



Input for the Special Rapporteur on the Right to Development

**For the 2026 thematic reports to the Human Rights Council on
“Participation in development” and to the United Nations General
Assembly on “Peace for development”**

South Centre*

April 2026

Background

The realisation of the right to development (RtD) remains an imperative for the global governance architecture. As established in the 1986 United Nations Declaration on the Right to Development, and articulated decades prior by pioneering Southern legal scholars, development is not a charitable concession but an inalienable human right.¹ The right to development is the necessary precondition for the realisation of all other human rights, inextricably intertwining individual dignity with collective self-determination. This shift changes the perspective from considering development solely as an economic indicator to a comprehensive approach where the human person is the focus, an active participant, and the main beneficiary.²

Contemporary global architecture has been marked by structural violence and inequality. Historically, international law, trade regimes, and global financial institutions have legitimised colonial models, sustaining a system of sovereign inequality.³ The transition from direct colonial administration to neoliberal global governance has created a unified global economic space that routinely prioritises the mobility of transnational capital over

* Prepared by Daniel Uribe Terán, Lead Programme Officer, Sustainable Development and Climate Change Programme, South Centre (uribe@southcentre.int).

¹ Kéba Mbaye, 'The Right to Development as a Human Right' (1972) UN Doc HR/GENEVA/1972/BP/1.

² Kéba Mbaye, 'Droits de l'homme et pays en développement' in Mario Bettati and Guitemie Caballero (eds), *Humanité et droit international: Mélanges René-Jean Dupuy* (Pedone 1991) 211.

³ Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge University Press 2005) 223.

the economic, social and cultural rights of marginalised populations.⁴ Addressing these systemic inequities requires a paradigm shift toward "positive peace," as conceptualised by the former Tanzanian President Julius Nyerere: "peace by itself is not enough for the human spirit if it means just an absence of violent conflict. For that could merely become an excuse for the kind of social stagnation which deprives many human beings of their humanity."⁵

Part I: Participation in Development

What are the main barriers to active, free and meaningful participation of people in development-related decision-making?

Structural violence embedded in the current international economic order could hinder active, free, and meaningful participation in development. A significant challenge is the imbalance in global governance institutions, which often limit the ability of developing countries and their populations to participate in global decision-making processes.⁶ International financial institutions (IFIs) like the International Monetary Fund and the World Bank impose conditions that frequently dictate domestic fiscal decisions, compelling countries to implement austerity measures, privatise public services, and deregulate labour markets.⁷ This top-down economic system avoids democratic debate and renders local participation ineffective, since key economic decisions regarding resource distribution are predetermined by external lenders and the international financial framework.

The Investor-State Dispute Settlement (ISDS) mechanism acts as a significant institutional barrier to the Right to Development (RTD), creating a systemic "regulatory chill" that deters States from adopting public-interest laws and policies, due to the credible threat of expensive international arbitration. The ISDS system favours corporate profits over social welfare, effectively penalising States that seek to uphold human rights, for example in the case of the RTD, ISDS acts as a constraining force as it restricts the policy space necessary for developing countries to pursue tailored development policies and climate justice efforts, turning the international investment system into a structural barrier that diverts vital resources away from poverty alleviation and healthcare toward legal battles and hefty arbitral awards.

At the local and domestic levels, obstacles to participation could stem from the financialisation and commodification of land and natural resources. For rural communities, the concentration of land ownership and the rise of "green grabbing" could mean the displacement of peasant communities from their territories.⁸ When territories are viewed only as financial assets rather than as sources vital to cultural identity and livelihoods, local

⁴ B. S. Chimni, 'International Institutions Today: An Imperial Global State in the Making' (2004) 15 EJIL 1.

⁵ Julius K Nyerere, 'A Peaceful New Year,' *Binadamu na Maendeleo* (Oxford University Press 1974) 1.

⁶ Chimni, note 4.

