

### Human Right to Development

*[Countries] have the right and duty to formulate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom.*

- Declaration on the Right to Development

#### What is the Human Right to Development?

The right to development guarantees the highest economic, social, and environmental standards attainable for the entire population. Governments must respect existing communities and ensure the active participation of community members in redevelopment planning. Development plans must avoid displacing communities at all costs. The right to development is not dictated by market forces but instead focuses on development's role in creating sustainable communities for the well-being of society that equally value social, cultural, political, and economic progress.

#### Where is the Right to Development Protected?

Principles underlining the right to development are found in every major human rights document, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social, and Cultural Rights, and the International Covenant on Civil and Political Rights. The right to development is explicitly recognized in the Declaration on the Right to Development, the Vienna Declaration, the Rio Declaration, the Habitat Agenda, and the Copenhagen Declaration on Social Development.

#### Does the United States Respect the Human Right to Development?

Redevelopment planning largely occurs at the local level, leaving city councils the most likely avenues for communities to directly participate in such planning. Across the United States, however, localities have disregarded strong community objections to planning proposals and have redeveloped in ways that clearly have not been in the best interest of the communities they purport to serve.

- ◆ *Destroying the Mecca*

The proposal to rezone 125th Street in Harlem, New York (known as Black America's "Mecca") was met with widespread community opposition. Community Board 10, which represents the land use and zoning interests of central Harlem, voted against the rezoning plan. Yet, the New York City Council approved the rezoning with a vote of 47-to-2.<sup>1</sup>

- ◆ *Demanding Liberty in Liberty City*

This largely Black neighborhood in Miami, Florida experienced significant displacement after the demolition of the Scott-Carver housing project. After a very public and powerful, seven year, resident-led campaign by the Miami Workers Center, the city council agreed to one-for-one replacement. To date, only a handful of homes have since been constructed.<sup>2</sup>

- ◆ *Chipping away at the heart of the Mission*

80 residents were evicted from the northeast area of San Francisco's Mission district. This low income community of Latino immigrants, working class communities of all colors, and artists were displaced to make way for Bryant Square, an office development for the area's high tech industry. Though a majority of community members petitioned to overturn the planning commission's approval of the project, it was approved by a 8-to 3 vote.<sup>3</sup>

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## What are the Key Components to the Human Right to Development?

### Access to Services

Development must not affect communities' access to social services, and/or push communities into areas without jobs or services. It also must work to ensure that all communities have equal access to such services. Schools, health care, businesses, employment opportunities, and cultural institutions must be easily accessible by all members of society.<sup>4</sup>

### Nondiscrimination

Development must not deepen social inequalities based on factors, such as class and race, by allowing one group access and privilege over or at the expense of another group.<sup>5</sup> Poor and minority communities should not be pushed into unhealthy, toxic environments, or displaced from their neighborhoods in the name of development.

### Participation

Development must regard the opinion of community members as of equal value to those of analysts, academics, planners, and the private sector.<sup>6</sup> Participation by community members must be meaningful, active and well integrated into development planning.

### Poverty Eradication

Development must undertake the improvement of poor communities as one of its primary goals.<sup>7</sup> Development planning should be sensitive to local economies, including small businesses and local industries, and work to support local initiatives.<sup>8</sup> Development should seek to ensure that long-term residents share in the benefits of improvements to their communities.

### Sustainability

Development must create communities that are sustainable with sufficient protection from the ravages of natural disaster, environmental fluctuations, and time.<sup>9</sup> Development in poor communities must be held to the same standards of sustainability as development in wealthier areas. Poor communities should not be deprived of access to and the benefits of scientific, architectural and environmental advancements that could improve their living environment and prevent the destruction of their homes.<sup>10</sup>

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<sup>1</sup> Timothy Williams, "Council Approves Rezoning of 125<sup>th</sup> Street, Over Loud Protests of Some Spectators," *The New York Times*, 1 May 2008, 30 October 2008 <<http://www.nytimes.com/2008/05/01/nyregion/01harlem.html>>.

<sup>2</sup> Jasmine Kraaling, "Village Voices," *Barry Magazine*, 2007 Fall, 3 November 2008 <<http://www.barry.edu/barrymagazine/2007fall/features/villagevoices.htm>>.

<sup>3</sup> Tom Wetzel, "A Year in the Life of the Anti-Displacement Movement," 2000, 4 November 2008 <<http://www.uncanny.net/~wetzel/macchron.htm>>.

<sup>4</sup> Declaration on the Right to Development, Article 8; <http://www.unhchr.ch/html/menu3/b/74.htm>.

<sup>5</sup> Convention on the Elimination of All Forms of Racial Discrimination, Article 5; [http://www.unhchr.ch/html/menu3/b/d\\_icerd.htm](http://www.unhchr.ch/html/menu3/b/d_icerd.htm).

<sup>6</sup> See Note 4 at Preamble.

<sup>7</sup> Agenda 21, Chapter 3, Paragraph 4; <http://habitat.igc.org/agenda21/>.

<sup>8</sup> *Ibid.*

<sup>9</sup> Rio Declaration, Principle 4; <http://habitat.igc.org/agenda21/rio-dec.htm>.

<sup>10</sup> Universal Declaration of Human Rights, Article 27; <http://www.un.org/Overview/rights.html>.