of the population in 2015 to 53,6 per cent in 2023, while coverage in the Americas increased from 59,6 to 68,2 per cent; in Africa, however, coverage rose more modestly, from 15,2 to 19,1 per cent.[72] These advancements show how social protection is increasingly seen as a vital element of inclusive and sustainable development, helping to lessen vulnerability and foster social and economic resilience.[73]

(accessed 23 September 2026).

70 World Bank 'Gender Data Portal: Literacy rate (%)' (2026), https://genderdata.worldbank.org/en/indicator/se-adt. Accessed 23 (accessed 23 September 2026).

71 Global Education Monitoring Report Team 'A new generation: 25 years of efforts for gender equality in education' (2020) 1-92.

72 International Labour Organisation 'World social protection report 2024-26: Universal social protection for climate action and a just transition' (ILO Geneva 2024), https://www.ilo.org/sites/default/files/2024-09/WSPR_2024_EN_WEB_1.pdf (accessed 23 September 2026).

73 International Labour Organisation 'World social protection report 2020-22: Social protection at the crossroads – in pursuit of a better future' (ILO Geneva 2021)

3.2 Institutional developments

At the national and international levels, the RtD has had a significant impact on institutional practices and modern development discourse, promoting rights-based approaches in development policies and practices.[74]

3.2.1 Growth of rights-based development approaches

The RtD has helped countries, international organisations and development agencies to embrace more human rights-based approaches to development. In addition to encouraging the incorporation of human rights norms into development planning and poverty reduction efforts, these approaches highlight important values, including participation, responsibility, transparency and non-discrimination.[75] As a result, development is now more widely recognised as a process that promotes social justice and human rights as opposed to just economic expansion.

3.2.2 Regional and international initiatives

Within the African Union (AU) framework, the RtD has evolved beyond its recognition in article 22 of the African Charter. In *Endorois,* the African Commission on Human and Peoples' Rights (African Commission) affirmed its substantive and procedural dimensions, including participation, consultation and benefit sharing, while the *Ogiek* case further linked the right to land, culture, natural resources and development benefits. Together, these decisions demonstrate the RtD's evolution from a normative principle into a justiciable right generating concrete state obligations and remedies.[76] In similar vein, social and environmental safeguards have been increasingly embraced by international financial institutions and UN organisations to ensure that

1-315, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_protect/@soc_sec/documents/publication/wcms_817572.pdf (accessed 16 June 2026).

74 P Uvin 'From the right to development to the rights-based approach: How "human rights" entered development' (2007) 17 *Development in Practice* 597-606.

75 Uvin (n 74).

76 Centre for Minority Rights Development (Kenya) & Others v Kenya (2009) AHRLR 75 (ACHPR 2009) (*Endorois*); *African Commission on Human and Peoples' Rights v Kenya (Merits) (2017) 2 AfCLR 9* (*Ogiek*).

development interventions align with human rights standards.[77] The growing understanding of shared responsibility in advancing sustainable development is further reflected in the expansion of international collaborations for capacity building, technical support and development financing.[78]

3.2.3 Mainstreaming development rights in policy frameworks

The influence of the RtD is increasingly reflected in development frameworks that place human rights, equality, participation and accountability at the centre of development policy. At the international level, the 2030 Agenda for Sustainable Development explicitly links development to human rights and the principle of leaving no one behind, while encouraging states to integrate human rights considerations into national development strategies.[79] At the national level, South Africa provides a concrete example: its National Development Plan (NDP) shows 74 per cent convergence with the SDGs and 94,87 per cent with the AU's Agenda 2063, reflecting substantial alignment between national and international development priorities.[80] This shift is also evident in the measurement of development. The UNDP's Human Development Index (HDI) assesses development through health, education and income, rather than economic growth alone, reflecting a broader understanding of human well-being and capabilities.[81]

These developments demonstrate the RtD's broader influence in moving development policy beyond economic growth towards a more inclusive, participatory and human-centred conception of development.

