The 13th session of the Expert Mechanism on the Right to Development

Item 4 of the Provisional Agenda
Implementation of the mandate and programme of work –
Focused thematic discussions
Conference Room 6, United Nations Headquarters, New York

Participation, Inclusion, and the Right to Development of Migrants

Thursday, 23 April 2026, 15:00 to 16:30

Concept Note
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Background

The Declaration on the Right to Development affirms that development is a comprehensive economic, social, cultural, and political process in which every person is entitled to participate in, contribute to, and enjoy development. It establishes development as human-centered, grounded in dignity, equality, participation, and international cooperation. As a corollary, States have "the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals" (Article 2.3), without any distinction such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Accordingly, States' obligations with respect to the right to development extend to all persons under their jurisdiction, including migrants.

Migrants contribute significantly to the economic, social, and cultural life of countries of destination. Yet they are often treated primarily as sources of labour or security threats rather than as rights-holders and active participants in development. Restrictive migration policies, extractive labour migration agreements, hostile and exclusionary[1] narratives, and discriminatory practices undermine migrants' agency and inclusion.

This session of the Expert Mechanism on the Right to Development will examine how the Right to Development framework can strengthen participation, promote inclusion, and ensure the protection of migrants' rights in countries of destination.

Rationale

The Right to Development offers a normative and practical framework to address structural inequalities affecting migrants. It emphasizes:

- Non-discrimination and equality of opportunity
- Meaningful participation in decision-making
- Fair distribution of income
- Protection from exploitation
- International cooperation and shared responsibility

[1] In terms of the guidance provided by the Declaration on the Right to Development regarding efforts to establish a new international economic order and the duty of States to co-operate with each other in ensuring development and eliminating obstacles to development, see inter alia Temporary labour migration | OHCHR - Regional Office for South-East Asia Bangkok.

When migrants are excluded from access to their rights and to essential services, development planning, civic participation, or subjected to exploitation including trafficking in persons, their right to development is undermined. Such exclusion also weakens social cohesion and sustainable development in host societies.

Aligning migration governance with the Right to Development ensures that migrants are recognized as rights-holders and community members whose inclusion and contribution benefits society as a whole.

Objectives

The session aims to:

1. Clarify how the Right to Development applies to migrants, regardless of status.

2. Promote non-discrimination and equal access to human rights, including health, education, housing, food, social protection, and decent work.

3. Strengthen migrants' participation in policies affecting their lives and communities.

4. Address exploitation and abuse experienced by migrants, including through implementation of international human rights and labour standards.

5. Reinforce shared responsibility among countries of origin, transit, and destination, recognizing that migration is a transnational phenomenon that requires the cooperation of all States, as set out in the Global Compact for Safe, Orderly and Regular Migration (GCM).

6. Encourage evidence-based policymaking and accountability consistent with human rights obligations.

Key Questions

1. **Participation as a Core Right**: How can migrants meaningfully engage in economic, social, cultural, and political life in destination countries?

2. **Inclusion and Non-Discrimination:** How do exclusionary laws and practices undermine sustainable development?

3. **Protection from Exploitation**: What role can key standards such as the non-punishment principle, labour inspections, and accountability mechanisms play in safeguarding migrant workers?

4. **Countering Marginalisation and Harmful Narratives**: How can human rights-based approaches address xenophobia and strengthen social cohesion?

5. **Local Governance and Grassroots Empowerment**: What is the role of municipalities and migrant-led organizations in advancing inclusion?

6. **Shared Responsibility and Global Commitments**: How can migration governance align with international development frameworks, such as the Global Compact for Migration (GCM)?

7. **Data and Accountability**: How can evidence-based approaches assess the development impact of migration policies?

Expected Outcomes

The session is expected to:

1. Generate practical recommendations to strengthen migrants' participation, access to rights and inclusion in destination countries.

2. Clarify how the Right to Development can guide migration governance reforms.

3. Strengthen collaboration among States, UN agencies, local authorities, and civil society.

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