The Twelfth session of the Expert Mechanism on the Right to Development

Concluding remarks by the Chair, Mr. Bonny Ibhawoh

29 October 2025, Geneva

Amidst growing challenges to international cooperation and multilateralism, the Expert Mechanism has successfully concluded its twelfth session, in support of collective efforts of the international community to promote and protect the right to development. It extends its sincere appreciation to Member States, UN entities, civil society organizations, academic experts, and student associations for their active engagement and contributions.

Over the past three days, the session has addressed a broad range of key topics, including preparations for the forty anniversary of the United Nations Declaration on the Right to Development, climate finance, public participation, the impact of trade tariffs, the implications of artificial intelligence for cultural rights and creative industries, and the indispensable role of civil society in advancing this fundamental right.

The outcomes of these deliberations will inform the Expert Mechanism's annual report and guide its future engagements, including its relevant studies and preparations for the anniversary, reinforcing efforts to fulfil its mandate. The annual report of the Mechanism is presented each year at the Human Rights Council in its September session and at the Third Committee of the General Assembly in mid-October.

The Expert Mechanism expresses its deep appreciation for the steadfast support of Member States for the right to development and for the Mechanism's mandate

to advance its realization. The Mechanism further notes and echoes concerns raised by delegates about persistent challenges such as climate change, debt burdens, unilateral coercive measures, and inequitable financial systems, stressing the need for reform of the international financial architecture and equitable access to resources. Many called for scaling up climate finance, leveraging artificial intelligence for inclusive development, and ensuring that its use helps bridge rather than widen inequalities within and among countries and does not lead to discrimination. Civil society participation and the role of technology in development were also emphasized as critical for inclusive progress.

The Expert Mechanism reaffirms these priorities, noting that the right to development is equal to all other human rights and should not be treated as subsidiary. We warn of growing risks from climate-induced migration and artificial intelligence's impact on cultural diversity, urging stronger regulation and global cooperation. The Mechanism further supports the call of many delegations in urging OHCHR to prioritize the right to development with the same attention given to other rights. We encourage States to move beyond divides, and support the realization of the right to development at national and international levels.

During these three days, the Expert Mechanism also presented and engaged with guest speakers on the study *"Climate Finance: Vulnerability and Responsibility."* The discussion highlighted that climate change is an existential threat that demands targeted resources based on vulnerabilities and the principle of common but differentiated responsibilities under the International treaties related to climate change. Potential funding tools include carbon monetization and carbon and biodiversity credit trading, provided they operate under transparent governance and ensure benefits for local and indigenous communities. These

mechanisms are not a panacea but should complement public funding, which must prioritize adaptation for low-emission, high-impact countries.

Climate finance should be approached holistically, linking development and just transition goals, such as clean cooking initiatives. Additional revenue sources include critical minerals and curbing illicit financial flows. As affirmed by the International Court of Justice in its Advisory Opinion of 2025, climate protection and related public funding are obligations, not promises. We appreciate Member States and stakeholders who supported the study's recommendations, addressed the need for international financial architecture reform and safeguards against potential adverse impacts of carbon market projects.

During the discussion on **how to commemorate the 40th anniversary of the UN Declaration on the Right to Development**", the Mechanism and panellists emphasized the historic and moral significance of the Right to Development as a people-centred, inalienable human right. We reaffirm that development is not charity, but a duty grounded in dignity and justice, requiring binding commitments, fair trade, and strengthened international cooperation. They recognized progress achieved since the 1986 Declaration, including the establishment of the mechanisms, biennial panels, and the drafting of a legally binding instrument, while acknowledging persistent implementation gaps.

In the ensuing discussion, States, civil society organizations, national human rights institutions (NHRIs) and other stakeholders pledged to advance the right to development as an inalienable human right. More than forty written and oral contributions were received, outlining initiatives such as national right to development action plans, awareness campaigns, education programmes, and dialogues on technology, youth, and global solidarity. Member States emphasized efforts to embed right to development principles in governance, policy, and

capacity-building frameworks, pledging to strengthen cooperation, reduce inequalities, and promote the realization of this right, nationally and globally.

Pledges and contributions from CSOs, NHRIs, and other stakeholders focused on promoting self-determined development, participation, inclusion, and education—ranging from postgraduate programmes and global training networks to youth-led environmental and community projects— and on advancing the legal enforceability of the right to development including through the establishment of accountability mechanisms and measurable indicators.

