



General Assembly

Distr.: General
2 July 2024

Original: English

Human Rights Council

Fifty-seventh session

9 September–9 October 2024

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Annual report of the Expert Mechanism on the Right to Development*

Chair-Rapporteur: Mihir **Kanade** (India)

* The annex to the present report is reproduced in the language of submission only.



Contents

	<i>Page</i>
I. Introduction	3
II. Organization of the sessions.....	3
III. Summary of proceedings.....	4
A. General statements.....	4
B. Coordination meeting with United Nations mechanisms on the right to development.....	5
C. Focused thematic discussions and interactive dialogues	6
IV. Thematic studies.....	14
A. Women’s active, free and meaningful participation in development, with a focus on decision-making.....	15
B. Climate finance: vulnerability and responsibility	15
C. Climate justice, sustainability and the right to development	16
D. Artificial intelligence, regulation and the right to development	16
E. Right to development in international development cooperation	16
F. Individual and collective dimensions of the right to development	17
V. Conclusions	18
Annex	
List of participants for the eighth and ninth sessions of the Expert Mechanism on the Right to Development	21

I. Introduction

1. In September 2019, the Human Rights Council established the Expert Mechanism on the Right to Development with a mandate to provide the Council with specialized knowledge and expertise on the right to development.¹ Its primary objectives include identifying and sharing best practices with Member States and promoting the global implementation of the right to development.

2. The Expert Mechanism is composed of five independent experts, one from each regional group. The current members of the Expert Mechanism are Isabelle Durant (Belgium), Bonny Ibhawoh (Nigeria), Mihir Kanade (India), Klentiana Mahmutaj (Albania) and Liliana Valiña (Argentina). The Expert Mechanism meets twice annually for three days each, in Geneva and New York. It prepares and submits to the Human Rights Council one annual report and one to three thematic studies per year, for which the experts collect contributions through calls for inputs, and carries out up to five country study visits per year. The Expert Mechanism engages with the intergovernmental Working Group on the Right to Development and the Special Rapporteur on the right to development and carries out other activities, as appropriate. The present report contains the summary of the eighth and ninth sessions and outlines additional activities and contributions.

3. During the reporting period, the liquidity situation in relation to the United Nations regular budget affected the ability of the Expert Mechanism to deliver on its mandate, including the cancellation of: country study visits, the participation of members in international meetings and conferences and the participation of expert guests in the eighth and ninth sessions of the Expert Mechanism.

II. Organization of the sessions

4. In 2020, at its first session, the Expert Mechanism decided to appoint a chair, who would also serve as the rapporteur for the annual report, a vice-chair and rapporteurs responsible for the thematic studies. The vice-chair would automatically assume the role of the next chair and the positions would rotate every six months.² Liliana Valiña and Isabelle Durant chaired the eighth and ninth sessions, respectively.

5. The Expert Mechanism held its eighth session in person in Geneva from 30 October to 1 November 2023. During the session, the proceedings were divided into private and public segments to facilitate discussions and deliberations. Four members of the Expert Mechanism attended the session and one member participated in a relevant discussion by video-message. Participants included representatives of Member States, United Nations bodies, funds and programmes, human rights mechanisms and the specialized agencies, intergovernmental organizations, regional organizations, national human rights institutions and other relevant national bodies, academics and experts on development and human rights issues and non-governmental organizations in consultative status with the Economic and Social Council.

6. The eighth session was opened by the Vice-President of the Human Rights Council, Ambassador Maira Mariela Macdonal Álvarez (Plurinational State of Bolivia). In her statement, the Vice-President affirmed the importance of operationalizing the right to development and commended the Expert Mechanism for its valuable work, including its thematic studies that provided recommendations benefiting Member States. The Vice-President referred to the Council's request that the Expert Mechanism focus on the international dimension of the right to development and expressed interest in the five upcoming studies. She called on all stakeholders to continue supporting the Expert Mechanism, acknowledged its expanding workload and conveyed the commitment of the Council to strengthening the capacity of the secretariat to provide effective support to the Expert Mechanism.

¹ Human Rights Council resolution 42/23.

² For the decision to rotate the office of the Chair, see [A/HRC/45/29](#), para. 9.

7. In her opening statement on video-message, the Deputy High Commissioner for Human Rights endorsed the role of the Expert Mechanism in providing crucial insights on policy issues. Underscoring international cooperation and the participation of rights holders, she reaffirmed development as a human right and essential for an adequate standard of living. She warned of the severe consequences of neglecting the right to development, including poverty and conflicts. She called for international cooperation, dialogue, bold decisions and human rights-based solutions. As the seventy-fifth anniversary of the Universal Declaration of Human Rights approached, the Deputy High Commissioner urged a commitment to its principles, guaranteeing the inherent dignity and rights of all human beings.

8. The Expert Mechanism held its ninth session in person in New York on 1 and 2 May 2024. Owing to the liquidity situation related to the United Nations regular budget, the length of the session was reduced from three to two days. Opening the session, the Assistant Secretary-General for Human Rights highlighted the importance of the Expert Mechanism in bridging the human rights and the development agendas and stressed the interdependence between peace, development and human rights. She noted that human rights, including the right to development, were essential for addressing global challenges and achieving the Sustainable Development Goals. The focus of the work of the Expert Mechanism was particularly pertinent considering the convening of the Summit of the Future in September 2024 and the need for a reinvigorated multilateral system. The Assistant Secretary-General commended the Expert Mechanism for its efforts in promoting dialogue and knowledge sharing, particularly in elaborating thematic studies relevant to ongoing discussions on the upcoming Summit. She underlined the indivisibility and interdependence of all human rights and called for a collective commitment to resolving obstacles to development.

9. Following the opening remarks for the eighth and ninth sessions, the Expert Mechanism adopted the respective agendas³ and programmes of work.

III. Summary of proceedings

A. General statements

10. At the eighth session, general statements were delivered by the European Union, the Syrian Arab Republic, Iran (Islamic Republic of), Sri Lanka, Venezuela (Bolivarian Republic of), Egypt, Bolivia (Plurinational State of), Ethiopia, Brazil, Iraq, Pakistan, China, Algeria, the Russian Federation, Cuba and the State of Palestine. Subsequently, statements were made by the following non-governmental organizations, the International Observatory for Peace, Democracy and Human Rights, Associazione Comunità Papa Giovanni XXIII and Africa culture internationale.

11. Delegations stressed the importance of inclusive development within the broader goal of realizing the right to development, in particular, the interconnectedness of human rights in achieving sustainable development, rejecting narrow economic viewpoints and advocating a holistic approach. Many delegations highlighted the role of international cooperation and solidarity, with calls for collective efforts to address global challenges, including climate change, poverty and geopolitical conflicts. Several raised concerns about persisting inequalities within and between States and called for proactive measures to ensure the full realization of the right to development. Some States expressed support for the adoption of the legally binding instrument.

12. Representatives from civil society stressed the severe impact of energy and food crises, natural disasters, climate change and global conflicts, exacerbated by the coronavirus disease (COVID-19) pandemic, which had set back progress and deepened inequalities. They asserted the universal and inalienable nature of the right to development and emphasized its integral role in human rights. Many representatives recognized women's pivotal role and advocated gender equality. There was a strong recognition of civil society organizations as essential partners in policymaking and accountability mechanisms. Representatives

³ [A/HRC/EMRTD/8/1](#) and [A/HRC/EMRTD/9/1](#).

welcomed and supported the upcoming thematic studies. Some expressed appreciation for the work being done on the adoption of a legally binding instrument. The critical importance of addressing responsibility and climate justice through immediate and decisive action and equitable distribution of responsibilities, especially considering historical contributions, featured prominently.

