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Global Justice and the Right to Development: Historical Perspectives and Legal Milestones

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Original Article

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Abstract

The Right to Development (RTD) is a relatively modern human rights concept, though its origins trace back to mid-20th century international legal frameworks. Despite its recognition in the 1986 United Nations Declaration, RTD's conceptual roots can be found in earlier international human rights instruments, such as the 1944 Philadelphia Declaration and the 1948 Universal Declaration of Human Rights. This paper explores the historical evolution of RTD, from its indirect references in post-World War II legal frameworks to its formal articulation in the 1970s and 1980s. Key milestones include the Tehran Conference, the introduction of the New International Economic Order (NIEO), and the influential ideas of Chief Justice Keba M' Baye in 1972, which catalyzed RTD's recognition as a human right. This analysis offers insights into the contentious yet essential dialogue surrounding RTD and its implications for international cooperation, economic justice, and human dignity.

I. Origin and Historical Arrangements on RTD

The phenomenon of the Right to Development (RTD) is not new, it can be seen in the 1940,s and 1950,s but, the RTD recognized as a human right is a new phenomenon which is still creating a controversial notion. Though the Declaration on the RTD was adopted by the UN in 1986, the concept originated much further back in time. Indirect references were made in various international Human Rights instruments in the mid-1940,s and early 1950,s (Stephen P. Marks-The Right to Development). The perception of The RTD appeared at international level in the inaugural lecture of Mr. keba M' Baye, Chief Justice of Senegal 1972. Wherein he coined the term RTD and expressed that the RTD is a human right and further explored the international dimension of the RTD in the human rights context and compared it with the other human rights which are based on international cooperation which include right to peace; keeping in mind the requirements of the fundamental needs and the new International Economic Order.

The Human Rights discourse and the Development discourse emerged simultaneously after the WW-II, but there is little in common between the two. The adoption by the UN General Assembly of Declaration on the RTD in 1986 was the culmination of a long process where the unity of human rights was reestablished. However, the historical evolution of RTD has been set out below.

a) Philadelphia Declaration, 1944

With the end of WW-II the ILO did focus on the establishment of innovative ideologies³ for the control of social disorder created by the WW-II and economic improvement of the world, in this context, in 1944 a conference consisting of 41 member states through their delegates was organized by ILO at Philadelphia (US) with an ambition to promote social and economic justice at international level. At the conference a unanimous Declaration was adopted, named as 'Declaration of Philadelphia (DOP)', this Declaration is proved as an idealistic instrument which gave strength to the policies and motives of the ILO. Later on, the revised Constitution of ILO inscribed the Declaration into it as its integral part in 1946. The DOP primarily aimed at the performance of ILO for the protection of the basic human rights of every individual. It also emphasized that all socio-economic policies at National and International level should be in conformity with the protection of human rights. The DOP was also identified as indirectly in reference to the RTD, in the Article 2 of the DOP depicts that 'every human has a right of equal utilization of resources and equal opportunities of development so as to improve the standards of living, without any prejudice and discrimination and with due respect' (Article 2, 1944). This provision can be seen as a reference to the origin of the RTD

b) Charter of United Nation, 1945

The UN Charter is an international instrument which governs the whole UN mechanism and also establishes the duties and rights of the member states. As stated in The preamble of the UN Charter it is the prime responsibility of the member states to make sure that the socio-economic and cultural development of all the states and their citizens to be ensured without any discrimination based on language, sex, color, caste, greed and religion (Paragraph 2, 1945). The Article 1 (3) of UN Charter clearly states that the member states shall cooperate with each other in order to attain the global harmony and cooperation in solving the issues at national and international level relating to socio-economic, cultural and humanitarian nature, Moreover, it is the member states that are obliged to promote and encourage human dignity and respect without any discrimination (Charter A. 1., 1945). Article 55 of UN charter also gives the reflection of the RTD, where it expressed that the main purpose of UN is the protection of the human rights and to ensure the better living standards, alleviation of poverty and create congenial environment for economic, and social progress and development of the states and individuals regard is held for the universal respect of human rights and human dignity (Charter U. , 1945).