77 Uvin (n 74).
78 Arts & Tamo (n 8).
79 United Nations General Assembly 'Transforming our world: The 2030 Agenda for Sustainable Development' UN Doc A/RES/70/1 (21 October 2015) 3-4 paras 4, 10.
80 UNDP 'Mapping the National Development Plan to the United Nations and the African Union Sustainable Development Agendas' (2021) 7-8.
81 UNDP 'Development Report 2025: A matter of choice: People and possibilities in the age of AI', https://hdr.undp.org/content/human-development-report-2025?utm_source=chatgpt.com (accessed 23 September 2026).

3.3 The Sustainable Development Goals and the RtD

The most important worldwide framework that closely aligns with the RtD are the Sustainable Development Goals (SDGs) (2015).[82]

3.3.1 Convergence between the DRtD and contemporary frameworks

The convergence between the DRtD and the SDGs illustrates the continued relevance of the Declaration's core principles, including equality, participation, accountability, international cooperation and people-centred development, within contemporary development frameworks. This convergence provides a basis for examining the extent to which the DRtD's normative commitments have informed subsequent development policies and implementation. The analysis of lessons from SDG implementation further enables an assessment of the opportunities and persistent gaps in translating these shared principles into tangible development outcomes.

3.3.2 Lessons from SDG implementation

Despite their ambition, the implementation of the SDGs has revealed several persistent challenges.[83] Progress remains uneven, both between and within countries, reflecting significant development disparities.[84] Insufficient financing remains a major obstacle to achieving the targets, particularly in developing economies. Furthermore, weak accountability mechanisms limit the effectiveness of commitments and monitoring. While data collection and statistical monitoring systems have improved in recent years, significant gaps persist in terms of coverage and reliability.[85] Structural inequalities within the global economic system also continue to hinder the pace and equity of progress, highlighting the ongoing

82 S Fukuda-Parr 'From the Millennium Development Goals to the Sustainable Development Goals: Shifts in purpose, concept, and politics of global goal setting for development' (2016) 24 *Gender & Development* 43-52.

83 D Sachs, G Lafortune & G Fuller *Sustainable Development Report 2024: The SDGs and the UN Summit of the Future* (2024) 5-7, https://ideas.repec.org/p/hal/wpaper/halshs-04735489.html (accessed 16 June 2026).

84 FHG Ferreira 'Global poverty and inequality: A review of the evidence' (2014) 29 *World Bank Research Observer* 205-236.

85 S Fukuda-Parr and others 'SDG data revolution: What is it and why does it matter?' (2018) 9 *Global Policy* 21-28.

challenges to achieving inclusive and sustainable development.[86] Progress in global development, particularly in poverty reduction, education, health and social protection, is consistent with the goals of rights-based development.[87] Institutionally, rights-based approaches to development and international cooperation have expanded considerably.[88] The SDGs are closely aligned with the principles of rights-based development, but their implementation continues to face challenges, including inequality, funding gaps and weak accountability mechanisms.[89]

4 Persistent challenges to realise the RtD

4.1 Poverty, inequality, exclusion and structural barriers to development

According to the UN Expert Mechanism on the RtD, persistent inequality constrains the effective realisation of the RtD by limiting equality of opportunity and access to development.[90] These difficulties are deeply embedded in structural inequalities across national and international systems, particularly in unequal access to opportunities for development, resources, and essential services.[91]

Persons with disabilities, rural communities, ethnic minorities and indigenous peoples are among the marginalised groups that still face systematic exclusion from developmental processes and disproportionate levels of suffering.[92] These differences are exacerbated by gender inequality because women and girls often face structural impediments to

86 J Hickel, M Hanbury Lemos & F Barbour 'Unequal exchange of labour in the world economy' (2024) 15 *Nature Communications* 1-12.
87 M Bexell and others 'Strengthening the Sustainable Development Goals through integration with human rights' (2023) 23 *International Environmental Agreements* 133-139.
88 Broberg & Sano (n 63).
89 JD Moyer & S Hedden 'Are we on the right path to achieve the Sustainable Development Goals?' (2020) 127 *World Development* 1-13.
90 UN Human Rights Council 'Expert mechanism on the right to development, inequality, social protection and the right to development' UN Doc A/HRC/54/83 (2023) paras 1-3.
91 Marks (n 53)142-147.
92 S Alkire and others 'The global multidimensional poverty index (MPI) 2025: Country results and methodological note' (2025) 1-20.