⁷ Ferhad S, 'The Role of International Financial Institutions on Economic Stability: A Study of Developing Countries' (2025) 2(8) GAS Journal of Economics and Business Management 26

⁸ FIAN International, *The Lords of Land: Structural Power and the Right to Food* (2025) https://www.fian.org/files/is/htdocs/wp11102127_GNIAANVR7U/www/files/Lords_Land_Fian_20250602_fin.pdf accessed 31 March 2026.

communities are systematically excluded from decision-making.⁹

Furthermore, rural communities and indigenous populations' traditional knowledge systems, customary law and governance models are routinely dismissed by 'modern' decision-making mechanisms, effectively silencing their voices for development planning.¹⁰ At the same time, the criminalisation of land defenders through strategic litigation against public participation (SLAPPs) further exacerbates this barrier and suppresses free and active civic engagement.¹¹

How could these barriers be overcome?

To address obstacles to the RtD, the international community needs to pursue three key structural changes. First, global relations should strengthen a "mutual benefit" framework based on South-South Cooperation, complementing official development aid with demand-driven, horizontal partnerships. Second, countries must incorporate international human rights instruments into their domestic law, institutionalising meaningful participation in development planning and ensuring that economic policies prioritise the well-being of all individuals. Third, the democratisation of global governance of financial institutions is also necessary to provide sufficient policy space for human rights and environmental obligations, which is essential for enabling developing nations to achieve fiscal sovereignty and mobilise domestic resources for inclusive and participatory development.

Initially, the international community should focus on reinforcing and formalising the "mutual benefit" approach to development aid. This shift involves moving from aid that is conditioned on specific requirements to a more balanced, horizontal partnership similar to South-South Cooperation (SSC). This approach respects national sovereignty, prevents interference, and aligns development efforts with local needs rather than donor interests. It does not aim to replace official development aid but to complement it.¹²

States must integrate international human rights into their legal and policy frameworks, making meaningful participation an essential part of development planning. Under Article 2 of both the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), States are legally responsible for taking measures to ensure the full realisation of rights. The Declaration on

⁹ Priscilla Claeys and Deborah Delgado, 'Peasant and Indigenous Transnational Social Movements Engaging with Climate Justice' (ISS Conference Paper No 15, BICAS 2016) <https://www.iss.nl/en/media/cmcp15-claeysdelgado> accessed 31 March 2026

¹⁰ Mthuthukisi Ncube and others, 'Land Without Order: Customary Authority, Conservation, and the Crisis of Rural Governance in Post-FTLRP Debshan Ranches, Matabeleland South, Zimbabwe' (2024) https://www.researchgate.net/publication/395992920_Land_Without_Order accessed 31 March 2026.

¹¹ Office of the United Nations High Commissioner for Human Rights, *The Impact of Strategic Lawsuits Against Public Participation (SLAPPs) on Human Rights: How to Respond* (2024) <https://www.ohchr.org/sites/default/files/documents/publications/briefer-the-impact-slapps-hr-how-respond.pdf> accessed 31 March 2026.

¹² Inter-agency Task Force on Financing for Development, *Financing for Sustainable Development Report 2024: Financing for Development at a Crossroads (Advance Unedited Version)* (United Nations 2024) https://financing.desa.un.org/sites/default/files/2024-03/2024%20FSDR_Advance%20Unedited%20Version_1%20March.pdf accessed 1 April 2026.

RtD emphasises the human person as the central pillar of development. This approach calls for a Human Rights Economy that shifts development from a top-down administrative process to a participatory, rights-based model. For example, South Africa's constitution makes socio-economic rights justiciable, requiring the government to involve affected communities for development planning,¹³ while Brazil's participatory budgeting shows how laws can empower citizens to influence fiscal decisions.¹⁴

Finally, effective participation in the multilateral development arena will require the reform of the Bretton Woods institutions and strengthening international cooperation to combat illicit financial flows (IFFs). This will require revising mechanisms that undermine national sovereignty, such as the Investor-State Dispute Settlement (ISDS) system, which could hamper environmental and social regulations essential for protecting human rights. There is also the need to mobilise domestic resources to fund participatory development without relying on external coercion. The UN Framework Convention on International Tax Cooperation (UNFCITC) is crucial, as it will support developing countries to fight illicit financial flows (IFFs) and gather the domestic resources necessary for participatory development.

