The 12th Session of the Expert Mechanism on the Right to Development

Item 5 of the Provisional Agenda
Implementation of the Mandate and Programme of Work –
Focused Thematic Discussions and Interactive Dialogues
Palais des Nations, Room XVI, Geneva

How to commemorate the 40th anniversary of the UN Declaration on the Right to Development: reflections and proposals

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Transcript of statement by Klentiana Mahmutaj

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Distinguished Delegates, Colleagues and Friends,

I'll speak about the historic significance of the right to development and lessons learned since 1986. When the United Nations General Assembly adopted the Declaration on the Right to Development in 1980 two-six, it marked a turning point in our understanding of human rights and global justice. The world was then emerging from the shadow of colonialism and turbulence of the Cold War. Many newly independent states were still carrying on the burdens of centuries of economic exploitation, dependence on former colonial powers, unequal trade relations, and limited access to capital and technology. The right to development emerged as a moral and political demand for transformation. It called for a fairer international economic order, one that recognizes sovereign equality of nations, reduced dependency and placed people, not profit, at the centre of progress. It linked the unfinished struggle for self-determination with the universal pursuit of human rights. And most importantly, it declared that development is not a privilege. It is not an act of charity. It is a human right.

The right of development recognizes that every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development. Development is both an individual and collective right, grounded in human dignity, justice, and equality. This was revolutionary. For the first time, the world agreed that development is about people, not numbers. It's not simply about economic growth or GDP. It is about whether people live better, freer and more meaningful lives. As professor Amartya Sen eloquently put it, development is freedom. Freedom not only from poverty, hunger, and preventable disease, but also freedom to choose how to live, where to work, and how to shape one's future.

The Declaration also reminded us that development must be done with people, not to them. And their development is not merely a national task; it is a shared global responsibility. It depends, amongst others, on fair trade, equitable access to finance and technology, and cooperative responses to global challenges like climate change and pandemics.

But what progress has been made since 1986? Since 1986, we have seen the right to development move from aspiration towards recognition in global policy and law. In 1993, the Vienna Declaration and Program of Action reaffirmed the right to development as an integral part of fundamental human rights. This was a crucial moment. It places the right to development firmly within the core human rights framework. Later global agenda, such as the Millennium Development Goals and the Sustainable Development Goals, adopted many of its central principles - equity participation, and international cooperation. Both initiatives sought to make development measurable but also meaningful. Two years ago, the Intergovernmental Working Group on the Right to Development completed the draft International Covenant on the Right to Development, a historic step. This draft covenant now before the General Assembly, could one day stand alongside the two great human

rights covenants, the Covenant on Civil and Political Rights and the Covenant on Economic, Social, and Cultural Rights. Together, they would form what we might call the third pillar of the international human rights architecture.

We've also seen the right to development reflected in other legally binding instruments. The Paris Agreement, for example, 2015, on climate change, explicitly recognizes it, reminding us that climate justice and the right to development are inseparable. In international investment law, we see the growing influence of the right to development principles. New trade and investment agreements now refer to sustainable development, international cooperation, and community participation, ideas that were once considered radical but are now mainstream. Our Mechanism explored this area, in particular on a study dedicated to international investment law and the right to development, which I had the privilege to lead. All these developments show that the right of development has quietly but steadily reshaped the way we think about global policy.

But what are the ongoing changes? Despite this progress, we must be honest, the right to development remains for many a promise unfulfilled. Global inequalities persist, and in many respects that have deepened. The richest nations and corporations continue to benefit from trade, finance and technology, while the poorest remain locked in a cycle of debt and dependency. The international financial system, largely created in the aftermath of the Second World War, too often limits the policy space of developing countries. Its structures and conditionalities can perpetuate an equality rather than alleviated. Challenges also exist within countries themselves. Governance gaps, corruption, and exclusion often prevent the benefits of growth from reaching everyone. The right to development demands good governance at home and fairness abroad. The crises of our own time have laid this truth bare. The Covid-19 pandemic exposed the deep inequalities in access to vaccines and health technologies, the climate crisis continues to show how those least responsible for emissions bear the greatest burdens, and the digital divide now threatens to create new forms of exclusion between and within societies. Each of these challenges reinforces a central lesson. Development, justice and human rights are inseparable, but what lessons have we learned?

First, we've learned that normative consensus is not enough, the world needs binding commitments, accountability and measurable progress. Second, we have learned that development requires shared responsibility. National effort is vital, but it cannot succeed in an unjust global system. Fair trade, debt relief, climate finance, and technology, technology sharing are essential to real progress. Third, we have learned that economic growth without rights leads to inequality. The right to development bridges that gap, reminding us that freedom and well-being must advance together. Fourth, we have learned that participation matters. Development that excludes women, indigenous people, or local communities is neither just nor sustainable. People must be partners in shaping their future.

And finally, we have learned that the structures of our global economy from finance to technology governance must be reformed if we are to make development truly universal.

In conclusion, distinguished delegates, I would say that nearly 40 years on, the right to development endures as one of the most visionary ideas in international human rights law. It challenges us to see humanity as interconnected, to recognize that no nation can flourish in a world marked by inequality, exclusion, and environmental collapse. The right to development reminds us that the measure of progress is not how much wealth we accumulate, but how much freedom, equality, and justice we extend to others. To that end, I undertake to continue to talk about the importance of the right to development as a fundamental human right in my professional networks, both in Tiranë and London.

I thank you.

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