c) Universal Declaration of Human Rights (UDHR) 1948

The UDHR is a primary document of international human rights Law to promote respect for the human rights of all, adopted by the UN in 1948 as a result of bitter experience of WW-I and WW-II. After the WW-II the global community reached at a consensus to establish a mechanism to protect the human rights of the individuals so as to avoid inhumanity and barbarity that was witnessed in WW-I and WW-II, for this purpose, the UN established a commission on human rights and a duty was assigned to it to make arrangements at international level for the protection of human rights of the people. In 1948, the final draft of UDHR prepared by the UNCHR was presented before the member states through a resolution in UN General Assembly, which was duly adopted by the

member states and for the first time human rights were gathered and organized into a single legal text in form of UDHR. In the modern human rights law, the UDHR is called as Humanity's Magna Carta. The UDHR was the first soft law in history which explicitly defined the rights of individuals and human freedoms. The preamble sketches the rights of all human beings. It is pertinent to mention here that, the sovereign member states came together and entered into an agreement to ensure protection and to promote human rights, resultantly, many of the human rights enshrined and fundamental freedoms were incorporated into the National Legal Systems (NLS) of the member states. The UDHR reveals the notion of RTD through its Article 22, which enables the individual to have particular socio-economic and cultural rights and also ensures the free development of his personality which is an indispensable need for his existence and promotion of life without discrimination (UDHR, 1948).

d) Tehran Conference, 1968

Reflection of the RTD can also be realized in the conference of Tehran, which was held at the 20th anniversary of UDHR. In 1968 when 20 years had passed since the UDHR was adopted by the UNGA, the representatives of the member states gathered at Tehran in an international conference organized by the United Nations. After the decolonization, the decolonized states struggled hard for the protection of basic human rights and basic human needs, but, the western states neglected the idea of protection of human rights. This depleted situation led to a result-oriented discussion in the UNGA and ECOSOC, resultantly, an idea of international conference on human rights protection was agreed upon at the platform of the United Nations and later on a conference was held in Tehran in 1968. The core agenda of that conference was to enhance the awareness and the implementation of human rights all over the globe. This conference proved to be a milestone in the history of human rights law. Tehran Conference proclaimed the fundamental need for the protection of the basic human rights as broader perspective and also emphasized that the world economy could only be increased if the human rights of the individuals would be realized in true letter and spirit, because, there was a strong bond between the human rights and the economic development of individuals and states. Well-being of individuals, prosperity of the states and growth of world economy is heavily dependent on the human rights protection at international level.

e) RTD and New International Economic Order (NIEO), 1974

The first clear orientation to the RTD emerged in the 1970s. The concept of RTD was uttered by the developing states in the context of 'New International Economic Order (NIEO)' (Marks, 2003). After the decolonization, the newly independent states demanded their economic sovereignty through a new international economic system, because the old Bretton Woods system was proved favorable only for the developed states which led towards the unfair trade practices. Moreover, during the time Bretton Woods system was constituted, most of the newly colonized states were not existed as sovereign states. The Old order of the world which was based on colonialism, imperialism and hegemonism had created the worst economic disorder in the world economy. The result is that a wide economic inequality had been created between a few prosperous countries (North Pole) and a large number of poor countries (South Pole). Though, the principle of laissez-faire was discoursed, in practice, the principle of non-discrimination and free trade had not been applied. The industrialized countries had tried to insulate their agriculture from competition by seeking an exception of agriculture from the basic GATT Law in order to protect their agriculture sector. The multinational corporations of industrialized countries, on the other hand in the name of free enterprise, control the production and trade of raw materials which was vital to the developing countries. The developed countries holistically exploited the poor and colonial countries. The

emergence of unity among newly independent nations since 1960 and their enormous increased political power lead to revolution of rising expectations. The developing nations demanded for greater participation in world trade rather than the financial aid. They demanded for the structural change in international relations by establishing a New International Economic Order (NIEO).