What limitations do you see in the current consultation processes (e.g., impact assessment or human rights due diligence) carried out by businesses?

The current consultation processes carried out by businesses face significant structural challenges, especially regarding human rights due diligence (HRDD) and environmental impact assessments (EIAs). These procedures often become mere "tick-box" exercises that focus more on justifying pre-existing corporate goals rather than genuinely empowering affected communities.¹⁵ The main issue is that most corporate due diligence is voluntary and self-regulated. Transnational corporations (TNCs) often control funding, implementation, and the scope of impact assessments, leading to a potential conflict of interest.¹⁶

The ongoing threat of Investor-State Dispute Settlement (ISDS) mechanisms worsens this problem by fostering a substantial power imbalance that obstructs community consultation. International investment agreements enable foreign investors to circumvent local courts and sue host countries through international tribunals when public-interest

¹³ See for example: *Government of the Republic of South Africa v Grootboom* 2001 (1) SA 46 (CC). par. 84.

¹⁴ World Bank, *Bridging the Divide: The Role of the Council of Europe in Promoting the Information Society in South East Europe* (2009) World Bank Report 51418 https://documents1.worldbank.org/curated/en/600841468017069677/pdf/514180WP0BR0Bu10Box342027_B01PUBLIC1.pdf accessed 1 April 2026.

¹⁵ UN Global Compact Network Germany, *Human Rights Due Diligence and Stakeholder Engagement* (2021) UN Global Compact Network Germany Insights Series https://www.globalcompact.de/fileadmin/user_upload/Dokumente_PDFs/UN_GCD_Insights_Series_HR_Due_Diligence_Stakeholderengagement_english.pdf accessed 2 April 2026.

¹⁶ UN Global Compact Network Germany, *Human Rights Due Diligence and Stakeholder Engagement* (2021) UN Global Compact Network Germany Insights Series https://www.globalcompact.de/fileadmin/user_upload/Dokumente_PDFs/UN_GCD_Insights_Series_HR_Due_Diligence_Stakeholderengagement_english.pdf accessed 2 April 2026.

regulations are applied.¹⁷ Even if local communities effectively argue for their rights, the host state may refuse to modify a project out of concern for costly ISDS retaliation, rendering participation futile.¹⁸

To overcome these challenges, human rights due diligence must shift from a voluntary corporate social responsibility (CSR) practice to a legally enforceable requirement under domestic law. The adoption of an international Legally Binding Instrument (LBI) on business and human rights would be critical in this regard. The LBI can promote systemic cohesion by integrating human rights and environmental protections into the broader international economic law and harmonising these disparate legal regimes. The proposed LBI could remove jurisdictional barriers and establish extraterritorial accountability for TNCs.¹⁹ This would ensure that legal obligations are consistent across borders, providing victims with direct access to remedy while aligning corporate operations with international human rights standards.

How can UN entities ensure active, free and meaningful participation of people in developing projects and organising events?

UN entities have a clear mandate to implement the RtD but often unintentionally adopt hierarchical, top-down methods similar to traditional development agencies. To promote genuine, free, and active participation, they need to embrace a rights-based, decentralised strategy consistent with the principles of the Global South as set out by the Bandung Conference in 1955.²⁰ UN agencies should consider promoting "participatory accountability," which extends beyond conventional audits to hold institutions accountable to grassroots communities affected by their projects and operations.²¹

Likewise, UN agencies should actively identify and promote local expertise rather than rely on foreign consultants.²² This requires recognising the potential of local civil society organisations, Indigenous leaders, and academic institutions from the communities where

¹⁷ Daniel Uribe Teran, 'Advancing Responsible Foreign Investment through a Legally Binding Instrument on Transnational Corporations and Other Business Enterprises' (South Centre Investment Policy Brief No 27, 2025) https://www.southcentre.int/wp-content/uploads/2025/10/IPB27_Advancing-Responsible-Foreign-Investment-through-a-Legally-Binding-Instrument-on-Transnational-Corporations-and-Other-Business-Enterprises_EN.pdf accessed 2 April 2026.