13. At the ninth session, general statements were delivered by Uganda (on behalf of the Movement of Non-Aligned Countries), the European Union, Venezuela (Bolivarian Republic of), on behalf of the Group of Friends in Defence of the Charter of the United Nations), Pakistan, Belarus, Iran (Islamic Republic of), Jamaica, Cuba, the Russian Federation, China, Egypt, Brazil, Australia, Saudi Arabia, South Africa, and India. Subsequently, statements were made by the following non-governmental organizations: Fundación Luz María and Africa culture internationale.

14. Representatives of Member States consistently emphasized the historical and universal significance of the right to development and its interconnection with other human rights. Numerous delegations reiterated the urgent need to adopt the draft international covenant on the right to development to protect and promote this right. Many reaffirmed their commitment to implementing the 2030 Agenda for Sustainable Development and achieving the Sustainable Development Goals. International cooperation and solidarity were considered a collective action vital for realizing the right to development. Calls were made for comprehensive reforms in global governance and international economic and financial systems to facilitate equitable development. Other delegations condemned unilateral coercive measures as significant obstacles to the right to development. Many advocated for integrating the right to development into the processes, policies and activities of United Nations agencies and international financial institutions. They pronounced their support for the Expert Mechanism and commended its effort in advancing the right to development.

15. Representatives from civil society highlighted the role of the right to development in forging cooperation to remove obstacles to development, in particular for groups in marginalized and vulnerable situations. They stressed the shared responsibility, at national and international levels, to advance this right and the need for inclusive policies to empower groups in situations of poverty. The importance of integrating local communities and their expertise in development programmes was noted and many representatives called for accountability in fulfilling development pledges.

16. The Expert Mechanism welcomed the support of Member States and other stakeholders at the two sessions. It appreciated the willingness and open-mindedness of States to engage with it and with each other in candid and constructive dialogues, fostering a common understanding. The Expert Mechanism expressed its intention to address the various issues raised through in-session thematic discussions and thematic studies and welcomed the inputs and contributions with different points of view.

17. The Expert Mechanism noted the importance of inclusive policies, community empowerment and accountability in development initiatives, as highlighted by civil society representatives. It concurred with the emphasis on involving all rights holders, especially local communities, including women, and youth, in decision-making processes, noting that effective and meaningful participation is a key principle of the right to development.

B. Coordination meeting with United Nations mechanisms on the right to development

18. As a result of the liquidity situation related to the regular budget of the United Nations, the coordination meeting between the Chair-Rapporteur of the intergovernmental Working Group on the Right to Development and the Special Rapporteur on the right to development could not be organized in person, as was the practice previously. The two mandate holders spoke on video-message at the eighth session of the Expert Mechanism.

19. The Chair-Rapporteur of the intergovernmental Working Group on the Right to Development shed light on the persistent challenges that hindered the effective implementation of the right to development. Reflecting on its mandate, bestowed by the

Human Rights Council in 2018, the Chair-Rapporteur outlined the substantial efforts undertaken, despite the hurdles posed by the COVID-19 pandemic, to draft a comprehensive and legally binding instrument. He reported on the completion of three negotiating rounds and the subsequent submission of a draft international covenant on the right to development to the Human Rights Council, which adopted a resolution forwarding the draft to the General Assembly for consideration, negotiation and subsequent adoption. The Chair-Rapporteur advocated the adoption of the draft international covenant on the right to development on the occasion of the commemoration of the fortieth anniversary of the Declaration on the Right to Development in 2026, thereby solidifying it as a binding commitment by the international community.

20. The Special Rapporteur on the right to development underscored the imperative need for enhanced collaboration among various entities, including his mandate, the Expert Mechanism, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the intergovernmental Working Group on the Right to Development. Enhanced collaboration was needed to avoid overlap, foster synergies and ensure a consistent and unified approach within and outside the United Nations system. The Special Rapporteur provided suggestions for collaboration, from sharing draft reports to issuing joint policy briefs, showcasing the practical benefits of such concerted efforts. Looking ahead, he highlighted specific focus areas under his mandate, including addressing the role of business and public development banks, issues related to children, youth and future generations and examining the intersection of migration and development. He emphasized the need for enhancing participation and proposed the development of practical guidelines to ensure meaningful engagement from States, public development banks and international agencies. Identifying conflicts, climate change and new technologies as key disruptors, he expressed an interest in addressing those challenges through collaborative efforts, emphasizing the necessity of collective action in advancing the right to development.

21. The Expert Mechanism subsequently engaged in a discussion and reaffirmed the importance of ongoing collaboration between the intergovernmental Working Group and the Special Rapporteur. They agreed with the need for synergies, consistency and cross-cutting approaches. Activities could include sharing drafts of studies and holding joint meetings, as well as in-person exchanges, in Geneva and in New York. The Expert Mechanism appreciated the update on the legally binding instrument and recognized its significance. It encouraged active engagement of Member States and civil society in discussions on the draft international covenant on the right to development in New York.

C. Focused thematic discussions and interactive dialogues

22. At its eighth session, held in Geneva, the Expert Mechanism held four focused thematic discussions and interactive dialogues to deliberate on challenges, opportunities and potential pathways toward the realization of the right to development. The topics included: “Responsibilities and climate justice”; “Access to technology and the right to development”; “Women’s participation in development. Promoting gender equality: good practices, opportunities, and challenges”; and “United Nations system and opportunities for mainstreaming and promoting the right to development”.

23. At its ninth session, held in New York, the Expert Mechanism held three focused thematic discussions on: “Global agreements: from political commitments to contractual or legal obligations and their impact on the right to development”; “Realizing the right to development through North-South, South-South and Triangular cooperation as well as other sui generis forms of international cooperation: exploring complementarities and good practices”; and “Development and climate financing: innovative tools and nature solutions to help realize the right to development”. It also convened a round table on cross-cutting issues with key stakeholders.

1. Responsibilities and climate justice

Eighth session, Geneva

24. Isabelle Durant opened the thematic discussion and underscored the escalating risks of climate change. She stressed the disproportionate impact on vulnerable regions and the evolving complexity of managing climate risks globally and proposed a re-evaluation of the climate and development cooperation relationship, stressing fair compensation for regions serving as carbon sinks. The Permanent Representative of Barbados to the United Nations Office and other international organizations in Geneva emphasized concrete actions in response to the climate crisis and urged the re-evaluation of trade rules and the commitment to climate-related funds. A climate activist who addressed the meeting by video-message stressed the severe impact of the climate crisis on communities worldwide, particularly in many vulnerable regions in Africa despite the minimal contributions of countries in Africa to global emissions. She advocated the use of renewable energies rather than fossil fuels and urged action towards global cooperation. A second climate activist asserted the responsibility of countries of the global North for the climate crisis and called for the cancellation of the “illegitimate” debts of the global South and for climate debt payments by those responsible. The Director-General of Amnesty International Belgique francophone delved into the intricate link between ecological transition and the right to development, citing examples of human rights abuses in mining. He called for a North-South relationship free from neo-colonialist tendencies.

25. In the ensuing discussion, representatives from Iraq, Azerbaijan, Iran (Islamic Republic of), Algeria, the Democratic Republic of the Congo and Brazil took the floor, along with representatives from the Sikh Human Rights Group, Africa culture internationale, Associazione Comunità Papa Giovanni XXIII, Maloca Internationale, Centre Europe - tiers monde, the Women’s Federation for World Peace International, the International Human Rights Association of American Minorities, the Organization for Defending Victims of Violence and Huazhong University of Science and Technology.