These commitments reflect a vibrant, multi-stakeholder movement and reaffirm that the 40th anniversary is not only a commemoration but a renewed global call to transform the Right to Development from principle into practice. Given the strong interest and requests from several Member States for more time to finalize their pledges, the Expert Mechanism has extended the deadline for submissions until Friday, 14 November 2025. All pledges will be published on the EMRTD website and will inform the Mechanism's activities for the 40th anniversary of the UN Declaration on the Right to Development in 2026. .

The Panel discussion on **"Public participation: a tool for development"** heard unanimous emphasis on public participation as a fundamental pillar of the right to development and a prerequisite for inclusive, transparent, and sustainable governance. The panel and the discussion highlighted several national experiences demonstrating efforts to institutionalize participatory mechanisms, including bottom-up planning system, participatory approach to budgeting, legislation, and climate adaptation.

The dialogue highlighted States' public participation framework and community-led projects and stressed civil society engagement in shaping national priorities.

Common challenges identified included geographic dispersion, resource limitations, coordination gaps, and risks of elite capture or tokenistic consultations. The Mechanism supports the call for enhanced international cooperation, robust legal frameworks, and participatory monitoring systems to ensure that engagement moves beyond formality and becomes a sustained practice embedded in governance.

The Expert Mechanism emphasizes that participation is a legal and structural component of the right to development, grounded in international instruments such as the 1986 Right to Development Declaration. Public participation is not merely a way to validate top-down decisions or serve as a formal consultation. Development must be co-created from an early stage through a long-term, multi-level process and a participatory ecosystem that includes a legal framework, institutional infrastructure, as well as empowerment and accountability. This process must take into account various geographical, cultural, and linguistic aspects and avoid being instrumentalized by stakeholders. It requires political will and the cultivation of a culture of participation.

The discussion on the "**Impacts of trade tariffs on the realization of the right to development**" emphasized that equitable development and the reduction of inequalities require a fair, rules-based multilateral trading system. Rising tariffs and unilateral measures were identified as eroding core principles such as non-discrimination and Special and Differential Treatment, disrupting global value chains, and disproportionately harming developing economies. Panellists critically highlighted the disproportionate impact of recent tariff trends on developing and least developed countries, hindering their efforts and abilities to invest in and promote sustainable growth and development.

Our Mechanism and panellists further warned that protectionist policies and actions in the manner currently being deployed are harmful to global growth and worsen the conditions of international cooperation, especially noting its impact on development and other human rights. In other words, international trade must be governed to advance, not hinder, the right to development. The discussion called for mainstreaming this right into trade policies, restoring WTO mechanisms and preferential treatment guaranteed to least-developed countries, and promoting South–South cooperation to safeguard inclusivity and sustainability.

Delegates and participants condemned unilateral coercive trade measures as forms of economic burden that undermine equity and development prospects for the Global South. Calls were made to preserve Special and Differential Treatment as a treaty-based right, extend duty-free market access for graduating LDCs, and revitalize multilateral institutions to prevent geo-economic fragmentation. The discussion reaffirmed that trade must serve as a driver of shared prosperity and urged collective action to ensure fairness, stability, and the realization of the right to development.

The thematic discussion on "**The impact of artificial intelligence on creative industries, cultural rights, and the right to development**" emphasized that AI presents both unprecedented opportunities and serious risks for creative industries, cultural rights, and the right to development. Panellists highlighted the need for inclusive definitions of AI, ethical governance, and frameworks that go beyond copyright to include indigenous rights, environmental concerns, and cultural sovereignty. They outlined key challenges such as governance lag, concentration of power, and cultural homogenization, while also identifying opportunities for enhancing creativity, protecting heritage, and supporting linguistic diversity.

Following up on this discussion, the Mechanism urges the international community to advance an ethics of care — care for the planet, for culture, and for human uniqueness — when determining how to engage with AI. To do so, we need conceptual tools that help us understand, categorise, and define AI's impact on cultural rights. Progress requires bringing together diverse voices and actors, including Governments, the private sector, NGOs, researchers, and local communities. An AI tax could help address growing economic disparities, ensuring that the benefits of AI are shared more equitably rather than concentrated in technologically advanced countries. Technical expertise is also essential to negotiate fairer access to funding and to preserve cultural diversity. Human dignity and cultural pluralism stem from humanity's ability to creatively participate in and shape their world. This pluralism must be protected and valued, as it forms the foundation of inclusive and resilient societies.

