**WYK Report to the UN Special Rapporteur on the Right to Development:**

**To inform the 2023 thematic reports and possible priorities for the work of the mandate during the next three years.**

**About WYK Advocate:** WYK Advocate is a project established with the mission of promoting human rights, alleviating poverty, eliminating discrimination and gender inequality, and preventing conflict through the implementation of the Sustainable Development Goals (SDGs), International Human Rights, and Humanitarian Law. Our goal is to achieve a world of peace, nonviolence, human rights, and equality for all people, regardless of age, gender, race, color, disability, religion, culture, or any other difference or background.

1. **Input to HRC Report (September 2023) – “Reinvigorating the right to development: A vision for the future”** 
   1. **Challenges to the realization of the Right to Development**

One of the primary challenges is the persistence of socioeconomic inequalities within and between countries. Structural inequalities in access to resources, opportunities, and power hinder the effective realization of the right to development.

Additionally, weak governance structures, corruption, and lack of effective institutions can undermine efforts to implement development policies and programs. Ensuring good governance and the rule of law is essential for creating an enabling environment for development.

Further, marginalized groups, including women, ethnic minorities, indigenous peoples, and persons with disabilities, often face significant barriers in accessing development opportunities. Addressing these disparities and ensuring their inclusion is crucial for realizing the right to development for all.

Moreover, inconsistencies and limited coordination among countries within a region can hinder regional cooperation in achieving development goals. Strengthening regional mechanisms, institutions, and partnerships is essential to address common challenges and promote inclusive development.

Forced migration, displacement, and refugees pose significant challenges to regional development. Addressing the root causes of displacement, protecting the rights of migrants, and ensuring their integration into host communities are crucial aspects of regional development.

Critical to mention is that the global economic system often perpetuates unequal power dynamics, trade imbalances, and financial volatility, which can hinder the realization of the right to development. Reforming international economic institutions and ensuring fair trade and investment policies are essential for enabling equitable and sustainable development.

Significantly, climate change and environmental degradation pose significant challenges to development globally. Addressing these issues requires international cooperation, technology transfer, and financial support to help vulnerable countries adapt to the impacts of climate change and transition to sustainable development pathways.

* 1. **The right to development of vulnerable or marginalized individuals and communities**

Many countries have adopted legal frameworks and policies that explicitly recognize and protect the rights of vulnerable and marginalized groups. These frameworks include laws against discrimination, provisions for affirmative action, and the promotion of inclusive development.

International human rights instruments, such as the Universal Declaration of Human Rights and the Convention on the Rights of Persons with Disabilities, provide a foundation for the protection and promotion of the rights of vulnerable and marginalized individuals.

Governments and international organizations have implemented targeted programs and initiatives to address the specific needs and challenges faced by vulnerable and marginalized groups. These programs often focus on areas such as education, healthcare, employment, and social protection.

For example, initiatives have been launched to promote gender equality and women's empowerment, improve access to education for children from disadvantaged backgrounds, and provide healthcare services to marginalized communities.

Enhancing the skills and capacities of vulnerable and marginalized individuals is crucial for their economic and social empowerment. Various programs and initiatives have been implemented to provide vocational training, entrepreneurship development, and access to financial resources.

International organizations and donor countries provide support and cooperation to countries facing challenges in realizing the right to development of vulnerable and marginalized groups. This support includes financial assistance, technical expertise, and knowledge sharing.

International cooperation also plays a vital role in addressing cross-border issues affecting marginalized communities, such as forced migration, human trafficking, and environmental degradation.

It is important to note that while progress has been made, there is still much work to be done. Ongoing efforts are needed to strengthen existing initiatives, address the root causes of marginalization and vulnerability, and ensure the effective implementation of policies and programs aimed at realizing the right to development for all individuals and communities.