26. Representatives of Member States highlighted different climate change-related risks and their negative impacts. Many identified climate injustices as significant hurdles in achieving the right to development, particularly for developing countries, least developed countries and small island developing States. They called for equitable sharing of responsibilities, the provision of capacity-building and financing and stronger coordination among Governments, development agencies, financial institutions, the private sector and civil society. One delegation commended the Expert Mechanism’s contribution and stressed the need for open dialogue, aligning international institutions with the right to development. Another delegation supported legally binding measures to hold polluters accountable and to address illegal activities that threaten vital ecosystems.

27. Civil society representatives joined calls for accountability, equity and inclusive decision-making, highlighting the imperative need for collective action and systemic change. Many stressed the necessity of knowledge sharing, technology transfer and support to grassroots initiatives. The right to participate had to be at the heart of policies on climate justice, including the right of Indigenous Peoples to participate in decision-making. While development cooperation and climate cooperation were distinct, both were essential, could be complementary and must be grounded in the principles of equity, fairness and participation. One participant stressed the responsibility of States to protect all human beings in the face of climate change, highlighting the right to development as the framework for fostering international solidarity. Another affirmed the significance of the right to development in the light of the specific needs of countries in Africa. Other recommendations included the establishment of mechanisms to hold transnational corporations accountable for human rights abuses and climate injustice, including a new mechanism to monitor compliance with cooperation commitments and citizen mobilization in countries of the global North to address systemic inequalities arising from the current global economic framework.

28. In response, one speaker stressed the need to move beyond pledges and to actively engage with private creditors for innovative solutions to address the complex issue of debt, demonstrating a commitment to practical and lasting global economic solutions. Another underscored the importance of coherence, responsibility, accountability and inclusivity in

global decision-making. He urged the need for greater accountability, recognizing the richness of different perspectives, and advocated a more just and effective approach to global challenges. One speaker extended the discussion beyond climate impacts, emphasizing the principle of leaving no one behind and advocating inclusive policies with transparent decision-making processes. He voiced concern over the non-mandatory nature of treaties related to human rights, which challenges efforts to safeguard global human rights. Isabelle Durant, in closing the discussion, emphasized the absence of a universal solution. She called for innovative and tailored mechanisms to address the needs of diverse countries and for a legally binding framework, particularly for multinational corporations. She suggested recalibrating gross domestic product (GDP) calculations to explore dynamic and effective solutions in global development.

2. Access to technology and the right to development

Eighth session, Geneva

29. Bonny Ibhawoh opened the thematic discussion, highlighting existing disparities in access to technology, especially in low-income regions. Technology had a transformative potential in education, addressing global challenges, implementing policy measures and ensuring ethical considerations. The Special Rapporteur on the right to education stressed the link between education and development and the need to address challenges in digital learning, including ethical concerns and the digital divide. The Director of Europe and Central Asia of the Disability Data Initiative Hub at the University of Geneva focused on disability rights and highlighted the disproportionate challenges faced by persons with disabilities, the lack of consensus on disability definitions and the digital divide. She called for inclusive design and policymaking involving persons with disabilities. A youth information technology developer and gender-equality activist discussed the transformative potential of digital transactions in Kenya, emphasizing the importance of civic participation, especially by women.

30. During the dialogue, representatives from Sri Lanka, Brazil, Iran (Islamic Republic of), the Organization for Defending Victims of Violence, Huazhong University of Science and Technology, the Women's Federation for World Peace International, Associazione Comunità Papa Giovanni XXIII, Maloca Internationale and Centre Europe-tiers monde took the floor. Overall, participants recognized the transformative potential of technology for sustainable development and societal well-being. Many called for the urgent need to bridge the digital divide and ensure inclusivity, non-discrimination and equitable access to technology. Other recommendations included consideration and integration of ethical values in technology, investment in digital education, technology transfer and capacity-building for developing nations and the development of a new and inclusive framework to decolonize research, technology and development.

31. In response, one speaker emphasized the crucial role of public participation in shaping the questions that technology should address, particularly in education where more evaluation was needed to elucidate whether it helped or hindered the rights to development and to education. Another speaker drew attention to governance issues surrounding data and intellectual property, highlighting the need for collaboration and support for vulnerable communities, including persons with disabilities. The potential of technology in addressing climate change and health care was underscored by the third speaker, who further stressed the need for transparent communication and overcoming cultural barriers. Bonny Ibhawoh, who introduced the dialogue, referred to concerns raised about the blacklisting of scientists and academics and called for international discussions on the issue. Other members of the Expert Mechanism highlighted the role of language in accessing technology and the importance of increased dialogue on its regulation, particularly for artificial intelligence. Significance was placed on the financing of technology sharing and the need to look at the risks and challenges of technology access, including monitoring mechanisms that prevented discrimination and exclusion.

3. Women's participation in development. Promoting gender equality: good practices, opportunities and challenges

Eighth session, Geneva

32. Liliana Valiña opened the thematic discussion, outlining the importance of addressing gender inequality in fostering women's participation in development. It was imperative to provide equal opportunities, to ensure women's active participation across sectors and to implement economic and social reforms rooted in the principles of the Declaration on the Right to Development to eradicate social injustices. A member of the Committee on the Elimination of Discrimination against Women delved into the patriarchal systems that perpetuated unequal access for women and stressed governance failures in addressing disparities. She advocated post-pandemic gender parity and highlighted the transformative power of technology and education as a tool for empowerment, as stressed in the Committee's draft general recommendation No. 40, which was under consideration at the time of the dialogue.

33. The Permanent Representative of Costa Rica stressed the urgency of achieving substantive gender equality. He referred to Costa Rican policies and challenges in achieving economic autonomy for women. The Geneva representative of GQUAL campaign elaborated the key instruments and efforts of the campaign to strengthen women representation and participation in international decision-making. The President of the NGO Committee on the Status of Women recognized the right to development concept as a new dimension for women's engagement, emphasizing collective progress through Sustainable Development Goals and grassroots efforts. She advocated leadership roles for women and a shift in global terminology towards collaboration and justice.

34. During the ensuing dialogue, representatives from India, China, Iran (Islamic Republic of), Panama, the International Telecommunication Union, Women's Federation for World Peace International and Associazione Comunità Papa Giovanni XXIII took the floor. They underscored women's empowerment as a powerful tool for global development. Many participants committed to addressing gender disparities and promoting equality, including through good policies and practices such as integrating women's development objectives into national plans, comprehensive monitoring programmes for gender-related statistics and positive discrimination to increase women's presence in decision-making roles. Concerns were raised over gender pay gaps, school drop-out rates for girls, the issues women faced in conflict-affected situations and the need to provide safe environments for women's inclusion across sectors.

35. In their responses, speakers agreed on the critical importance of achieving gender parity and promoting women's participation in decision-making bodies, noting the value of accurate data to reflect women's active participation. Public policies and mechanisms could lead to profound societal transformation by guaranteeing fundamental rights, including access to food and education for women, and by removing practical, legal, administrative, structural and other barriers to their effective participation in development. One speaker, discussing the impact of the COVID-19 pandemic on gender parity, emphasized the need for intersectional solutions tailored to diverse forms of discrimination. Another stressed the importance of providing access to electricity and clean energy and addressing gender-based violence on social media. Calls were made for the increased involvement of women in peacebuilding.