The demands for the establishment of NIEO were formally demanded for the first time in the United Nation Commission on Trade and Development (UNCTAD) III conference in Santiago (Chile) in 1972 by the developing countries. Therefore, a Declaration on the establishment of a NIEO was approved on 1st May, 1974 without vote at the plenary meeting of the UNGA, the sixth special session. Through the Declaration the members of UN have proclaimed that due to their United determination to work urgently and diligently for the Sovereign equality, interdependence amongst all states, common interest and cooperation amongst all the states and to also eliminate the ever-widening gap between the developed and the developing worlds and to ensure economic and social development during a time of peace and uphold the values of justice for generations, present and future. The three basic documents for the establishment of a NIEO were:

- (i) **The Declaration on the Establishment of NIEO-** the central theme (Resolution, 1974) of the Declaration is to resolve the economic problems relating to raw materials, trade and to implement the principles lay down in the UN Charter relating to the socio-economic advancement of states in peace and to ensure justice for present and future generations. The Declaration recognized the equality of the states in terms of their sovereignty, and ensures full and effective participation on the basis of the equality of all the countries in solving the world economic problems which was in the best and common interest of all countries. The Declaration highlighted the rights of the states to pursue the social and economic system, recognizing the permanent sovereignty of each and every state over all its economic activities and natural resources in the globalized economy. It is pertinent to note here that when the Declaration was passed it established a unique system which enabled the Just and equitable relationship creating a balance between the prices of basic raw materials, primary products on the one hand and manufactured and semi manufactured goods exported by developing countries on the other hand, preferential and non-reciprocal treatment of the developing countries. Lastly, the Declaration provided a balanced playing field and its basic aim was to strengthen the individual and to make sure the collective action of economic trade on a mutual basis, technical and financial cooperation among all the developing countries on preferential basis. In the light of these principles The Declaration acted as an instrumental of force to facilitate the role of the international trade players in order to promote the growth of world economy which could be sustained and accelerate the development of developing countries and their individuals.
- (ii) **A Program of Action-** The UN General Assembly in its sixth special session adopted a resolution which was titled, "Program of Action (General Assembly Resolution 3202 (S-VI) of May, 1974) on the Establishment of NIEO". In the context of current economic disorder in connection with industrialized and developing states, there was a dire need to take affective measures to be taken urgently, by international community to resolve the problems facing the developing world. Therefore, a special program was provided to solve the fundamental problems which included raw materials and primary commodities as related to trade and its development. The program was based on three lines of actions i.e. (a) raw material and food, (b) general trade (c) cooperation.

- (iii) **Charter of Economic Rights and Duties of States (CERDS)**- The preamble of the charter (States, 1974) declared that the establishment of the NIEO which was based on principles of equality, sovereign equality, interdependence, common interest and cooperation amongst all the states, irrespective of their economic and social system. The preamble also emphasized the eminent need to establish and to maintain a system based on just and equitable principles of economic and social order through (i) the attainment of a more rational and an equitable development of international relations and the encouragement of structural changes necessary in the world economy, (ii) the creation of conditions which enhance the expansion of trade and intensify the economic cooperation amongst all nations, (iii) to ensure the strengthening of economic independence of the developing world and (iv) the establishment and promotion of international economic relations keeping into account the agreed upon difference in the development of the developing countries and their specific needs.

The NIEO was an institutional and regulatory framework that enables different nations of the world to work and grow together, cooperatively to achieve their maximum potentialities in economic objectives, such as development, investment, trade, employment and alleviation of poverty. This was considered as a rallying point for eliminating injustice and inequality of nations and peoples. The primary purpose of the NIEO was the reformation of old global economic system and to create a democratic international system for the equal distribution of the trade benefits between the developing and the developed states. As a consequence of the establishment of NIEO, the right of development of the developing states had been realized and the concept of RTD started to be discussed extensively at international level (Marks, 2003).