health care, work, education and political participation, preventing them from fully and equally participating in development.[93]

4.2 Global economic governance

Development processes often exacerbate existing inequalities between developed and developing countries. The fiscal capacity of many low-income countries is constrained by substantial sovereign debt, limiting their ability to invest in critical sectors such as infrastructure, health and education.[94] Furthermore, persistent trade imbalances and unequal power dynamics in international markets place developing countries at a structural disadvantage, limiting their prospects for equitable and sustainable economic growth. The unequal distribution of financial resources, technological innovation and foreign investment further accentuates global disparities and hinders inclusive development.[95] These structural inequalities underscore the limitations of the current international economic order in achieving the objectives of the right to development, particularly in promoting equitable participation in global development processes and equitable access to their benefits.[96]

4.3 Climate change and environmental justice

Climate change poses a significant threat to equitable and sustainable development. Its consequences, extreme weather events, food insecurity and population displacement, disproportionately affect developing countries, despite their relatively small contribution to global greenhouse gas (GHG) emissions.[97] This disparity raises crucial concerns regarding climate justice in the context of the transition to sustainable development.

93 N Kabeer 'Gender equality, inclusive growth, and labour markets' in K Grantham and others (eds) *Gender equality, inclusive growth, and labour markets* (2021) 1-290.

94 International Monetary Fund '*Debt vulnerabilities in low-income countries: Recent developments and trends*' (2025) 1-44, https://www.imf.org/-/media/files/publications/pp/2025/english/ppea2025038.pdf (accessed 17 June 2026).

95 International Monetary Fund (n 94).

96 L Choukroune & L Cotula 'Local communities and the development conundrum: Where international investment law meets human rights and businesses' (2024) 9 *Business and Human Rights Journal* 270-293.

97 J Gupta and others 'Climate injustices have multiplied over time: The need for climate system justice' (2025) *Progress in Development Studies* 255-274,

At the heart of this issue are climate finance and adaptation, as vulnerable states need adequate financial resources and technological support to strengthen their resilience and facilitate a just transition to sustainable development. Furthermore, the principle of intergenerational equity underscores the current generation's responsibility to ensure that development processes do not compromise future generations' ability to meet their own needs.[98]

4.4 Conflict, fragility and development

Armed conflict and fragility remain significant obstacles to the realisation of the RtD, as illustrated by the Democratic Republic of the Congo (DRC), Sudan, Yemen and South Sudan. In the DRC, prolonged conflict in the east has contributed to mass displacement, weakened service delivery and increased fiscal pressures; by September 2025, approximately 8,2 million people were displaced, projected to reach 9 million by the end of 2026.[99] In Sudan, the conflict since April 2023 has resulted in an estimated 29,4 per cent contraction in real GDP in 2023 and a further 14 per cent in 2024, alongside extensive destruction of health, education and other essential infrastructure.[100]

In Yemen, a decade of conflict has reduced real GDP per capita by 58 per cent since 2015, while approximately 17 million people face food insecurity and 18 million lack access to safe water and sanitation.[101] Similarly, in South Sudan, recurrent conflict and fragility have contributed to widespread poverty, with 76 per cent of the population living below the national poverty line in 2022 and more than two-thirds experiencing extreme poverty.[102] These cases demonstrate how conflict undermines the RtD by disrupting economic activity, displacing populations, weakening institutions and restricting access to essential

https://journals.sagepub.com/doi/epub/10.1177/14649934251360854 (accessed 17 June 2026).

98 T Saijo 'Futurability, survivability, and the non-steady state in the intergenerational sustainability dilemma' (2024) 12 *Politics and Governance* 1-12.

99 UNHCR 'Fragile peace in the Democratic Republic of the Congo amid escalating displacement and humanitarian crisis' (2026), https://www.unhcr.org/emergencies/dr-congo-emergency (accessed 26 September 2026).

100 World Bank 'Sudan economic update: The economic and social consequences of the conflict' (2025).

101 World Bank 'Yemen economic monitor/Country overview' (2026).

102 World Bank 'South Sudan poverty and equity assessment' (2024).

services, thereby widening the gap between the normative promise of development and its practical realisation.