4. United Nations system and opportunities for mainstreaming and promoting the right to development

Eighth session, Geneva

36. Mihir Kanade opened the thematic discussion, explaining the importance of integrating the right to development into the work of the United Nations, pointing to the distinct obligations of the United Nations as an international organization. The Director of the Office of the United Nations Development Programme (UNDP) in Geneva concurred with the need for a comprehensive integration of the right to development within the work of UNDP, stressing the need for collaborative efforts in addressing challenges like climate

change and global economic constraints. The Director of the Division on Globalization and Development Strategies of the United Nations Conference on Trade and Development acknowledged difficulties in mainstreaming the right to development in macro-financial and structural issues. He noted the shift in global power dynamics and the necessity of confronting systemic issues that hindered inclusive development. The Director of the liaison office of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in Geneva linked the right to development with gender equality, using examples from UN-Women programmes. She drew attention to a systemic approach to care policies. The Chief of the OHCHR Right to Development Section provided a comprehensive overview of the relevant normative framework and emphasized the need for global partnerships, collaborative approaches and the operationalization of the right to development through United Nations agencies, funds and programmes.

37. During the ensuing dialogue, representatives from Iraq, Maldives, the Women's Federation for World Peace International, Associazione Comunità Papa Giovanni XXIII and the Centre du commerce international pour le développement took the floor. Several highlighted the importance of mainstreaming the right to development and its potential to address challenges, emphasizing collective rights and the responsibilities of non-State actors. They regretted the persistent lack of attention to and engagement with the right to development within the United Nations system and called for its equal recognition, alongside other fundamental rights, and for its institutionalization. Questions were raised about the challenges in promoting the right to development at the State level and reconciling its implementation with addressing root causes. One participant proposed a systemic approach to law on the right to development and its interpretation. Others stressed the inseparable relationship between climate change and development and the need for climate finance and partnerships. Efforts were needed to address asymmetries in global governance.

38. In response, one speaker recognized that the traditional United Nations approach to development had lately converged with the rights-based approach, owing to the lack of results under the neoliberal paradigm, and suggested further discussion on how the right to development might consider other development models that have succeeded in alleviating poverty. Calling for better internal coordination and increased engagement, speakers recognized the need to systematically integrate the right to development and to update development practices within the United Nations. Suggestions included addressing the right to development in the work of the Organization in order to bring more visibility and wider dissemination of the concept, the explicit inclusion of right-to-development language in United Nations reports and measuring the impact of the right on people's lives, with a focus on reducing inequalities. Mihir Kanade, who introduced the dialogue, remarked on the value of the right of development as a normative framework anchored in rights and duties, including the duty to cooperate, which brought together development and human rights without privileging, or placing conditions, on either one.

5. Global agreements: from political commitments to contractual or legal obligations and their impact on the right to development

Ninth session, New York

39. Bonny Ibhawoh opened the thematic discussion, exploring the significance of global agreements in shaping global responses to critical challenges and their impact on human rights. Speakers were prompted to reflect on the lessons learned from those agreements and their negotiations and on their contributions to key areas of the right to development: ensuring the right of all individuals and peoples to participate in, contribute to, and benefit from development; addressing environmental concerns; bridging technology gaps; empowering marginalized communities; addressing power imbalances and historical inequities; and providing frameworks for capacity-building, knowledge sharing and financial support to developing countries. The representative of the United Nations Environment Programme cited ongoing negotiations, including the treaty on plastic pollution, as efforts to confront environmental challenges and promote development while upholding human rights. Pointing out challenges such as inconsistent enforcement and limited policy integration, she advocated aligning those agreements with the Sustainable Development Goals, emphasizing technology transfer, international cooperation and public participation in decision-making.

40. The Deputy Permanent Representative of Rwanda remarked on the vital need for collective efforts after the adoption of agreements, emphasizing implementation and tangible results that affected people's well-being and rights. Implementation challenges required unpacking concepts like capacity-building and technology transfer. States and other stakeholders had to unify efforts to create agreements with enduring impact, considering the well-being of future generations. The representative of the Permanent Mission of the Kingdom of the Netherlands discussed the critical role of water in achieving the Sustainable Development Goals and the role of partnerships and voluntary commitments catalysed by initiatives such as the United Nations Water Conference. He stressed the need for follow-up, monitoring progress and integrating water management into broader policies, calling for collective action to ensure access to clean water as a fundamental right. The representative of the Center for Economic and Social Rights focused on the responsibilities of States to maximize resources in order to progressively achieve human rights. Outlining other norms, such as non-retrogression, extraterritorial obligations, international cooperation and non-discrimination and equality, she advocated the integration of human rights norms and principles into fiscal policies to ensure equity through initiatives like the proposed international tax cooperation framework or instrument and a comprehensive approach to the global financial architecture.

41. During the ensuing dialogue, members of the Expert Mechanism and representatives from Africa culture internationale and the children and youth major group took the floor. They highlighted the significance of coherence and consistency in addressing interconnected global issues, the necessity of consensus-building and voluntary commitments, even without legally binding agreements, the crucial contribution of capacity-building and technical assistance and the integration of independent scientific expertise in treaty negotiations. Multilateral negotiations needed to be inclusive and evidence-based and to consider both domestic and international drivers of development. Emphasizing the role of States in facilitating youth-led initiatives and protecting individual rights, a participant called for operationalizing the means of implementation in the 2030 Agenda, viewing international cooperation as a duty rooted in human rights and fostering equitable and sustainable outcomes for future generations.

42. In their response, speakers agreed with the emphasis on unity, inclusivity, capacity-building and trust-building in advancing global agreements. One highlighted the value of voluntary commitments as initial steps towards consensus, as well as anchoring outcomes in formal resolutions. Another proposed using the right to development framework and principles such as accessory obligations and the duty to cooperate to guide implementation. Addressing environmental challenges was seen as integral to promoting development, particularly for groups in vulnerable situations, including a comprehensive approach that considered both present and future generations. The urgency of policy coherence, international cooperation and proactive measures was underscored, along with transparency and accountability in resource allocation to prevent financial losses for developing countries. Speakers advocated people-centred outcomes, shared responsibility and flexibility in accommodating diverse perspectives.

6. Realizing the right to development through North-South, South-South and Triangular cooperation as well as other sui generis forms of international cooperation: exploring complementarities and good practices

Ninth session, New York

43. Mihir Kanade opened the thematic discussion, outlining the normative principles of the right to development that can enhance the effectiveness of various forms of development cooperation. This included development as a human right, the participation of rights holders, self-determined priorities, human rights-aligned outcomes and processes and the duty of States to seek and provide cooperation. The Permanent Representative of Kenya drew attention to regional demographic differences and called for innovative financial instruments and new methods of assessing risk to reduce countries' dependency on high-interest loans. African countries had to add value to their mineral resources and to implement development-friendly industrial policies. The Deputy Permanent Representative of Portugal acknowledged migration as an opportunity and outlined the initiatives of Portugal in

innovation and development financing, including debt-for-nature swaps. Triangular cooperation was aligned with the right-to-development principles through its focus on consensus-building, trust and knowledge sharing. The commitment of Portugal to international development policies and partnerships was spotlighted, along with new capacity-building programmes for small islands and landlocked developing States.

44. The Deputy Permanent Representative of Brazil discussed the challenges and potential of international development cooperation, recommending the alignment of cooperation frameworks with the genuine needs of recipient countries. Political will was essential to mainstream right-to-development principles into development cooperation practices and to enhance monitoring and evaluation systems. Good practices included joint coordination and governance in cooperation initiatives. The Director of the United Nations Office for South-South Cooperation emphasized the intrinsic relationship between the right to development and international cooperation, with cooperation efforts targeting the populations of the global South. She called for efficient monitoring and leveraging of United Nations expertise to address challenges like absorption capacity and debt distress. Emerging concepts included circular cooperation and the importance of platforms for innovation and inclusivity. She cited successful collaborations through trust funds as examples of effective practices.