Positive views on the NIEO-in the view of international economic experts the NIEO would facilitate the development efforts of developing countries in all areas of international economic order through changing unfair and discriminatory practices. They argued that it would enhance the share of the developing countries in industrial and agricultural sectors of economy, including food, trade, transport and communication. Moreover, it would change the pattern of trade, technology, flow, transport and communication from North to South orientation and would open a new horizon to meet the challenges of globalization. Therefore, the NIEO demands to the states to act in accordance with agreed code in international economic relations. The norms and standards of such actions have been set out in the CERDS. So, in the light of the parameters of the charter, the purpose of the Charter is to ensure the full participation of the developing states in the decision-making processes, and they will not be deprived of their sovereignty over natural resources.

Adverse views on the NIEO- The critiques of the NIEO argued that the present structure of International economic relations does not commensurate with the interests of the developing states. The already existing system of international economic relations in its character does not provide a level playing field and have a multinational influence and dimension to safeguard the interest of developed world. They have views that the existing system of international economic relations must be reconstructed on democratic lines which envisages with equal and mutual advantageous international economic cooperation for sustainable development. It is pertinent to mention here that, there is a huge gap between the views held by the developed and developing countries and even confrontation in respect of important matters such as tariffs and trade. Moreover, the NIEO is a soft law and does not have binding effects on developed states. The eminent jurist (Grubel, 1977) argued that the NIEO was articulated through the bureaucrats of LDCs. They claimed that the NIEO would be beneficial for the LDCs and provide them with status,

income and power. However, in fact they do not have practical approach regarding the implications of the NIEO.

f) Declaration on the Right to Development, 1986

Right to development got a formal recognition in 1979 in resolution 4 (XXXV) (Report, 1979) of the Commission on Human Rights. The resolution directed the United Nation's Secretary General to observe the conditions required for the effective enjoyment of RTD by all peoples and individuals. The various reports and discussions resulted in the Commission and General Assembly in the formulation of a draft Declaration on the RTD. Ultimately, in 1986, the United Nations adopted the Declaration on the Right to Development. The Declaration was approved by an overwhelming majority, while the United States casting a single dissenting vote. The Declaration consisted of a preamble followed by 10 Articles. In the preamble, the Declaration acquired motivation from the UN Charter, ICCPR, ICESCR and other mechanisms of United Nations and its specialized agencies which were relevant with the basic development of human beings and the development of all peoples. The last three paragraphs of the preamble elucidate that a human individual is the main figure of the development process and developmental policies. It further states that a Human being is the basic participant and benefactor of the whole process of development at the national, regional and international level. The Declaration also enunciated certain responsibilities on the states to create a network of congenial and favorable conditions for the growth and development of human beings. The Declaration recognized that the right to development is an indispensable human right and the way to achieve equal opportunities for human development is a privilege both of individuals and states. The Declaration envisages that there is a grave need to develop support and to create a system of cooperation at international level in order to promote and safeguard human rights through establishment of a new international economic order.

g) Rio Declaration on Environment and Development (1992)