¹⁸ Ibid.

¹⁹ Daniel Fernando Uribe Terán, *The UN Treaty on Business and Human Rights: Regulating Corporate Power in the Era of Deregulation* (South Centre/Friedrich-Ebert-Stiftung 2026) <https://www.southcentre.int/wp-content/uploads/2026/03/The-UN-Treaty-on-Business-and-Human-Rights.pdf> accessed 2 April 2026.

²⁰ Ministry of Foreign Affairs of the People's Republic of China, 'Beijing Declaration of the 10th Ministerial Conference of the China-Arab States Cooperation Forum' (31 May 2024) https://www.mfa.gov.cn/eng/zy/wjls/3604_665547/202405/t20240531_11367588.html accessed 17 April 2026

²¹ Alexander Gilder, 'Human Security, TWAIL, and the Importance of Self-Reflection in Our Own Scholarship' (NYU JILP Online Forum, 20 October 2021) <https://nyujilp.org/human-security-twail-and-the-importance-of-self-reflection-in-our-own-scholarship/> accessed 2 April 2026.

²² Bill Cooke, 'A New Continuity with Colonial Administration: Participation in Development Management' (2003) 24(1) *Third World Quarterly* 47, 51 <https://library.fes.de/libalt/journals/swetsfulltext/15630734.pdf> accessed 2 April 2026.

they operate as implementing partners. In addition, allowing UN projects to harness strong community connections and build ownership of project outcomes also requires increasing the knowledge and experience exchange. Finally, UN entities should also promote and strengthen more neutral, South-led funding mechanisms, such as the India-UN Development Partnership Fund or the IBSA Fund, as complements to ODA.

How to ensure active, free and meaningful participation of individuals or groups experiencing layers of intersecting discriminations?

To promote the active, free, and meaningful involvement of individuals or groups facing intersecting discrimination, the framework should shift from a focus on formal inclusion to one of substantive justice. This involves moving beyond mere participation to address the deep-seated power imbalances that make such participation hollow.

First, it is necessary to eliminate epistemic violence in consultation processes. This requires that local, traditional and indigenous knowledge be deemed valid sources of evidence for policy development. Given that the dominance of technocratic advice often dismisses the experiences and knowledge of local communities, true participation requires systemic change that prioritises the material realities of the communities.²³

Similarly, structural poverty is a major barrier that requires significant attention from the international community. As recognised in the 2025 Doha Political Declaration,²⁴ participation must be paired with the implementation of universal social protection floors and the assurance of a living wage. If basic socio-economic requirements are not fulfilled, the "freedom" to participate in economic decision-making is an illusion. Therefore, the framework of substantive justice provides essential material resources, such as capital and legal support, to enable marginalised groups to participate in complex technical consultations on an equal footing with other institutional actors.

Finally, active participation is linked to historical reparations. Lack of participation often results from the lasting impacts of past dispossession and systemic discrimination, and it requires restorative efforts that acknowledge past harms and provide remediation. This includes reforming decision-making processes to ensure proper representation and providing reparative funding, so that those who have been historically marginalised are not only included but can also have substantial influence over development policy decisions.

²³ James Thuo Gathii, 'The Neoliberal Turn in Regional Trade Agreements' (2011) 86 Wash L Rev 421.

²⁴ UNGA, *Doha Political Declaration* (20 January 2025) UN Doc A/CONF.225/2025/L.1

Part II: Peace for Development

How to reinforce the nexus among the three pillars of peace and security, sustainable development, and human rights, and, in turn, address the root causes of conflicts?