45. During the dialogue, members of the Expert Mechanism took the floor, along with a representative of Morocco. One participant recommended including European developing countries in global development discussions and called for closer examination of certain types of cooperation, such as trade schemes and migration agreements, that might undermine development goals. Another advocated reciprocal and circular cooperation models to foster genuine collaboration, emphasizing community participation to align cooperation with local needs. Outcomes from the High-level Conference on Middle Income Countries, held in March 2024, were highlighted, including overcoming the middle-income trap, advancing beyond GDP and tackling debt burdens and climate action.

46. In their responses, speakers agreed with the focus on practical solutions in development cooperation, prioritizing concrete actions over theoretical debates. Communities and stakeholders should be involved in bridging divides and fostering genuine collaboration. Recognizing and appreciating differences among stakeholders was deemed crucial for progress. Speakers advocated moving beyond the traditional North-South paradigm to include other modalities that fully accounted for the diversity of countries in both the global North and global South, leveraging their respective strengths for positive contributions to international cooperation and facilitating mutual learning and knowledge exchange. The inclusion of countries, irrespective of their geographical designation or development status classification, in discussions on international cooperation was also encouraged.

7. Development and climate financing: innovative tools and nature solutions to help realize the right to development

Ninth session, New York

47. Isabelle Durant opened the thematic discussion, spotlighting innovative tools and natural solutions to support the right to development and discussed the need to integrate vulnerable communities into climate-related processes, rethinking climate and development cooperation and creating frameworks to de-risk investments while addressing energy and development needs. The Permanent Representative of Barbados to the United Nations in New York shed light on the challenges faced by small island developing States, noted the limitations of GDP as a development measure and welcomed the establishment of the multidimensional vulnerability index for small island developing States. The Bridgetown Initiative for the Reform of the Global Financial Architecture, launched by Barbados, aimed to reform international financial systems and provide sustainable funding. Legal rulings on the responsibilities of States were essential, as were financial innovations and cooperation to combat climate change.

48. The Special Representative of the International Monetary Fund (IMF) discussed its commitment to human rights, especially social and economic rights, by assisting countries in

inclusive growth, gender-sensitive budgeting and fiscal alignment with the Sustainable Development Goals. He delved into the importance of carbon pricing, international collaboration and private sector involvement in climate financing, outlining IMF support to its Member States through capacity-building, policy guidance and trust funds. He also advocated an international carbon price floor to enhance global cooperation against climate change. The representative of the business and industry major group discussed the significance of upcoming international conferences on climate change and on biodiversity to climate financing. She highlighted recent initiatives in biodiversity finance and stressed the need for policies that incentivized private investment in climate technologies, drawing lessons from past carbon market experiences. The Resident Coordinator of Gabon, speaking on video-message, outlined the country's commitment to reducing emissions and preserving its forests. She showcased the country's achievements in conservation and climate financing through innovative mechanisms like carbon markets. She emphasized transparency, strong regulatory frameworks for carbon credits trading and verification and the importance of community engagement and capacity-building in conservation efforts.

49. In the ensuing dialogue, members of the Expert Mechanism and participants from Human Rights Watch, the women major group and the children and youth major group took the floor. They framed climate finance as an issue of justice, presented a critical assessment of the prevailing global economic system and urged a paradigm shift to prioritize human rights and address systemic issues. Emphasizing the need for revolutionary change to match the urgency of global challenges, they underscored the critical importance of fair revenue distribution and sufficient funding, particularly grants, which allow developing States to implement climate policies and mitigate impacts, especially on groups in vulnerable and marginalized situations. Many questioned the responsibility and accountability of financial institutions like IMF and advocated for the upholding of human rights. Other comments highlighted the significance of international legal opinions on the impacts of climate change on future generations, the importance of monitoring funding for positive outcomes and the prioritization of programmes supporting community resilience and small businesses.

50. In response, speakers acknowledged the necessity of taking incremental steps, within practical constraints, but emphasized the importance of ensuring that such steps were significant and expedient, avoiding the repetition of ineffective strategies while keeping overarching objectives in focus. They recognized the importance of concessional financing and stressed the crucial need for cooperation across public and private sectors. They advocated a whole-of-society approach given the magnitude of the challenge. Additional recommendations included faster and more effective debt restructuring processes, the provision of tailored assistance based on the unique needs of each country, the promotion of national ownership and the inclusion of rights holders in decision-making processes and development projects.

8. Round table on cross-cutting issues

51. Liliana Valiña opened the thematic discussion and introduced the focus of the round table on the conditions for meaningful participation in development and how to turn global agendas into tangible improvements for everyone. She highlighted progress and gaps in areas like the care economy and the digital divide and called for collaboration through community initiatives and strategies to mobilize women and youth and to achieve inclusive development. The Permanent Representative of Egypt stressed the comprehensive nature of development and the need to empower women in public life. He discussed the potential and uncertainties of digital advancements, emphasizing technology transfer and international cooperation. He highlighted the importance of creating safe pathways for youth and balancing the effects of the digital economy on job creation and social justice. The representative of UN-Women raised the urgent need to address the intersection of gender equality, the care economy, climate, jobs and social protection within the context of the right to development. She argued in favour of a holistic approach to transform the care economy and ensure access to decent jobs and universal social protection.

52. The Permanent Representative of Jamaica discussed the debate on prioritizing economic development versus investment in social sectors like the care economy, particularly in countries like Jamaica. A balanced approach was needed to address both social

and economic priorities, recognizing obligations to deliver on the right to development to drive inclusive growth and effectively address challenges. The representative from the women major group pointed out the intersecting forms of discrimination and marginalization faced by women and girls, compounded by factors like race, age and socioeconomic status. States should focus on existing obligations and commitments, especially regarding the care economy, which significantly affected the rights of women and girls and was undervalued despite its substantial contribution to global GDP. She called for collective action to develop equitable and resilient care systems. The representative from the children and youth major group called for equitable development that benefited all communities and for inclusivity in development discussions and decision-making processes. She discussed development projects in some countries to illustrate how State-led initiatives succeed or fail based on adherence to human rights and community engagement. She emphasized the potential of youth to drive positive change and advocated their meaningful inclusion in decision-making and development processes.

53. In the ensuing dialogue, members of the Expert Mechanism and representatives of Morocco, Iran (Islamic Republic of), Cameroon and Africa culture internationale took the floor. They emphasized the urgency and the ethical imperative of addressing key issues such as women's rights, the care economy and the digital divide. Several pointed out the foundational role of care work in the global economy and its increased visibility as a result of the COVID-19 pandemic and advocated inclusive structures to alleviate the burden on women. Youth involvement was essential to drive development and should be included in development discussions and international cooperation projects. Other comments touched on the potential benefits and risks of artificial intelligence, which necessitated a balanced approach between public interests and private sector involvement. There was a call for a common approach to issues like artificial intelligence and international cooperation. One participant condemned the broad impacts of unilateral coercive measures on development. Another proposed mainstreaming the right to development within discussions on women and youth.

54. In their responses, speakers emphasized the interconnectedness of various cross-cutting issues and the importance of practical, inclusive and context-sensitive approaches to development, with a strong focus on addressing foundational challenges, including poverty, education and resource distribution. One speaker cautioned against deviating from broad objectives like leaving no one behind and the right to development by introducing new concepts. Another advised against the prioritization of issues over adhering to established norms and standards. Investing in the care economy should complement rather than distract from other development efforts as such investments benefited women and girls, contributing to broader development goals, such as job creation. Given the limited resources of countries and the need to make essential investments in areas like gender equality and climate resilience, inequities in global resource distribution must be addressed to ensure adequate funding for those development initiatives.