5 From principle to practice: National and regional experiences

Africa provides a particularly relevant context for analysing the implementation of the RtD because the right has a distinctive regional legal foundation in article 22 of the African Charter, which expressly recognises peoples' RtD. The African human rights system has further developed this right through the jurisprudence of the African Commission and African Court on Human and Peoples' Rights (African Court), notably in the *Endorois* and *Ogiek* cases. At the same time, persistent challenges relating to poverty, inequality, conflict, governance and access to resources provide an important context for assessing the gap between the DRtD's normative commitments and their practical realisation. Africa, therefore, offers both a strong legal basis and concrete empirical conditions for examining the implementation and continuing relevance of the RtD.[103]

5.1 Africa and the right to development

A particularly significant regional perspective on the RtD is provided by the African continent. Regional development frameworks, such as Agenda 2063, which outlines a vision of inclusive, equitable and sustainable socio-economic transformation throughout Africa, heavily incorporate this idea.[104] Because they saw the RtD as a way to rectify historical injustices, the negative effects of structural adjustment programmes, and ongoing disparities within the global economic system, African states have generally shown considerable support for it.[105] As a result, infrastructure development, industrialisation, poverty alleviation and the strengthening of governance institutions have

103 *Endorois* (n 76) paras 298, 79; *Ogiek* (n 76) paras 208-211, 64.
104 FK Githui 'Agenda 2063 and its impact on the economic development of Africa' (2025), https://www.researchgate.net/publication/389279917_Agenda_2063_and_its_Impact_on_the_Economic_Development_of_Africa (accessed 17 June 2026).
105 Uvin (n 74).

been the continent's top development priorities.[106] However, several structural issues, including scarce financial resources, high public debt levels, poor governance and susceptibility to external economic and environmental shocks, continue to hinder the effective implementation of RtD principles.[107] The region's efforts to achieve sustainable, people-centred development are severely hampered by these challenges. The African Charter provides a significant regional foundation for the right to development, as article 22 recognises the right of all peoples to economic, social and cultural development and places a duty on states, individually and collectively, to ensure its exercise.[108]

5.2 Participation and local ownership

A major principle of the RtD is the promotion of effective involvement and local ownership of development processes.[109] Effective community engagement is essential to ensure that development policies and initiatives address local socio-economic needs, priorities and realities, particularly for marginalised and rural groups.[110] In this setting, civil society organisations are critical for lobbying on behalf of community interests, supporting service delivery and overseeing government accountability.[111] Their participation increases openness, fosters democratic governance and helps state institutions and local communities collaborate more effectively.[112] Additionally, inclusive governance practices, such as stakeholder consultations, decentralised decision making and participatory planning, are crucial for enhancing the efficacy, responsiveness and legitimacy of development projects.[113] By acknowledging people and communities as active participants

106 T Mkandawire 'Aid, accountability, and democracy in Africa' (2010) 77 *Social Research: An International Quarterly* 1149-1182.
107 Mkandawire (n 106).
108 African Charter on Human and Peoples' Rights (1981) art 22.
109 SD Kamga *The right to development in Africa: Issues, constraints and prospects* (2020).
110 As above.
111 As above.
112 V Schmidt & M Wood 'Conceptualizing throughput legitimacy: Procedural mechanisms of accountability, transparency, inclusiveness and openness in EU governance' (2019) 97 *Public Administration* 727-740.
113 E Vivier & D Sanchez-Betancourt 'Participatory governance and the capacity to engage: A systems lens' (2023) 43 *Public Administration and Development* 220-231.

in the development process rather than just passive recipients, these mechanisms support the normative foundation of the RtD. Therefore, empowering local populations to make decisions that impact their social, economic and political well-being increases the likelihood of achieving sustainable and equitable development.