* 1. **Recommendations of actors to implement the right to development**

Development agencies, both at national and international levels, have the expertise, resources, and networks to support development initiatives. They can provide financial assistance, technical expertise, and capacity building to governments and local communities.

These agencies can contribute by designing and implementing development projects that prioritize the needs of vulnerable and marginalized groups. They can also promote inclusive approaches, community participation, and the integration of human rights principles in development programming.

IFIs, such as the World Bank and regional development banks, have significant influence in shaping development policies and funding large-scale projects. They can contribute to the realization of the right to development by incorporating human rights considerations into their policies and project assessments.

IFIs can support countries in designing and implementing inclusive and sustainable development strategies, promoting social and environmental safeguards, and ensuring that development projects benefit marginalized communities.

Businesses can contribute to the right to development by adopting socially responsible practices that prioritize human rights, labor standards, and environmental sustainability. This includes respecting the rights of workers, supporting local communities, and engaging in fair trade practices.

Businesses can also contribute by promoting inclusive economic growth through responsible investment, job creation, and supporting small and medium-sized enterprises (SMEs) owned by marginalized individuals and communities.

Universities have a vital role in advancing knowledge, research, and innovation for development. They can contribute by conducting research that addresses the challenges faced by marginalized groups, developing evidence-based policies, and providing expertise to governments and civil society organizations.

Universities can also promote inclusive education by offering scholarships and educational programs to individuals from marginalized backgrounds, as well as by incorporating human rights and development issues into their curricula.

Civil society organizations (CSOs) are important actors in advocating for the right to development. They can raise awareness, monitor government actions, and hold duty bearers accountable for their development commitments.

CSOs can engage in grassroots organizing, community empowerment, and mobilization of marginalized groups. They can also provide direct services and support, including healthcare, education, legal assistance, and social protection programs.

The media plays a critical role in promoting the right to development by raising awareness, disseminating information, and facilitating public dialogue. Media outlets can highlight the experiences and challenges faced by marginalized communities, provide a platform for their voices, and promote social justice and human rights issues.

Media professionals can also act as watchdogs, exposing injustices and advocating for policy changes that address the needs of marginalized groups.

Collaboration and partnerships among these actors are essential for maximizing their contributions to the realization of the right to development. By working together, they can leverage their respective strengths, share knowledge and resources, and promote sustainable and inclusive development that benefits all individuals and communities.

1. **Input to UNGA report (October 2023) – “Role of businesses in realizing the right to development”**

To encourage businesses to contribute to the effective realization of the right to development, several laws, policies, and incentives can be introduced. Governments can develop comprehensive national development plans that outline the country's goals and strategies for sustainable development. These plans should include specific targets and guidelines for businesses to align their operations with the right to development.

Governments can enact laws that require businesses to incorporate social and environmental considerations into their operations. These laws can mandate CSR reporting, encourage the adoption of sustainable business practices, and set standards for responsible business conduct.

Governments can provide incentives to businesses that actively contribute to the right to development. This can include tax breaks, grants, subsidies, or preferential treatment in government procurement processes for businesses that demonstrate their commitment to sustainable development and social responsibility.

Governments can facilitate access to finance and technical support for businesses, particularly small and medium-sized enterprises (SMEs), that are committed to contributing to the right to development. This can include creating dedicated funds, providing low-interest loans, or offering capacity-building programs to enhance their sustainability practices.

Governments can introduce legislation or regulations that require businesses to conduct human rights due diligence throughout their supply chains. This involves identifying, preventing, and mitigating any adverse human rights impacts resulting from business activities, ensuring that the right to development is upheld at all stages of the value chain.

Businesses can develop digital inclusion programs aimed at providing access to technology and digital resources for underserved communities. This can include initiatives like providing free or low-cost internet connectivity, offering computer and device donations, or establishing community technology centers.

Businesses can offer digital skills training programs to empower vulnerable populations with the knowledge and tools needed to effectively use technology. These programs can include workshops, online courses, or partnerships with educational institutions to enhance digital literacy and skills among children, the elderly, and minorities.