IV. Thematic studies

55. At its eighth session, the Expert Mechanism organized a forum to collect inputs for ongoing and upcoming thematic studies. Five themes for studies were presented, to be developed during the second 3-year term of the Expert Mechanism and submitted to the Human Rights Council between 2024 and 2026. At the ninth session, an additional study was presented for discussion.

56. During the subsequent dialogue, representatives from Venezuela (Bolivarian Republic of), China, the United Nations Children's Fund, the Organization for Defending Victims of Violence, Associazione Comunità Papa Giovanni XXIII and the Centre du commerce international pour le développement took the floor. They commended and supported the proposed topics, which aligned with need of States to operationalize the right to development. Representatives called for active engagement and inclusive participation in discussions around climate change and artificial intelligence governance frameworks, for integrating the normative framework of the right to development into development practices and for compliance with official development assistance and climate finance commitments. Several

emphasized the intersection of climate change and human rights and highlighted the impact of climate change on children and its threat to international security, urging increased investments in climate-related initiatives.

57. One Member State raised concerns about extraterritorial military operations, which hindered the right to development. Other concerns included the critical need for humanizing technology, particularly artificial intelligence, the significance of addressing gender equality, particularly in Africa, and the pressing need for justice to address challenges faced by women and to foster sustainable and inclusive development. Recommendations for future studies included: unilateral coercive measures as obstacles to the right to development and the justiciability of the right to development, including its individual and collective dimensions and its interlinkages with emerging solidarity rights. Several participants expressed willingness to collaborate with the Expert Mechanism on current and future studies and recommended that it conduct country visits and consultations with United Nations bodies.

58. The Expert Mechanism appreciated the comments on the proposed studies and welcomed contributions and suggestions for future studies, emphasizing the need for pragmatic road maps and attention to issues such as unilateral coercive measures. In response to the inputs, Bonny Ibhawoh and Mihir Kanade decided to conduct an additional study on the individual and collective dimensions of the right to development.

A. Women’s active, free and meaningful participation in development, with a focus on decision-making

59. Liliana Valiña discussed the study on women’s active, free and meaningful participation in development, with a focus on decision-making, at the eighth session, underscoring the explicit commitment in the Declaration on the Right to Development to non-discrimination and the universal application of this right, without exceptions, based on sex. Effective measures to ensure the active participation of women in the development process were needed since, despite advancements, achieving equal opportunities for women’s participation remained a global challenge. Gender equality was not only a fundamental human right but also a critical foundation for a peaceful, prosperous and sustainable world, in alignment with the 2030 Agenda. The study would analyse the implications of women’s participation in development, examining the impact of gender-based discrimination on the realization of the right to development and focusing on key aspects, such as inequalities affecting women, discrimination and the human development index, with an emphasis on inclusivity. Further, the study would showcase international experiences related to women’s participation and promotion of the right to development, particularly in the context of inclusive women’s participation and leadership throughout the development process, including in decision-making. The study’s methodology would include a review of international instruments, the gathering of inputs and the conduct of field visits to share experiences, challenges and best practices.

B. Climate finance: vulnerability and responsibility

60. Isabelle Durant discussed the study on climate finance: vulnerability and responsibility at the eighth session, underscoring the critical importance of incorporating climate justice principles into just transition processes to ensure a more inclusive and equitable path toward sustainable development. Climate finance played a pivotal role in realizing the right to development, in particular for those disproportionately affected by it. It was urgent to address the current lack of resources and the liquidity crisis faced by developing countries, which posed a substantial barrier to climate transition. The objective of the study was to define and monitor processes, initiatives and practices contributing to adequately financing climate transition and development at different levels. It would explore and document ongoing initiatives, providing a comprehensive overview of multilateral tools and processes related to climate finance, including the Bridgetown Initiative, the Group of Twenty International Financial Architecture Working Group, the Summit for a New Global Financing Pact, the “Accra-Marrakech Agenda” of the Vulnerable Twenty Group and the Global Sovereign Debt Roundtable. Ms. Durant highlighted the importance of the principle

of common but differentiated responsibilities and its potential concrete applications in climate and development agreements.

C. Climate justice, sustainability and the right to development

61. During the eighth session, Bonny Ibhawoh discussed the above study on climate justice, sustainability and the right to development, underscoring the critical role of climate justice and fair transition in seeking sustainable solutions to the climate crisis. Climate justice, rooted in the unequal global distribution of climate change impacts, necessitated ethical responsibility from those benefiting most from carbon-intensive development. He highlighted the disproportionate burden borne by communities in vulnerable situations in developing countries and the role of historically high-emitting countries in exacerbating disparities. Just transition frameworks were important and the shift to low-carbon economies must be fair and socially inclusive. Equity and fairness, fundamental principles underlying climate justice and the right to development, addressed current needs while preserving the environment for future generations. Mr. Ibhawoh underscored the significance of the common but differentiated responsibilities and respective capabilities principle, arguing that prioritizing climate justice enhanced transparency, accountability and legitimacy in global climate change efforts. Climate justice had to be integrated into the global political economy and be prioritized in both climate and development policies, ensuring the inclusion of communities in marginalized situations for a more sustainable and equitable world.

D. Artificial intelligence, regulation and the right to development

62. At the eighth session, Klentiana Mahmutaj discussed her study on artificial intelligence, regulation and the right to development on video-message. Artificial intelligence had a positive impact but carried significant risks to human rights, in particular the right to development. Risks included the potential of algorithmic bias, misinformation and job displacement, which perpetuate inequality and hinder meaningful participation in development, as well as broader implications on privacy and democracy. Innovation and development driven by artificial intelligence should be aligned with humanity's best interests and its applications had to be reliable and trustworthy, supported by a robust regulatory framework. Ms. Mahmutaj raised concerns about potential regulatory discrepancies between States and practical challenges in determining which forms of artificial intelligence required regulation. She wondered whether an international treaty akin to the Treaty on the Non-Proliferation of nuclear weapons should be considered for high-risk artificial intelligence. With reference to the AI Safety Summit held in 2023, she called for global action, highlighting the importance of evidence-based policy, strict regulations or a combination of approaches to safeguard humanity amidst advancements in artificial intelligence. Addressing this global challenge required collaborative and intergovernmental consensus, as isolated actions by individual governments may fall short of effectively managing the impact of artificial intelligence on human development.

E. Right to development in international development cooperation

63. Mihir Kanade introduced the study at the eighth session, underscoring that international cooperation was a duty of States rooted in various international agreements, including the Charter of the United Nations, core human rights instruments and the 1986 Declaration on the Right to Development. Emphasizing the role of the 2030 Agenda in guiding development cooperation, the study aimed to explore the diverse forms of cooperation, including South-South and Triangular cooperation. While acknowledging advancement in effective practices, Mr. Kanade noted a gap in systematically integrating operational principles of development cooperation with the right-to-development normative principles, potentially compromising cooperation effectiveness. He stressed the importance of exploring how the right-to-development normative framework could be integrated into diverse cooperation forms and emphasized that development cooperation was an obligation, not an act of charity.

64. Based on inputs received, Mihir Kanade took the opportunity to discuss his study at the ninth session in order to urge for more detailed contributions and effective cases of using frameworks such as North-South, South-South and Triangular Cooperation. He provided a comprehensive overview of the study and its contextual significance, highlighting key principles from the Global Partnership for Effective Development Cooperation and the Paris Declaration on Aid Effectiveness (Ownership, Harmonization, Alignment, Results and Mutual Accountability), emphasizing the need to align their operational guidelines with the right-to-development norms. Mr. Kanade referred to the four guiding questions that shaped the study, focusing on the challenges faced by nations, the impact of conditionalities, the importance of self-determined development priorities and successful case studies. He reiterated the importance of integrating human-centred development approaches and treating development cooperation as a duty rather than a charitable act.