Legal issues extending beyond copyright must also be addressed, ensuring that marginalised creators, indigenous communities, and researchers are meaningfully included in policymaking. Measures such as contextual labelling of AI-generated content, especially when it relates to indigenous knowledge, should be explored to prevent misappropriation and ensure respectful representation. A multidisciplinary and intersectional approach — integrating philosophy, law, economics, and policy — is crucial for understanding and regulating AI's societal impact. Above all, goodwill and cooperation are essential; without them, the international community cannot fully embrace AI's opportunities or adequately confront the risks it presents.

The Expert Mechanism welcomes the development of national strategies on AI and echoes concerns raised, underscoring the global relevance of AI's impact on culture. The Mechanism supports the call for efforts to integrate AI into cultural

preservation and education, while ensuring ethical use and fair compensation for creators. It notes the concerns raised about AI imitating local creative outputs and deepening digital divides, calling for inclusive policies and international cooperation. As delegates highlighted, it is important to acknowledge AI's potential to revitalize creative industries but be warned against algorithmic bias and cultural erasure.

In a diverse panel with representatives from Member States and CSOs specializing in climate action, women's rights, peace and humanitarian work and youth empowerment, the Expert Mechanism was pleased to discuss **"The role of civil society organizations in realizing the right to development at the grassroots level".** The right to development inherently entails the active, free, and meaningful participation of individuals and peoples. In this regard, the role of civil society organizations (CSOs) is key to the realization of this right and, consequently, to the achievement of a more just society.

In this context, the work of CSOs at the grassroots level enables a better understanding of the needs and claims of persons and groups in situations of vulnerability, through an intersectional approach — including Indigenous tribal peoples, children and adolescents, women, older persons, persons with disabilities, those affected by armed conflict and violence, migrants and refugees, as well as persons and communities exposed to climate change, among others. The Mechanism underscore the good practices and joint initiatives developed by civil society and the State to give concrete expression to the right to development. Human rights education, and specifically education on the right to development, is fundamental to ensuring its justiciability, enjoyment, and exercise by individuals and peoples. CSOs, together with individuals and communities, are progressively taking ownership of the right to development.

In practice, this right is often invoked through the exercise of civil and political rights, or economic, social, cultural, and environmental rights — such as collective property, participation, access to information, liberty, food, education, and a healthy environment.

The Expert Mechanism draws attention to the economic and security challenges, as well as the restrictions that some CSOs face in the free exercise of their activities — including freedom of expression, association, assembly, and the right to defend human rights. The protection of human rights requires the commitment and safeguarding role of the State, recognizing that both State and non-State actors are complementary. In this regard, and recalling the 2030 Agenda for Sustainable Development, we must work together within a revitalized Global Partnership that includes States and non-State actors alike.

During **the coordination meeting with other UN mechanisms** on the right to development, the Expert Mechanism warmly welcomed the active engagement of both the Chair-Rapporteur of the Intergovernmental Working Group and the Special Rapporteur on the Right to Development. It regrets that financial constraints prevented their in-person participation, underscoring the urgent need to address such limitations to ensure inclusive and effective collaboration. The Mechanism supports the Working Group's recommendation to dedicate the 2026 Human Rights Council biennial panel on the Right to Development to commemorating the 40th anniversary of the Declaration on the Right to Development. The Expert Mechanism also shares the concerns expressed by the Special Rapporteur regarding the profound impacts of escalating and interrelated crises on the current and emerging world order.

To amplify its impact, **the Expert Mechanism launched five Policy Briefs** during the session, responding to stakeholder requests for accessible, actionable

guidance. These briefs aim to enhance the real-world application of the findings of the Mechanism's studies and strengthen decision-making processes for the effective realization of the Right to Development.

To conclude, the Expert Mechanism would like to urge Member States and all stakeholders to continue working collaboratively to promote and protect the right to development. With declining international cooperation, the progress made over the decades to advance human rights is under threat. We should bridge our divides and views regarding the right to development which is not just an inalienable human right of individuals and peoples, but the pathway to achieving equitable and sustainable development. Thank you.

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