

Beyond the 'Human Rights and Development' Discourse: A Quest for a Right to Sustainable Development in International Human Rights Law

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Abstract : The intersection between development and human rights has been the point of scholarly debate for a long time. Consequently, a number of principles, which extend from the right to development to the human rights-based approach to development, have been adopted to understand the dynamics between the two concepts. Despite these attempts, the exact relationship between development and human rights has not been fully discovered yet. However, the inevitable interdependence between the two notions and the idea that development efforts must be undertaken by giving due regard to human rights guarantees has gained momentum in recent years. On the other hand, the emergence of sustainable development as a widely accepted approach in development goals and policies makes this unsettled convergence even more complicated. The place of sustainable development in human rights law discourse and the role of the latter in ensuring the sustainability of development programs call for a systematic study. Hence, this article seeks to explore the relationship between development and human rights, particularly focusing on the place given to sustainable development principles in international human right law. It will further quest whether there is a right to sustainable development recognized therein. Accordingly, the article asserts that the principles of sustainable development are directly or indirectly recognized in various human rights instruments, which provides an affirmative response to the question raised hereinabove. This work, therefore, will make expeditions through international and regional human rights instruments as well as case laws and interpretative guidelines of human rights bodies to prove this hypothesis.

Keywords : sustainable development, human rights, the right to development, the human rights-based approach to development, environmental rights, economic development, social sustainability

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