65. During the ensuing discussion, South Africa and Egypt took the floor. One delegation recommended that calls for inputs be circulated to Permanent Missions based in New York in addition to those in Geneva, to broaden the reach. The second delegation noted the time and effort required for inter-agency coordination between countries and the difficulty in defining the right to development from a human rights perspective, which may lead to generic input. The right to development encompassed various factors, including the quality of work and the impact of international cooperation. It was important to ask insightful questions and to conduct consultations to gather relevant information and promote meaningful dialogue.

F. Individual and collective dimensions of the right to development

66. The idea of the study was initiated by Bonny Ibhawoh and Mihir Kanade in response to stakeholders seeking a deeper understanding of individual and collective dimensions of the right to development within international human rights law. At the ninth session, the authors emphasized that, while the right to development acknowledged individual participation and benefits, it also encompassed collective rights, in particular self-determination. The study aimed to address uncertainties about the legitimacy of collective rights and to delineate the responsibilities of States and other stakeholders in realizing the right to development. Its four main goals were: defining peoples in international human rights law; analysing States and stakeholders' responsibilities; exploring the relationship between the right to development and collective rights; and providing practical examples of balancing individual and collective rights. While the authors had preliminary views, contributions were sought from States and other stakeholders to enrich their analysis and ensure the study's impartiality and practical relevance.

67. In the ensuing discussion, Venezuela (Bolivarian Republic of), Belarus, Cameroon, Egypt, Morocco, and El Salvador took the floor. They emphasized the importance of recognizing the individual and collective dimensions, noting ongoing debates and lack of consensus about the collective dimension. There was a need for a deeper understanding of structural issues and for advancing towards the adoption of the draft international covenant on the right to development. Some delegations sought clarification on the concept of peoples within international legal instruments and the protection of collective rights, such as those of indigenous and minority groups, without infringing on individual rights. One delegation acknowledged the importance of the study and called for clarity on the role of States in upholding collective rights. Another Member State highlighted that the right to development enabled individuals to enjoy their rights unconditionally and that States had a duty to act as the representative of their people internationally. Others appreciated the opportunity for diverse discussions and underscored the necessity of a global dialogue that included all States. The concept of rights was often misused and there was a need to balance the right to self-determination with other rights within the context of territorial integrity.

68. In response, the study rapporteurs underscored that States were the principal duty bearers in upholding international human rights. While States may have derivative rights as representatives of their populations, they must also foster a supportive global environment, for example through national development strategies that benefited both their own populations and the global community. Human rights were interdependent and advancing one right should not come at the expense of another. They acknowledged the challenges of

resolving practical conflicts between individual and collective rights and called for more discussion and contributions to address those tensions effectively. Both authors welcomed further feedback from States and other stakeholders, emphasizing the need for continued engagement to navigate the complexities of the right to development.

V. Conclusions

69. The Expert Mechanism thanks Member States, civil society, United Nations experts and academics for their substantive engagement during its eighth and ninth sessions, for their contributions to its ongoing thematic studies and for their support to other activities. It looks forward to continuing this fruitful engagement and collaboration.

70. The Expert Mechanism regrets the ongoing uncertainty caused by the liquidity of the United Nations regular budget and its adverse impacts on its work, specifically: a reduced number of days for its annual session in New York; the cancellation of the travel of guest speakers, including mandate holders, to participate in its annual sessions; the potential cancellation of its upcoming session in Geneva; the cancellation of country study visits; and a reduction of travel by members of the Expert Mechanism to international conferences. Despite such challenges, the Expert Mechanism endeavours to explore other channels of engagement, such as virtual interaction with States, civil society and other stakeholders. However, it reiterates the importance of preserving the integrity of its mandated activities, especially the annual sessions in Geneva and New York, which are crucial for engaging with a broad spectrum of stakeholders.

71. The Expert Mechanism welcomes the broad support of Member States for the right to development and its own work. It notes the call from many States for the adoption of a legally binding instrument to realize the right to development. It encourages active engagement in discussions on and negotiations of the draft international covenant on the right to development.

72. The Expert Mechanism appreciates ongoing discussion and coordination with the Chair-Rapporteur of the intergovernmental Working Group on the Right to Development, the Special Rapporteur on the right to development and other human rights mechanisms, including the Working Group on discrimination against women and girls.

73. The Expert Mechanism welcomes the engagement of United Nations entities, acknowledges efforts made by some to mainstream the right to development and offers its support for further collaboration. Mainstreaming the right to development is deemed essential for realizing all of the Sustainable Development Goals.

74. The Expert Mechanism emphasizes the unique strength of the right to development, which encompasses both individual and collective dimensions. It notes the discussion and diverse perspectives on this topic among Member States and other stakeholders. Advancing the right to development is a shared responsibility among communities and nations. The Expert Mechanism echoes the comments on the importance of strengthening international cooperation and solidarity.

75. Emphasizing the universality and interdependence of the right to development with other human rights, the Expert Mechanism recognizes its central role in international peace and security. It also notes the condemnation by several Member States of unilateral coercive measures as obstacles to the right to development.

76. The Expert Mechanism is encouraged by the resolute commitment of States to the Sustainable Development Goals and the 2030 Agenda as a framework for addressing global challenges and promoting inclusive growth; the framework can facilitate the operationalization of the right to development. The Expert Mechanism also underscores the distinction between the right to development and sustainable development.

77. On the topic of responsibilities, climate justice and climate financing, the Expert Mechanism notes the apparent contention between the incremental and the structural reforms necessary for progress. It emphasizes the urgency of collective action to address the climate crisis, calling for reforms in the global financial system, trade rules and innovative mechanisms. Responsibility lies with historically high-emitting countries, and the Expert Mechanism underlines the need to fulfil existing commitments, ensuring that climate financing and development cooperation complement each other, rather than coming at the expense of the other.

78. The emergence of financing tools such as carbon markets, the remuneration for biodiversity systems and debt swaps should not distract from the focus on reforming the global economic system, including the international financial architecture. The question of financing, irrespective of the forum in which it is deliberated, must be linked with the concept of a just transition, thus ensuring that measures taken to address climate change uphold principles of fairness and equity.

79. Beyond financing, the Expert Mechanism stresses the importance of strengthening support mechanisms for just transitioning, including technology transfer, capacity-building and human rights protection and safeguards, for instance, in extractive industries. It highlights the principle of active, free and meaningful participation to ensure inclusivity, fairness and justice for all. Human rights must remain central to the discourse on the climate crisis, extending beyond the most directly affected countries to encompass a universal perspective that acknowledges the interconnectedness of climate issues and human rights globally.

80. Concerning access to technology, the digital economy and artificial intelligence, the Expert Mechanism notes that, while lack of access can exacerbate inequality gaps, technology, the digital economy and artificial intelligence also represent significant opportunities to accelerate and diversify development processes, especially if inherent risks are adequately addressed. Closing those gaps requires global cooperation, a global commitment to equal opportunities and innovative partnerships to bridge the digital divide and advance towards the achievement of the Sustainable Development Goals and the realization of the right to development.

81. The Expert Mechanism recognizes the challenges hindering women's participation in development and the need for sociocultural transformation, safe environments and active participation in decision-making. It reiterates that investment in young women and girls, including through education and capacity-building, is foundational. Women's active, free and meaningful participation in development, especially in decision-making, requires that the care burdens that disproportionately affect them are addressed. The challenge of the care economy involves providing quality care for the well-being of the whole population while also reducing social and gender inequalities.