Businesses can prioritize the creation of safe online environments for vulnerable populations. This involves implementing measures such as age verification systems, content filtering, and privacy protections to safeguard children from inappropriate content or online risks. Similarly, efforts can be made to combat online harassment, discrimination, and hate speech targeting minority groups.

Businesses should strive to provide multilingual support and content to accommodate linguistic diversity among vulnerable populations. This ensures that language barriers do not hinder access to technology or limit the safe use of digital platforms for children, the elderly, and minority groups.

Businesses must prioritize privacy and data protection measures to safeguard the personal information of vulnerable populations. This includes obtaining informed consent, implementing robust security measures, and transparently communicating how user data is collected, used, and stored.

**d. Recommendations for Effective Remedies**

To provide effective remedies to individuals and communities alleging breach of the right to development, states and other actors, such as national human rights institutions, development finance institutions, and businesses, can take the following steps:

States should enact and enforce laws that recognize and protect the right to development. These laws should clearly define the obligations of both state and non-state actors, including businesses, in promoting and respecting the right to development. Additionally, states should ensure that their legal frameworks provide avenues for individuals and communities to seek remedies for alleged violations.

States should guarantee access to justice for individuals and communities by establishing fair, impartial, and accessible judicial and administrative mechanisms. This includes ensuring that courts and tribunals have jurisdiction to hear cases related to the right to development and that legal aid or other support is available to those who cannot afford legal representation.

National Human Rights Institutions (NHRIs) play a vital role in addressing human rights grievances, including those related to the right to development. States should empower NHRIs with adequate resources, independence, and authority to receive and investigate complaints, conduct inquiries, and issue recommendations for remedial action.

States and businesses can collaborate to establish effective grievance mechanisms that enable individuals and communities to lodge complaints regarding alleged breaches of the right to development. These mechanisms should be accessible, transparent, and provide appropriate remedies, such as compensation, restitution, or guarantees of non-repetition.

Development finance institutions and businesses should conduct comprehensive impact assessments to identify potential negative effects on the right to development before undertaking projects or investments. These assessments should involve meaningful consultation with affected communities and provide opportunities for their input and participation in decision-making processes.

Remedial Measures: Where breaches of the right to development are identified, states and businesses should take prompt and effective remedial measures. This may include providing compensation, restitution, rehabilitation, or other appropriate remedies to individuals and communities affected by the violation. Remedial measures should be designed to redress the harm suffered and prevent future violations.

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1. **Input to C. Thematic priorities for 2023-26**

Recommended themes for the Special Rapporteur focus on during the next three years of his mandate for the effective realization of the right to development at the local, national, regional and international levels:

The Special Rapporteur may address issues related to poverty and inequality, as these are key barriers to the effective realization of the right to development. This could include examining policies and practices that perpetuate poverty and inequality and providing recommendations for addressing these challenges.

Ensuring access to essential services such as education, healthcare, clean water, sanitation, and housing is crucial for the realization of the right to development. The Special Rapporteur may focus on identifying gaps in access to these services and advocating for policies and actions to address them.

The right to development emphasizes the participation and empowerment of individuals and communities in decision-making processes that affect their lives. The Special Rapporteur may work towards promoting inclusive and participatory governance structures, fostering civil society engagement, and addressing systemic barriers that hinder meaningful participation.

The Special Rapporteur may highlight the importance of integrating social, economic, and environmental dimensions of sustainable development. This could include examining the impacts of development activities on the environment, promoting sustainable resource management, and advocating for policies that ensure development is environmentally sustainable.

The Special Rapporteur may emphasize the importance of adopting a human rights-based approach to development, which ensures that development efforts are consistent with international human rights standards. This includes examining the impact of development projects on human rights, addressing human rights violations in development processes, and promoting accountability and remedies for affected individuals and communities.