Identifying the link between peace, development, and human rights involves understanding the root causes of conflict through the perspectives of structural violence and historical exploitation.²⁵ Civil unrest and armed conflicts often result from colonial and neo-colonial systems of wealth extraction and severe economic inequality.²⁶ Therefore, reinforcing the nexus requires an unwavering commitment to “positive peace,” which is linked to the eradication of structural violence generated by the asymmetric global economic system, rather than focusing solely on “negative peace,” such as the absence of physical violence or active hostilities.

To address these challenges effectively, the international community must recognise the right to development as the key outcome of the three pillars of the United Nations. This requires adopting a "Human Rights Economy" framework to reform the global financial system and break the cycles of debt servitude and austerity that hinder sovereign growth.

Expanding this framework involves shifting towards transformative justice, actively dismantling colonial legacies and historical inequalities that drive current instability.²⁷ For example, in certain post-conflict cases, the right to development is operationalised through the restitution of land and the provision of economic reparations, particularly for Indigenous and peasant populations who have historically borne the brunt of extractive policies.²⁸

By providing equitable redress, whether through the return of land or financial compensation, the state seeks to address the severe economic inequality that fuels civil unrest. When these reparations are combined with wider socio-economic support, they support the right to development by turning marginalised groups from passive victims into active contributors to their communities’ development and tackling the transgenerational impact of conflict trauma.

What measures should be taken to strengthen international cooperation, multilateralism, accountability and solidarity necessary to sustain peace?

The Pact of the Future²⁹ and the Sevilla Commitment³⁰ recognise the need to develop a multilateral framework rooted in genuine international solidarity and equitable resource distribution. This will require centring collective human security over narrow national interests, including guaranteeing sufficient resources to achieve development and allowing States to reclaim the fiscal space necessary to fund national stability and public services,

²⁵ Julius K Nyerere, n. 5.

²⁶ Kéba Mbaye, n. 1.

²⁷ Lisa J Laplante, ‘Transitional Justice and Peacebuilding: Diagnosing and Addressing the Socioeconomic Roots of Conflict’ (2007) 10(4) *International Journal of Transitional Justice* 331

²⁸ See: *Victims and Land Restitution Law (Law 1448 of 2011) [Colombia]*

²⁹ UNGA Res 79/1, ‘Pact for the Future’ (adopted 22 September 2024) UN Doc A/RES/79/1

³⁰ World Federation of Development Financing Institutions, ‘Sevilla Commitment: Fourth International Conference on Financing for Development’ (2025) <https://wfdi.org/en/sevilla-commitment-fourth-international-conference-on-financing-for-development/> accessed 12 April 2026.

thereby effectively operationalising the solidarity required for a peaceful global order.³¹

Sustaining peace also requires strengthening economic accountability, addressing the systemic failures of the current sovereign debt architecture, which often forces conflict-affected nations to prioritise creditor repayments over essential healthcare and infrastructure. While the existing frameworks remain ad-hoc and creditor-dominated, a more robust multilateral debt-workout mechanism is required to provide a comprehensive debt resolution mechanism.³² This reform should also consider the need for grant-based climate reparations and financing, rather than loan-based financing, which currently exacerbates debt burdens for the most vulnerable. By integrating debt-relief efforts with funding for localised initiatives for climate reparation, mitigation and adaptation, it could ensure that financing for development supports "positive peace" rather than trapping developing nations in cycles of financial dependency and social unrest.

What reforms are needed to the existing peace and security architecture, including the UN Security Council?

The current global peace and security framework within the United Nations encounters major difficulties, primarily due to a fundamental failure to prevent escalations that threaten international stability. This challenge stems from the Security Council's structural design, as the concentration of power in a limited number of countries can lead to diplomatic deadlocks that prevent timely intervention in humanitarian crises and international conflicts. This power imbalance creates institutional bottlenecks that impede the right to development by allowing conflicts to persist, thereby destroying infrastructure and triggering long-term economic collapse.³³ Consequently, there is a growing consensus that the current framework requires a swift reform, from reactive crisis management towards a more proactive and preventive model.