After the decolonization when the newly independent states claimed the economic sovereignty because without this, the political sovereignty cannot be fully exercised. It was difficult task for the colonial powers to grant the economic sovereignty to the developing world without safeguard the interest of their foreign nationals in these newly born states. Therefore, The Developed Countries argued that the interests of these foreign nationals in these regions must be protected and honored according to the International principle of Pacta sunt servanda. (Subedi, 2006) It is pertinent to mention here that, at this stage, that the concept of permanent sovereignty over natural resources (PSNR) was introduced in international law. With the passage of time, the newly independent states also demanded PSNR irrespective of any arrangements made by their previous colonial powers. Resultantly, these demands of the developing states were recognized subject to certain conditions in a resolution passed by the UN in 1962. The resolution states that the PSNR of the developing states must be ensured and protected for the national development of the people and concerned states". However, after the recognition of the right to PSNR, the developed world imposed certain environmental conditions on the developing states. In this regard an international conference on the protection of environment was held at Rio in 1992, in this conference the environment and development were considered together through a declaration called Rio Declaration on Environment and Development also named as Earth Summit. The principle 1 of the Declaration elucidates that "human beings were at the center of concerns for sustainable development". Moreover, the principle 2 of this Declaration imposed obligations on the states with respect to environment and development in these words that "the sovereign states have the right to utilize

their own natural resources in accordance with their national laws relating to environment and development. Therefore, the concerned state in its territorial jurisdiction must ensure that business and development activities do not cause damage to the environment of that state and to any other state in the region. It is worthwhile to note that, a world summit on sustainable development was held in South Africa, in 2002 for the implementation of principles of Rio Declaration on environment and development. Wherein, it was reaffirmed that the efforts shall be made to promote the integration of three components of sustainable development i.e. (a) economic development, (b) social development and (c) environmental protection, as these three are the inter-reliant and reciprocally reinforcing components. It was agreed in the summit that in order to promote sustainable development, good governance, rule of law, gender equality, elimination of corruption, effective socio-economic and environmental policies shall be implemented at national level. In Para 5 of the implementation plan of the said summit, elucidates that:

“peace, security, stability and respect for human rights and fundamental freedoms, including the RTD, as well as respect for cultural diversity, are essentials for achieving sustainable development and ensuring that sustainable development benefits all”

h) Vienna Declaration and Program of Action (1993)

In 1993, an international conference was held at Vienna, Austria wherein a VDPA was approved with consensus. The said initiative endorsed that RTD is an incontrovertible human right. The preamble of the Declaration emphasized on the security and propagation of HRs across the globe. The Declaration further approved that the human being is the central part of development process, and the principal recipient of the benefits resulting from such development process and strategies. In this context, the global community should support and collaborate with enthusiasm for the realization of human development and the states will make joint efforts for the eradication of all possible impediments to development to achieve positive outcomes. It is worthwhile to mention here that, the Declaration imposed obligations on comity of nations to cooperate for an effective enforcement of RTD and the eradication of the hurdles to development. The Declaration elucidated with respect to the implementation of the RTD, that there should be devised effective and meaningful strategies at domestic and international level through providing reasonable commercial dealings and congenial commercial atmosphere among the nations and their people.

i) Millennium Declaration, 2000

After the VDPA, a global summit of world leaders was organized by UN at New York. The mission of this summit was to formulate a structure for the strict observance and safety of the HRs of people on equitable grounds without any discrimination. In this summit a resolution was passed by the UN wherein goals of progressive development, alleviation of poverty, safety and enhancement of HRs were adopted by the member states through their representatives. This resolution was named as ‘The Millennium Declaration’. The Declaration followed the ideologies of UN charter and envisaged the principles of freedom, equality, security, development, alleviation of poverty, safety of HRs and effective governance. The Declaration conferred that mutual cooperation is indispensable for a prosperous and peaceful World and it is the prime responsibility of the states to uphold the norms of equality, self-respect of man, Development Cooperation, supremacy of Law, better governance and dispensation of societal impartiality.

II. Regional Developments on RTD

a) European Convention on Human Rights, 1950

The reflection of the RTD development at regional level can be traced back from the European convention on HR, which provides a legal framework and enforcement mechanism for the violation of HR among the western States. The EU Convention on HRs is distinguished from other global HRs documents, on account of that it does not entail a separate proscription on inequality. However, the Convention put prohibitions on discriminatory actions which are associated to the gratification of prerogatives and liberties as provided in the convention. Article 14 (Rights, 1950) of the Convention censures the inequality on any ground, whatsoever, for the gratification of privileges and liberties given in Convention. The EU court of HRs in a matter (*R (L and others) v Manchester City Council* and another case [2001]) of distribution of allowance to the foster careers families held that "it is the obligation of the local authority to take positive measures without discrimination to enable the children to live with their families unless their welfare and development is at danger".