6 Emerging issues and future directions

6.1 Digital transformation and artificial intelligence

Digital transformation and the rapid development of artificial intelligence (AI) have significant consequences for achieving the RtD as outlined in the DRtD.[114] These technological developments offer significant opportunities to accelerate the realisation of socio-economic rights by expanding access to critical services, including education, health care, financial inclusion and public administration.[115] Furthermore, AI-powered technologies have the potential to boost productivity, enable evidence-based policy making, improve institutional efficiency and expand digital economies.[116] The widespread adoption of digital technologies poses significant challenges alongside these potential advantages. For example, gaps in digital infrastructure, pricing, connectivity and digital literacy increase the risk of digital exclusion, particularly in poor countries and among marginalised people.[117] Therefore, the growing digital divide could worsen existing disparities within and between states, undermining the RtD's goals for equitable development.[118] Furthermore, the growing use of AI calls into question the core RtD tenets of equality, participation, non-discrimination and

114 J Crock and others 'Safeguarding cultural rights and the right to development in the age of artificial intelligence' (2025) 1-23, https://aura.american.edu/articles/report/Safeguarding_Cultural_Rights_and_the_Right_to_Development_in_the_Age_of_Artificial_Intelligence/30751706?file=60000326 (accessed 10 October 2026).

115 As above.

116 A Agrawal and others *Prediction machines: The simple economics of artificial intelligence* (2018) 23-33, 89-94.

117 International Telecommunication Union '*Measuring digital development: Facts and figures*' (2021) 1-23, https://www.itu.int/en/ITU-D/Statistics/Documents/facts/FactsFigures2021.pdf (accessed 19 June 2026).

118 J van Dijk *The digital divide* (2020) 34-41, 174-179.

the fair allocation of development benefits.[119] To advance inclusive, egalitarian and sustainable development, it is crucial to ensure that AI development and digital transformation are informed by human rights-based principles.[120]

6.2 Financing development

The realisation of the RtD requires funding, especially in low and middle-income countries, where development initiatives are frequently hampered by resource constraints.[121] A variety of funding sources are included in development finance, such as private sector investment, concessional financing, domestic resource mobilisation and government development assistance.[122] Achieving sustainable development goals and fostering equitable economic development depend on the availability and efficient use of these financial resources. International collaboration remains critical for addressing persistent financing gaps, particularly in health, education, infrastructure development and climate change adaptation.[123] International collaborations can help states meet their development objectives by providing financial assistance, technological transfer and capacity building.[124] However, structural disparities within the global financial architecture continue to impede equitable access to finance and development resources, restricting many developing nations' ability to fully realise their RtD. A number of cutting-edge financing strategies, including impact investment programmes, green bonds, blended finance and climate finance instruments, have been developed to address these issues.[125] These tools can diversify sources of development

119 V Dignum *Responsible artificial intelligence: How to develop and use AI in a responsible way* (2020) 1-127.
120 Dignum (n 119) 37-45, 67-79.
121 B Muchhala '*Illicit financial flows: Realizing the Sustainable Development Goals and financing for development'* Human Rights Council Working Group on the Right to Development, 19th session, UN Doc A/HRC/WG.2/19/CRP.3 (2018) 1-52, https://www.ohchr.org/sites/default/files/Documents/Issues/Development/Session19/A_HRC_WG.2_19_CRP.3.pdf (accessed 17 June 2026).
122 CA McHugh 'Mobilizing private funding of development finance' (2021) 57 *The Journal of Development Studies* 1979-2001.
123 V Gaspar and others *Fiscal policy and development: Human, social, and physical investments for the SDGs* (2019) 1-45.
124 Gaspar and others (n 123).
125 RR Bhandary, KS Gallagher & F Zhang 'Climate finance policy in practice: A review of the evidence' (2021) 21 *Climate Policy* 529.

funding and mobilise additional resources. However, their capacity to function within an environment of accountability, transparency and sound governance is crucial to their success in furthering the right to development. Furthermore, to ensure that the benefits of development funding are distributed fairly and to help reduce social and economic inequality, respect for human rights norms is crucial.[126]