One of the key aspects of the reform of the Security Council should be the democratisation of decision-making processes and the expansion of the Council members to rectify the historical underrepresentation of Africa, Latin America, and Asia.³⁴ These reforms should include fundamental changes to the Council's working methods to enhance transparency and accountability, for example, requiring permanent members to justify their veto

³¹ Harris Gleckman, 'Multistakeholderism: Is it good for developing countries?', Research Paper 182, South Centre and Transnational Institute 2023 in https://www.tni.org/files/2023-09/Multistakeholderism%20Is%20it%20good%20for%20developing%20countries_EN_0.pdf accessed 12 April 2026.

³² Draft Zero Declaration of the African Union Conference on Debt' (adopted 14 May 2025) https://au.int/sites/default/files/documents/44785-doc-EN_Draft_Zero_Declaration_AU_Conference_on_Debt_Final.pdf accessed 12 April 2026.

³³ South Centre, 'Meeting the Challenges of UN Reform: A South Perspective' (Analytical Note SC/GGDP/AN/GPG/1, August 2006) https://www.southcentre.int/wp-content/uploads/2013/07/AN_GPG1_UN-Reform-South-Perspective_EN.pdf accessed 12 April 2026.

³⁴ See: African Union, 'Decision on the Report of the Committee of Ten (C-10) Heads of State and Government on the Reform of the United Nations Security Council,' Decisions, Declarations and Resolutions of the Thirty-Eighth Ordinary Session of the Assembly of the Union, (15–16 February 2025) AU Doc Assembly/AU/Dec.903-941(XXXVIII) in https://au.int/sites/default/files/decisions/45112-Assembly_AU_Dec_903_-_941_XXXVIII_E.pdf accessed 12 April 2026.

decisions to the broader international community, particularly when those actions result in a failure to protect populations from mass atrocities.³⁵

It will also be necessary to strengthen the General Assembly (UNGA) 's role as a democratic safeguard against institutional deadlock. For example, it would be possible to provide a 'review' mechanism where the UNGA could examine resolutions that have failed in the Security Council due to a veto. Under such a framework, the General Assembly could be empowered to mandate peacekeeping operations or authorise diplomatic sanctions if a qualified majority of the GA supports a resolution that was previously blocked. Integrating the right to development into this security mandate, viewing extreme economic deprivation and environmental destruction as fundamental threats to peace, would ensure that the UNGA's participation leads to a more holistic and equitable approach to global stability.³⁶

How can States be encouraged to divert resources from militarisation and weaponisation to sustainable development? What is the role of disarmament in this regard?

Global military expenditure reached \$2.7 trillion in 2024,³⁷ representing a major diversion of resources toward militarisation rather than development, at a time when the world is failing to finance the SDGs. This situation contradicts Article 26 of the UN Charter, which calls for the “least diversion for armaments of the world’s human and economic resources.” Structural reforms should consider moving finance from the military-industrial expenditure towards financing for development and climate action. For example, considering the risks of climate change and extreme poverty as “threats to international peace and security” could ensure that resources are prioritised for the UN’s Sustainable Development Goals (SDGs) and the protection of the global commons, rather than being exhausted by the tools of conflict.³⁸

In addition, the international community could consider transitioning from a "state-centric" military security paradigm to a "human security" paradigm. The concept of “human security” considers that primary threats, such as poverty, pandemics, and climate change, endanger the survival, livelihoods, and dignity of people and communities.³⁹ Therefore, international mechanisms must be established that match or channel verifiable reductions in military budgets into multilateral funds for sustainable development and climate action.⁴⁰ This

³⁵ South Centre, n. 32.

³⁶ ASEAN Declaration on Promoting the Right to Development and the Right to Peace Towards Realising Inclusive and Sustainable Development’ (adopted 26 October 2025) <https://asean.org/wp-content/uploads/2025/10/6.-ASEAN-DECLARATION-ON-PROMOTING-THE-RIGHT.pdf> accessed 13 April 2026.

