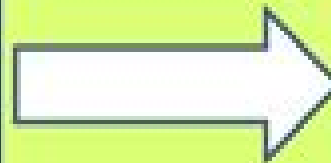


UN Declaration on the Right to Development 1986

**“an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized”
(Article 1.1)**



It is a human right, and the source of the human rights-based approach to development

It is both individual and collective

It has both national and international dimensions

It entitles everyone to participate in, contribute to and enjoy development in its economic, social, cultural and political dimensions

Reflections On The Right To Development

S Marginson



Reflections On The Right To Development:

Reflections on the Right To Development Arjun Sengupta, Archana Negi, Moushumi Basu, 2005 The Right to Development RTD is a new and highly contested right Its emergence is linked to the demand for a new international economic order by developing countries Composite in nature and integrating civil and political rights with economic social and cultural rights the RTD approach underscores participation a fair sharing of benefits transparency and non discrimination The present volume explores the theoretical and practical aspects of RTD as an alternative to existing approaches to development It brings together the reflections and insights of some of the finest scholars on the specific aspects of RTD

The Concept of the Common Heritage of Mankind in International Law Kemal Baslar, 1998 The concept of the common heritage of mankind is one of the most extraordinary developments in recent intellectual history and one of the most revolutionary and radical legal concepts to have emerged in recent decades The year 1997 marks the thirtieth anniversary of the advent of the concept in the domain of public international law Ever since its emergence it has become evident that no other concept notion principle or doctrine has brought as much intensive debate controversy confrontation and speculation as the common heritage phenomenon did This is because it is a philosophical idea that questions the regimes of globally important resources regardless of their situation and requires major changes in the world to apply its provisions In other words the application and enforcement of the common heritage of mankind require a critical reexamination of many well established principles and doctrines of classical international law such as acquisition of territory consent based sources of international law sovereignty equality resource allocation and international personality This book aims to explore the legal theory and implications of the concept of the common heritage of mankind It addresses almost all aspects of the concept in the light of the experience of three decades The author takes into account the elements of the common heritage concept in the fields of jurisprudence outer space law the law of the sea the law of Antarctica international environmental law human rights and general principles of public international law It tries to develop a normative framework through which the concept may offer alternatives for the governance of the global commons

The Right to Development and International Economic Law Isabella D Bunn, 2012-03-01 The United Nations is commemorating the 25th anniversary of the 1986 Declaration on the Right to Development which proclaimed the right to be an inalienable human right by virtue of which every human person and all peoples are entitled to participate in contribute to and enjoy economic social cultural and political development in which all human rights and fundamental freedoms can be realized The UN now aims to mainstream the right into its policies and operational activities and is reviewing prospects for an internationally binding legal instrument The evolution of the right to development however has been dominated by debates about its conceptual validity and practical ramifications It has been hailed as the cornerstone of the entire human rights system and criticized as a distracting ideological initiative Questions also persist about the role of the right in reforming the international economic order This

book examines the legal and moral foundations of the right to development addressing the major issues It then considers the right to development in the global economy noting the challenges of globalization and identifying key principles such as differential treatment of developing countries participation and accountability It relates the right to broad objectives such as the Millennium Development Goals the human rights based approach to development and environmental sustainability Implications for international economic law and policy in the areas of trade development finance and corporate responsibility are assessed The conclusion looks to the legal and ethical contributions and limitations of the right to development in this new context With an academic and professional background in international law human rights and moral theology the author brings a unique interdisciplinary focus to this timely project

The Right to Development in International Law

Khurshid Iqbal,2009-09-10 This book explores the right to development in international law The volume draws on a range of relevant sources to analyze the legal status of international cooperation in contemporary international law before going on to explore the domestic application of the right to development looking at the example of Pakistan

Perspectives on the right to development Carol C Ngang,Serges Djyouou Kamga,Vusi Gumede,2018-01-01 The last couple of decades has not only witnessed an increased convergence between human rights and development but also a significant shift towards rights based approaches to development including especially responsiveness to the fact that development in itself is a human right guaranteed to be enjoyed by all peoples This edited volume of peer reviewed papers constitutes the first product resulting from the annual international conference series on the right to development organised by the Centre for Human Rights University of Pretoria and the Thabo Mbeki African Leadership Institute at the University of South Africa It explores the complex nature of the right to development from a diversified perspective including from a conceptual thematic country and regional points of view Conceived with the purpose to overshadow dominant economic growth approaches to development the perspectives on the right to development articulated in this publication seek to locate the developmentalist discourse within the framework of accountability and people centred development programming necessitating appropriate policy formulation to ensure the constant improvement in human well being The book is written with the aim to reach out to researchers academics practitioners and policy makers who desire an in depth understanding of the right to development as it applies universally