It is pertinent to mention here that the EU Social Charter 1961 and the EU Social Charter (amended), 1996 were also acted as instrumental force, inter-alia, for the promotion of new societal privileges as the right to safeguard against dearth. The 1961 Charter in its preamble (Charter E. S., 1961) states that "the gratification and protection of societal prerogatives should be attained without prejudice". In a landmark case of *Airey v. Ireland* the ECtHR held that Socio-Economic Rights are interlinked with rule of Law. In case of *Guerra* the EU court of HRs passed the observations that the states should take serious steps to safeguard the Socio-Economic prerogatives not only between the individuals and states as well as between private actors, the Court further interpreted the Convention and clarified the responsibilities of the nations to provide the better standards of living of the people through the encouragement and security of prerogative associated with house, food, health and literacy. In another case of *Nencheva and Others vs Bulgaria* the ECtHR held that 'in the field of School education, it is the responsibility of the relevant authorities to take cogent steps in order to safeguard the life and education of the students'.

b) Inter-American Convention on Human Rights, 1969

Inter-American Convention on Human Rights, is one of those vital instruments, which contributed a major role in the recognition of RTD at regional level. The Preamble of the statute states that, the theme of the convention is to establish a democratic system in the country which enforce the conservation and backing of fundamental freedoms and HRs of the people. The Convention enforced a responsibility upon the nations to defend the privileges of the citizens which are provided in the said convention and to incorporate them into their Constitutions. The reflection of the RTD may be derived from the express provision of Article 24 and 26 of the Convention. The Article 24 (Rights I.-A. C., 1969) relates with the equality without discrimination and Article 26 (Rights I.-A. C., 1969) of the statute deals with accelerating progress of the individuals. For the purpose of compliance of the Convention, two institutions were established namely Inter-American Court of HRs and Inter American Commission on HRs. In a land mark case of *Indigenous Communities Members of the LhakaHonhat*, the Inter-American Court of HRs set the precedent that 'The Argentina has contravened its duties to protect the privileges of the aboriginal people as provided in Article 26 of the Inter-American Convention on HRs, that envisages with the protection of privileges relating to hale and hearty surroundings, social, financial and cultural growth of the citizens. The impact of this decision will make a significant milestone for the recognition and enforcement of indigenous people during the COVID-19.

c) The African Charter on Human and Peoples' Rights, 1981

The African statute on HRs and Peoples Rights (Banjul Charter) was the first regional document regarding the endorsement and defense of HRs and basic privileges in region of Africa. The Charter contained 63 Articles and a Preamble. The OAU (organization of African Unity) approved the Charter in its 18th Assembly in 1981. The Article 22 of the Charter reflects the concept of RTD in these words: that all the people of the region have the privilege to their demographic progress and it is the obligation of the states in the continent to defend the privilege to development of the citizens" (African Charter on Humans and People's Rights, 1988). Therefore, in the compliance of the Charter, some of the emergent nations in African region have acknowledged the RTD as a human privilege in their National Legal System (NLS). These Countries incorporated the RTD in their Constitutions. The names of these African Countries are Ethiopia, The State of Cote d'Ivoire (Ivory Coast), The Central African states, The Democratic Republic of Congo, Benin, Burundi, Eritrea, Malawi, Senegal, and Uganda. However, no other developing country in the African region has so far, recognized the RTD in its bill of rights, nevertheless, majority of African states have selected and supported in favor of the RTD and still endure to vigorously backing the RTD at UN forum. The African Commission on HRs in a land mark dispute of Centre for Minority Rights Development and Minority Rights Group International v. Kenya (Kenya, 276/2003), observed against Kenya that it has infringed the privileges of the aboriginal people with respect to land, norms, religion, and allocation sustainable reserves and growth, which are provided by the African charter in the provisions namely 8,14,17,21and 22, and declared that the Kenyan state have infringed the RTD of her citizens under the UNDRTD.