³⁷ Xiao Liang and others, ‘Trends in World Military Expenditure, 2024’ (SIPRI Fact Sheet, Stockholm International Peace Research Institute 2025) https://www.sipri.org/sites/default/files/2025-04/2504_fs_milex_2024.pdf accessed 13 April 2026.

³⁸ Harris Gleckman, n. 30.

³⁹ United Nations Human Security Unit, ‘Human Security in Theory and Practice: An Overview of the Human Security Concept and the United Nations Trust Fund for Human Security’ (Report, United Nations 2009) <https://www.un.org/humansecurity/wp-content/uploads/2017/10/h2.pdf> accessed 13 April 2026.

⁴⁰ Xiao Liang and others, n. 36.

framework would not only promote fiscal transparency but also offer a tangible framework for states to fulfil their SDGs and climate commitments.

Ultimately, disarmament must be repositioned as a fundamental enabler of the right to development, rather than a strictly technical security measure. It functions as a critical mechanism for releasing the capital required to finance public goods, health, and education, thereby dismantling the structures of violence that impede social advancement.⁴¹ This transition guarantees that the peace and security architecture shifts from managing active hostilities to proactively preventing the socio-economic conditions that contribute to war.

How can businesses contribute to preventing conflicts and supporting efforts to build and sustain peace in line with their responsibility to respect human rights?

Several transnational corporations (TNCs) often operate in high-risk conflict zones where their commercial activities can inadvertently increase violence or support repressive regimes.⁴² TNCs operating in extractive industries have historically been linked to the displacement of Indigenous communities and the indirect funding of armed groups through illicit financial flows.⁴³ These scenarios will require that businesses operating in these sectors transition to a framework of shared prosperity that prioritises human rights over profit maximisation and effectively contributes to peacebuilding.

For achieving such a transition, TNCs should internalise the costs of human rights compliance by establishing and reinforcing long-term, just, and mutually beneficial partnerships with local suppliers that guarantee fair prices, strong labour protections, and human rights corporate due diligence.⁴⁴ Businesses should also re-invest in local capacity and infrastructure, offering sustainable, long-term benefits to nearby communities.

Likewise, Free, Prior, and Informed Consent (FPIC) toolkits and guidelines are essential for preventing the grievances that often trigger armed conflict.⁴⁵ If a local community opposes a proposed project for environmental or social reasons, companies should respect that

⁴¹ Nan Tian and others, 'Military spending and the achievement of the 2030 Agenda for Sustainable Development' in *Rethinking Unconstrained Military Spending*, United Nations Office for Disarmament Affairs, Occasional Papers No 35, United Nations 2020, 21–37.

⁴² Anghie A and Chimni BS, 'Third World Approaches to International Law and Individual Responsibility in Internal Conflicts' (2004) 2(1) *Chinese Journal of International Law* 77.

⁴³ African Commission on Human and Peoples' Rights, 'Report of the African Commission's Working Group on Extractive Industries, Environment and Human Rights Violations in Africa' (Report, ACHPR 2017) https://achpr.au.int/sites/default/files/files/2022-08/reportonextractiveindustriessandrightsandindigenouspopulationscommunitiesrightseng_0.pdf accessed 14 April 2026.

⁴⁴ Daniel Uribe, 'Knocking Down Business-related Human Rights Abuses with a Feather: Is the European Corporate Sustainability Due Diligence Directive Sufficient to Tackle Corporate Impunity?' (SouthViews No 266, South Centre 2024) 1 https://www.southcentre.int/wp-content/uploads/2024/06/SV266_240619.pdf accessed 15 April 2026.