Insights into Policies and Practices on the Right to Development

Carol Chi Ngang,Serges Djyouou Kamga,2020-10-06 As the world continues to grapple with a range of practical development challenges that are directly linked to livelihood concerns about human well being and declining living standards often overlooked is the human right to development which remains largely unfulfilled In the face of successive global initiatives seeking to remedy these challenges it has become urgent to ask what the universal recognition of the right to development implies if it cannot be translated into improved well being for impoverished peoples around the world The contributors in this timely volume argue that setbacks to development are deeply rooted in the failure to implement the right to development which by nature

guarantees equality of opportunities and equitable redistribution of the resources that contribute to better living standards. Assessing policy and practical measures or the lack thereof they offer practical suggestions for implementation that will make the right to development a reality for everyone.

The Right to Development in Africa Carol Chi Ngang, 2021-10-18. In *The Right to Development in Africa* Carol Chi Ngang provides a conceptual analysis of the human right to development with a decolonial critique of the requirement to have recourse to development cooperation as a mechanism for its realisation. In his argumentation the setbacks to development in Africa are not necessarily caused by the absence of development assistance but principally as a result of the lack of an operational model to steer the processes for development towards the highest attainable standard of living for the peoples of Africa. Basing on the decolonial and capability theories he posits for a shift in development thinking from dependence on development assistance to an alternative model suited to Africa which he defines as the right to development governance.

Reflections on the Constitutionalisation of International Economic Law, 2013-12-09. This book collects a large number of essays written in honour of Professor Ernst Ulrich Petersmann by his friends, colleagues and former students. The respective contributions cover the fields of international economic law, international constitutional law, transnational constitutionalism, EU law and human rights. The broad thematic scope of this book mirrors the extremely large field of interests of the jubilarian. Paying tribute to a particular trait of Professor Petersmann's character who was always both a dogmatic thinker and a curious researcher, the authors try to cover both structural issues of law as well as most recent developments in particular in the field of international economic law. Construing the constitution of international economic law in both senses of this activity was an aim throughout Professor Petersmann's academic career and this goal stands also at the heart of this book.

The Right to Development in the African Human Rights System Serges Djyou Kamga, 2018-01-29. The right to development (RTD) seeks to address global inequities hidden in world politics and global institutions through the game of influences played by powerful actors. The negative impacts of the Atlantic slave trade, colonialism and the subjugation of Africa through globalisation and its institutions are key factors that have caused Africa and African people claiming their RTD. This book examines how the African continent protects the right to development, examining the nature of the RTD and controversies surrounding it and how it is implemented. The book then goes on to explore the RTD at the regional level including through the jurisprudence of the African Commission and the African Court on Human Rights at the sub-regional level including in sub-regional courts and tribunals at the national levels through case studies and through the African Union governance institutions. Through this examination the author unveils what are the prospects and challenges to the realisation of the RTD in Africa.

The Right to Development: Obligations of States and the Rights of Minorities and Indigenous Peoples Margot E. Salomon, Arjun Sengupta, 2003-02-10. The United Nations adopted the Declaration on the Right to Development in 1986. The Declaration recognizes that development is an inalienable human right and describes development as a comprehensive process leading to

the well being of all people All states are called upon to cooperate internationally and work nationally to ensure that this comprehensive process in which all human rights can be realized is undertaken without discrimination and that all people may participate fully and equally in this process This paper provides an elaboration of the content of the right to development by drawing on international law It addresses the obligations of states particularly with regard to international cooperation and considers the application of obligations of conduct as well as those of result in giving this right meaning This paper also details the rights of minorities and indigenous peoples and how they relate to the right to development The creation of conditions that enable a state to develop will not necessarily lead to the realization of the right to development by the individuals within that state Traditionally marginalized groups notably minorities and indigenous peoples may not benefit from this development or may be harmed by it Even where the right to development is being realized by the majority the rights of minorities and indigenous peoples could be violated if the process undertaken does not take account of their rights The authors discuss the need to have in place the standards to ensure that the protection and promotion of minority and indigenous rights are fully integrated into policies designed to fulfil the right to development Written in cooperation with the UN Independent Expert on the right to development this work builds on his contribution to the mandated objectives of the inter state UN Working Group on the Right to Development It provides an important contribution to the scope of rights and obligations in this area and the implications that stem from them particularly for minorities and indigenous peoples

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