d) South Asian Association for Regional Cooperation (SAARC) Charter (1985)

The 1st Summit of SAARC Countries was held in Dhaka on December, 1985 wherein the SAARC Charter was adopted. The primary objective of the Charter was to boost the development cooperation including transfer of technologies and other resources at regional level between the SAARC member states. The Charter also followed numerous global HRs commitments. It includes Charter to protect the privilege to literacy, well-being and privilege to better standards of living, of the people. Moreover, the Charter provides the opportunities to the people of South Asia to exercise their full potential with dignity for achieving standards of developed life. The SAARC Charter, *inter-alia*, confers parallel commitments on to its member nations to enable the conservation and promotion of Socio-Economic and privilege relating to development of the people through regional cooperation, nevertheless, the Charter emphasized that such cooperation shall not be repugnant and inconsistent with the global HRs practices. All of the signatories to the SAARC except Bhutan have endorsed the global statue of HRs. Moreover, these member states also ratified CEDAW and CRC; therefore, they are under international obligations to fulfill all the commitments prescribed in these conventions except reservations and to make enabling legislation in the NLS" (Sattar).

e) Cairo Declaration on HRs in Islam (CDHRI), 1990

In 1990, as a response to UDHR, 1948, the Islamic World formulated a Declaration on Human Rights in Islamic perspective. The Basic idea behind this document was to provide general guidance to all the member states of OIC concerning recognition and enforcement of HRs in Islamic world under Islamic Sharia. The Declaration upheld the equality of Human beings, parentage from Adam and forms one family in the Universe; all these are subservient to ALLAH Almighty. The Declaration disallows the prejudice based on faith, class structure, difference of Opinion, color and sex. The Article 13and 17of the CDHRI, reflect the notion of RTD, that every human being is entitled to choose the livelihood without discrimination on the basic of male and

female. It is pertinent to mention here that, the Declaration elucidates that every human being has the privilege to enjoy positive environment and ethical development of his personality. The Document imposed obligations on the state to provide better standard of living to individuals through health, food, clothing, education, social security and all other requirements which are essential for human existence.

f) Arab Charter on HRs (ACHR), 2004

In 1994 a Charter on HRs was endorsed through the association of Arab nations which remained only on paper. In 2002 and 2003 the Arab League passed resolutions to revolutionize the earlier Charter of 1994. After the comprehensive consultation between the member states of Arab League, in 2004 a modernize Convention on HRs was adopted in the Session of the Arab Summit in Tunis (Charter). The Charter protects the social, civil and constitutional privileges of the people. The Charter reaffirmed the principles enunciated in UN Charter, UDHR, ICCPR and ICESCR and the CDHRI. This Charter contained a large number of traditional rights as provided in the above said legal instruments. Article 1 (ACHR) of the Charter grants the complete control, to all the people over their natural resources and wealth, it also ensures the privilege to communal, financial and norms development of all the people. Article 2 of the Charter reflects the concept of RTD through the elimination of discriminatory actions on the bases of sex, religion, race, color or other status.

III. Conclusion

The Right to Development has evolved from an implicit notion within early international human rights frameworks to a recognized human right, with its formalization occurring in the late 20th century. The development of RTD reflects a growing recognition of the interconnectedness of economic, social, and human rights, as emphasized by the NIEO and various UN declarations. Despite challenges and critiques, RTD continues to be a key component in the discourse on global equity, human dignity, and international cooperation, particularly for developing nations. The progression of RTD underscores the ongoing need for structural reforms in international economic relations to ensure sustainable development and equitable resource distribution for all.

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