6.3 Towards a binding international instrument: International Covenant on the Right to Development

The debate over establishing a legally binding international framework for the RtD reflects ongoing efforts to strengthen its standing in international law beyond its current basis in soft law instruments. Discussions at the UN Human Rights Council have centred on establishing a binding pact or treaty to give the RtD greater legal recognition and applicability. Such a framework argues that it could improve accountability, clarify the responsibilities of governments and other development actors, and foster more fruitful international cooperation in support of development objectives. The DRtD provides an important foundation by requiring states to promote development, remove obstacles and ensure participation, equality, and fair distribution of development benefits; however, its non-binding nature limits direct enforcement.[127] A future legally binding RtD instrument, therefore, should connect monitoring with effective remedial measures, ensuring that findings of non-compliance lead to concrete action. Such measures could include time-bound corrective action plans, accessible complaint procedures, independent investigations, effective domestic remedies and appropriate forms of reparation, including restitution, compensation and guarantees of non-repetition.[128] The framework should also address structural barriers, such as persistent inequality, discrimination and exclusion, by requiring appropriate legislative, institutional and policy reforms. Regular follow-up should assess whether these measures have been implemented and have produced meaningful improvements,

126 P Alston & M Robinson (eds) *Human rights and development: Towards mutual reinforcement* (2005) 1-25.

127 Declaration on the Right to Development (n 1) arts 3, 4, 6, 8 & 10.

128 United Nations Office of the High Commissioner for Human Rights 'Frequently asked questions on the right to development, Fact Sheet 37' (UN 2016).

thereby transforming monitoring from a reporting exercise into an effective mechanism for accountability, remedy and enforcement.[129] Several political and legal obstacles hinder the realisation of the RtD, including differing views among states on development obligations, concerns about national sovereignty and disagreements between developed and developing countries over financial, technological and other responsibilities. These challenges require a framework that balances sovereignty with international cooperation and accountability. A possible solution is a legally binding instrument and contributions to global development challenges. Such an instrument could establish clear obligations for cooperation, financing, technology transfer and capacity building, supported by independent monitoring and effective remedial mechanisms. This approach could replace broad and contested expectations with transparent, measurable and proportionate responsibilities while preserving national policy space and strengthening the implementation of the RtD. As a result, efforts to establish a legally binding instrument on the right to development are progressing slowly. Indeed, the UN Working Group on the RtD,[130] mandated by a Human Rights Council resolution to oversee the drafting of a binding treaty[131] on this right, remains essentially a normative principle rather than a fully applicable legal right within the international human rights framework.

6.4 Youth and future generations

Youth participation is increasingly recognised as critical to the realisation of the RtD, guaranteeing equitable access to education, economic opportunity and a safe environment, and empowering them to actively participate in decisions that shape their futures.[132] Young people, who make up a significant proportion of the global population, are an important

129 Declaration on the Right to Development (n 1) arts 3, 4, 6, 8 & 10.

130 Human Rights Council Resolution 39/9 *The Right to Development*, UN Doc A/HRC/39/L.12 (25 September 2018); Human Rights Council Resolution 42/23, *The Right to Development*, UN Doc A/HRC/42/L.36 (20 September 2019).

131 Human Rights Council Working Group on the Right to Development 'Draft Convention on the Right to Development, with commentaries' UN Doc A/HRC/WG.2/21/2/Add.1 (20 January 2020).

132 ST Mampane 'Youth development through participation in decision making: A sase of South Africa – Development and participative decision making' in J Kurebwa & O Dodo (eds) *Participation of young people in governance processes in Africa* (2019) 35-53.

source of creativity, social transformation and economic progress. Their active participation in governance and development processes helps to ensure the legitimacy, inclusiveness and relevance of public policies and development strategies.[133] As a result, meaningful youth participation is critical to ensuring that development projects meet the needs, aspirations and perspectives of current and future generations.[134] To achieve sustainable and equitable development, young people must be empowered by providing access to excellent education, skills development opportunities, job opportunities and effective involvement in local, national and international decision-making processes.[135] Furthermore, the RtD involves the notion of intergenerational equity, emphasising present generations' responsibility to seek development paths that do not jeopardise future generations' rights and well-being.[136] This notion is especially important for addressing long-term global concerns such as climate change, environmental degradation, resource depletion and technological transformation. As a result, empowering young people and ensuring intergenerational justice are critical to supporting fair, sustainable development that upholds human rights standards.[137]

The modern features of the RtD reflect the dynamic and ever-changing nature of development as it confronts new global problems and opportunities. Key developments include the transformative potential of digital technologies and artificial intelligence, the critical role of financing for sustainable development, and ongoing efforts to strengthen the legal status of the RtD by establishing a binding international framework. The concepts of intergenerational equity and youth participation are simultaneously receiving increasing attention. These are two crucial

133 United Nations Department of Economic and Social Affairs '*Promoting youth participation in decision-making and public service delivery through harnessing digital technologies*' Policy Brief 149, 2023 1-8.