⁴⁵ UN Economic Commission for Europe, 'Guidelines for Integrating Human Rights and Gender Equality into Sustainable Resource Management and Governance: Leveraging UNFC and UNRMS' (30 January 2026) EGRM17-2026-INF.4 <https://unece.org/sites/default/files/2026-04/EGRM17-2026-INF.4%20EGRM%20WinRM%20Guidelines%20FINAL%2030JAN2026.pdf> accessed 15 April 2026.

decision rather than trying to override domestic sovereignty through asymmetric legal tools like ISDS.⁴⁶ Such mechanisms often chill the regulatory power of host states and exacerbate social instability. Finally, TNCs must align their operations with a "human security" paradigm, ensuring that their presence protects rather than endangers the livelihoods and dignity of the populations where they operate.

⁴⁶ Daniel Uribe Terán, 'Advancing Responsible Foreign Investment through a Legally Binding Instrument on Transnational Corporations and Other Business Enterprises' (Investment Policy Brief No 27, South Centre 2025) 1 https://www.southcentre.int/wp-content/uploads/2025/10/IPB27_Advancing-Responsible-Foreign-Investment-through-a-Legally-Binding-Instrument-on-Transnational-Corporations-and-Other-Business-Enterprises_EN.pdf accessed 15 April 2026.

Final Recommendations

The operationalisation of the Right to Development (RtD) requires a shift of the current global architecture for development and peace to promote "positive peace" and true justice. As outlined in the 1986 UN Declaration, development should be seen as an inalienable human right, emphasising the human being as the core participant and beneficiary of economic growth. Peace, security, human rights, and sustainable development are intertwined, as recognised in the Charter of the United Nations, and therefore, there is a need to build a global order based on mutual benefit and shared human security. Nevertheless, there is a number of systemic barriers to the implementation of the Right to Development that demand a two-pronged approach: democratising global financial and security institutions, including reforming Bretton Woods entities and the UN Security Council, and ensuring marginalised groups have real, free, and active participation.

Structural Transformation of Global Governance

The realisation of the Right to Development is particularly limited by an unequal global economic system that values capital mobility over human dignity. The international community should shift toward a Human Rights Economy by reforming the Bretton Woods institutions, removing conditionality and austerity policies, and adopting a democratic governance structure that gives developing countries equal participation in decision-making processes. Additionally, the Investor-State Dispute Settlement (ISDS) system should be reformed and replaced, with legal frameworks focused on public interests, ending the current "regulatory chill" that stops governments from implementing key environmental and social protections.

Strengthening South-South Cooperation and Fiscal Sovereignty

It is necessary to transform traditional development aid, going beyond traditional donor-recipient relationships. Enhancing South-South Cooperation (SSC) presents a model of peer-to-peer, demand-driven collaborations rooted in mutual advantages and non-interference. This strategy should be institutionalised to supplement and not replace official development aid, emphasising the mobilisation of local resources. In addition, the adoption of the UN Framework Convention on International Tax Cooperation provides a multilateral safeguard against illicit financial flows (IFFs) and tax evasion, enabling developing countries to regain the fiscal space needed to fund local, inclusive development initiatives.

Transitioning from Military Security to Human Security

The current global stability is threatened by a military-focused approach that allocated \$2.7 trillion to weapons in 2024 alone. To foster Positive Peace, these funds should be redirected toward the Sustainable Development Goals (SDGs), climate initiatives and development priorities. Redefining extreme poverty and environmental disasters as core security risks could allow the UN to create a "peace dividend," in which verified cuts in military spending are invested in international development efforts. This shift aims to make peace and security systems focus on addressing the root socio-economic causes of conflict, rather than just responding to active hostilities.

Democratizing Participation and Reparative Justice

Meaningful participation should go beyond mere "tick-box" exercises and be recognised as a legally enforceable right. The adoption of a Legally Binding Instrument (LBI) on Business and Human Rights is crucial for holding transnational corporations accountable for human rights violations and ensuring that Free, Prior, and Informed Consent (FPIC) remains a sovereign right of communities. Moreover, participation must be grounded in restorative justice; addressing historical injustices through reparations is vital to counteract the long-term effects of discrimination. Similarly, the recognition of local and traditional knowledge as legitimate evidence in policy-making is essential to combat epistemic violence and enable marginalised groups to lead their own development.