82. The Expert Mechanism sees potential for fostering collaboration and collective action through the diverse array of voluntary and legally binding global agreements, already adopted or under negotiation. The agreements are pivotal in shaping the global response to pressing challenges such as climate change and environmental crises. Recognizing the imperative to harmonize various global agendas, the Expert Mechanism reaffirms its commitment to assisting Member States in fulfilling their obligations to the right to development. The negotiation of global agreements needs to be grounded in trust-building and inclusion principles and their implementation needs to be based on shared but differentiated responsibilities.

83. The Expert Mechanism acknowledges concerns regarding a perceived overreliance on private sector solutions. It underscores the urgent need to mobilize resources and enhance capacity-building in developing countries to ensure inclusive and equitable participation in negotiation and decision-making.

84. On the issue of international development cooperation, while different modalities may vary in their normative and operational principles, they can complement each other in advancing the right to development. Key elements identified for successful development cooperation include: ensuring respect for national policy space; fostering

innovation; strengthening monitoring and evaluation; aligning with national priorities and frameworks; and enhancing national capacities to overcome absorption challenges, including in project and data management. Leveraging the United Nations system through the United Nations Office for South-South Cooperation and the United Nations agencies at the country level can present models for good practices of development cooperation. These discussions need to be grounded in the realities of developing countries, including demographic differences, debt burdens and limited access to capital.

Annex

List of participants for the eighth and ninth sessions of the Expert Mechanism on the Right to Development

Eighth session, Geneva

States Members of the United Nations

Afghanistan; Algeria; Angola; Azerbaijan; Barbados; Bolivia (Plurinational State); Belgium; Brazil; Cameroon; Colombia; Costa Rica; Chile; China; Cuba; Democratic People's Republic of Korea; Democratic Republic of Congo; Djibouti; Dominican Republic; Ecuador; Egypt; El Salvador; Ethiopia; Gambia; Germany; India; Iran (Islamic Republic of); Iraq; Japan; Libya; Luxembourg; Malawi; Mexico; Maldives; Mongolia; Myanmar; Pakistan; Panama; Paraguay; Peru; Qatar; Romania; Russian Federation; Sierra Leone; Sri Lanka; Syrian Arab Republic; Sweden; Togo; Tunisia; Türkiye; Vanuatu, and Venezuela (Bolivarian Republic of)

Non-member observer States

State of Palestine

United Nations

Chair-Rapporteur of the Intergovernmental Working Group on the Right to Development; International Telecommunication Union (ITU); Committee on the Elimination of Discrimination against Women (CEDAW); Special Rapporteur on the Right to Development; Special Rapporteur on the Right to Education; United Nations Conference on Trade and Development (UNCTAD); United Nations Children's Fund (UNICEF); United Nations Entity for Gender Equality and the Empowerment of Women (UN Women); United Nations Environmental Programme (UNEP); United Nations Development Programme (UNDP), and World Health Organization (WHO)

Intergovernmental organizations

European Union; South Centre, and Organization of Islamic Cooperation

International organizations

International Committee of the Red Cross

Non-governmental organizations in consultative status with the Economic and Social Council

Africa Culture International (ACI) Human Rights; Afrique Esperance; Amnesty International; Amnesty International Belgique francophone; Associazione Comunità Papa Giovanni XXIII (APG23); Bureau Pour la Croissance Intégrale et la Dignité de L'enfant; Center for Justice and International Law; Centre du Commerce International pour le Développement (CECIDE); Centre Europe – tiers monde (CETIM); Diplomatic Council e.V.; Dr M Chandrasekhar International Foundation; Egypt Peace for Development and Human Rights; Genève pour les droits de l'homme : formation internationale; GQUAL Campaign; International Council of Women; International Human Rights Association of American Minorities (IHRAAM); International Human Rights Council; International

Observatory for Peace, Democracy and Human rights (IOPDHR-GENEVA-NGO); Latter-day Saint Charities; Maloca International; Médecins Sans Frontières; NGO Committee on the Status of Women, Organization for Defending Victims of Violence (ODVV); Rosa-Luxemburg-Stiftung – Gesellschaftsanalyse und Politische Bildung e.V.; Sikh Human Rights Group; Subjective Physics Sciences; The Palestinian Return Centre Ltd; Third World Institute - Instituto del Tercer Mundo; Union des Nations pour l'Enseignement, la Science Universelle et les Droits de l'Homme; Women's Federation for World Peace International (WFWP), and Women's World Summit Foundation

Academia

Aix-Marseille Université; Geneva Graduate Institute; Geneva School of Health Science; Huazhong University of Science and Technology (China); Universidad Externado de Colombia; University for Peace; University of Calabar (Nigeria), and University of California

Ninth session, New York

States Members of the United Nations

Argentina; Australia; Austria; Bangladesh; Barbados; Belarus; Belgium; Brazil; Burkina Faso; Cameroon; Canada; Chile; China; Cuba; Egypt; El Salvador; Eritrea; France; Gabon; Germany; Greece; Guatemala; Guyana; India; Indonesia; Iran (Islamic Republic of); Iraq; Israel; Jamaica; Japan; Kenya; Lao People's Democratic Republic; Luxembourg; Madagascar; Malawi; Malaysia; Mali; Malta; Mexico; Morocco; Namibia; Netherlands (Kingdom of the); New Zealand; Nicaragua; Pakistan; Portugal; Saint Kitts and Nevis; Saudi Arabia; South Africa; Sri Lanka; Sweden; Switzerland; Russian Federation; Rwanda; Togo; Tunisia; United Kingdom of Great Britain and Northern Ireland; Uganda; United States; Uruguay; Venezuela (Bolivarian Republic of), and Yemen

Non-member observer States

Holy See

United Nations

International Monetary Fund (IMF); United Nations Environment Programme (UNEP); United Nations Entity for Gender Equality and the Empowerment of Women (UN Women); United Nations Office for South-South Cooperation (UNOSSC), and the United Nations Resident Coordinator of Gabon

Intergovernmental Organizations

European Union

National human rights institutions and other relevant national bodies

Commission Nationale des Droits de l'Homme du Tchad

Non-governmental organizations in consultative status with the Economic and Social Council

Academic Council on the United Nations System; ACT Alliance – Action by Churches Together; Africa Culture International (ACI) Human Rights; Africa Development Interchange Network; Asabe Shehu Yar Adua Foundation; Asociación Cubana de las Naciones Unidas (Cuban United Nations Association); Association de protection et de promotion des intérêts des familles en périls (APPIFAPE); Associazione Comunità Papa Giovanni XXIII (APG23); Centre du Commerce International pour le Développement; Centre for Economic and Social Rights; Fundación Luz María; Fundación para Estudio Investigación de la Mujer; General Conference of Seventh Day Adventists; Global Peace and Development Association; Global Policy Forum; Human Rights Now; Human Rights Watch; International Convocation of Unitarian Universalist Women; International Human Rights Council; International Youth and Student Movement for the United Nations; Lutheran World Federation; New Humanity; Peace Society of Kenya; Pompiers humanitaires; Promotion du Développement Economique et Social – PDES; Rosa-Luxemburg-Stiftung – Gesellschaftsanalyse und Politische Bildung e.V.; Sikh Human Rights Group; Subjective Physics Sciences; The Business and Industry Major Group; The Geneva Consensus Foundation; The Major Group for Children and Youth, The Women’s Major Group; Universal Peace and Violence Amelioration Centre, and VIVAT International

Academia

Research and Information System for Developing Countries; Rutgers University; Universidad Nacional Autónoma de México (UNAM); Università Roma Tre, and University for Peace