134 United Nations Development Programme '*Youth Strategy 2014-2017: Empowered youth, sustainable future*' (2013) 11, https://www.undp.org/sites/g/files/zskgke326/files/publications/UNDP_Youth-Strategy-2014-17_Web.pdf (accessed 18 June 2026).

135 United Nations Department of Economic and Social Affairs '*World Youth Report: Youth and the 2030 Agenda for Sustainable Development'* (2018) 3-5.

136 EB Weiss 'In fairness to future generations and sustainable development' (1992) 8 *American University International Law Review* 19-26.

137 United Nations Department of Economic and Social Affairs 'Promoting youth participation in decision-making and public service delivery through harnessing digital technologies' Policy Brief 149 (2023) 1-8.

components for ensuring that development processes remain inclusive, sustainable and responsive to future needs.[138]

7 Conclusion and recommendations

7.1 Conclusion

Over the past four decades, the Declaration on the Right to Development has influenced international development policy and human rights-based approaches, including the SDGs. However, its implementation continues to face challenges, including persistent inequality, global economic disparities and limited enforcement mechanisms. Nevertheless, the RtD remains relevant to contemporary global governance by advancing equality, participation, human dignity, social justice and international cooperation, particularly in addressing challenges such as climate change, digital inequality and technological change. Its effective implementation requires stronger institutions, transparent monitoring, clear indicators, political commitment and policy coherence to ensure that development programmes produce accountable and rights-based outcomes.

7.2 Recommendations

The effective realisation of the RtD requires coordinated and sustained efforts by governments, international organisations, civil society actors and other relevant parties. To achieve the RtD objectives, human rights principles must be integrated into national and international development policies and practices. In this context, the following suggestions identify the major strategic priorities for advancing the implementation of the RtD and turning its normative principles into concrete, long-term development outcomes.

7.2.1 For governments

States are primarily responsible for implementing the RtD. This necessitates the systematic incorporation of RtD principles into national

138 S Atapattu 'Intergenerational equity and children's rights: The role of sustainable development and justice' in C Fenton-Glynn (ed) *Children's rights and sustainable development: Interpreting the UNCRC for future generations* (2019) 167-191.

development plans, constitutional frameworks and sectoral initiatives, ensuring that development is grounded in human rights norms.

Governments can also strengthen accountability systems by increasing transparency, strengthening judicial and administrative oversight, and ensuring that development-related grievances are addressed. Furthermore, increasing inclusive participation is important, especially through methods that enable marginalised groups to influence policy making and development planning.

7.2.2 For international organisations

International organisations play an important role in promoting cooperation and coordinated responses to global challenges such as poverty, inequality, climate change and financial instability. Strengthening international cooperation can help address structural inequalities in trade, finance and technology while supporting inclusive and sustainable development. Greater capacity building in developing countries is also essential to strengthen institutions, improve governance and service delivery, and support effective long-term development planning and policy implementation.

7.2.3 For civil society and scholars

Civil society organisations and academic institutions play an essential role in advancing the RtD through research, advocacy, public awareness and monitoring. Strong monitoring and evaluation mechanisms are necessary to improve transparency, accountability and policy reform, while greater public awareness enables communities to participate meaningfully in development processes and hold decision makers accountable. Realising the RtD, therefore, requires coordinated action among governments, international institutions, civil society and academia, with governments integrating RtD principles into policy and accountability systems and international institutions addressing structural inequalities. Ultimately, translating the RtD from a normative principle into meaningful development outcomes requires sustained political commitment, structural reforms and effective implementation and accountability mechanisms to promote a more equitable, inclusive and sustainable global order.

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